

Hong Kong Labour Rights Monitor Slams Primary Trial Sentences Urges Global Action on Political Prisoner Release

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Today (19 November 2024), 1,361 days after the police formally charged the defendants, Hong Kong's national security-designated judges finally gave sentences to the 45 defendants found guilty of conspiracy to commit subversion under the National Security Law (NSL) for their participation in the democratic primary.

Among them, **Tai Yiu-ting**, described as the primary organiser, received the longest sentence of 10 years, while the remaining defendants face prison terms ranging from four years and two months to seven years and nine months.

Among the convicted are trade unionists **Carol Ng Man-ye**, former chairperson of the now-defunct Hong Kong Confederation of Trade Unions (HKCTU), and **Winnie Yu Wai-ming**, the founder and chairperson of the now-defunct Hospital Authority Employees Alliance (HAEA).

Both aimed to bring workers' voices into the Legislative Council and fight for democracy by participating in the election. Carol Ng and Winnie Yu had already spent 1,361 and 1,138 days in custody before sentencing. Today, they were sentenced to four years and five months and six years and nine months in prison, respectively.

The Hong Kong Labour Rights Monitor (HKLRM) strongly condemns the harsh sentences. HKLRM emphasises that the 45 pro-democracy figures peacefully pursued democracy and freedom through lawful means, seeking a majority in the Legislative Council — a goal that should never be viewed as a criminal act. As Winnie Yu stated in her mitigation letter, *"Perhaps the only wrong I have committed was that I love Hong Kong too much."*

Christopher Mung, the Executive Director of Hong Kong Labour Rights Monitor, said:

"The verdict demonstrates that the National Security Law has been weaponised by the authoritarian government, turning it into a political tool to suppress civil society.

The lengthy sentences imposed on individuals in this case reflect the repressive agenda, delivering another alarming signal to the world that repression in Hong Kong is ongoing, with no indication that the authorities intend to cease.

This is a critical time for the international community to show solidarity and demand the immediate release of these individuals and other political prisoners.

We urge the international community, including the United Nations and the International Labour Organisation, as well as democratic trade unions and governments worldwide, to take a strong stance and hold the Hong Kong government accountable.

With most trade unions, civil society groups, and oppositional political parties unable to operate and the voices of Hong Kong's people silenced under relentless political persecution, we must not remain silent. It is our responsibility to speak out for them and show unwavering solidarity."

HKLRM also calls on international organisations, institutions, and governments to take decisive action to support the people of Hong Kong and defend fundamental rights and freedoms. This includes condemning these sentences and convictions, calling for the immediate release of the

individuals, and urging the Hong Kong government to repeal the National Security Law and the Safeguarding National Security Ordinance.

Most of the defendants in this case had been in jail since February 28, 2021, well before their trial officially began on February 6, 2023.

The trial was overseen by three National Security Law-designated judges appointed by Hong Kong's Chief Executive. Spanning 118 days, the trial's closing arguments weren't delivered until December of that same year. The arrests were part of a large-scale police operation, mobilising thousands of officers in what can only be described as a sweeping "mass crackdown.

After being arrested, the defendants endured prolonged bail hearings, which were marred by delays and denied them basic rights, such as proper rest and access to food. Furthermore, the defendants were subjected to extended pretrial detention, highlighting the government's strategy of stifling dissent.

This drawn-out process underscores the Hong Kong authorities' ongoing efforts to silence opposition, particularly the voices of independent trade unions.

Over the past three years, the case of Hong Kong 47 has drawn significant concern from the international community.

The UN Human Rights Committee has previously called on the Hong Kong government to repeal the NSL, citing its "overly broad interpretation and arbitrary application" and undermining judicial independence and the right to a fair trial.

In May 2024, following the conviction of 14 defendants in this case, the UN High Commissioner for Human Rights, Volker Türk, reiterated that the NSL does not comply with Hong Kong's obligations under the International Covenant on Civil and Political Rights.

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