

就香港法庭對2020年立法會選舉民主派初選的判決之公開聲明

2020年7月11至12日，超過61萬名香港市民參與由民主派為預計於2020年9月進行的立法會選舉而舉行的公開初選。眾多參選人提出要行使香港基本法載有的憲制權力製造憲制危機，以令香港共產政權回應香港人自2019年大革命以來一直爭取的五大訴求，包括落實特區首長及立法會的全面普選。初選結束後，港共政權卻一邊以疫情為由強行中止立法會選舉，一邊以政治審查取消參選人參選資格，及時任立法會議員的民主派的議席，再強行以中央命令本地立法通過完全修改行政長官、選舉委員會及立法會的選舉方式，違反《英中聯合聲明》，徹底破壞香港的憲制秩序。

中共政權及港共政權以漠視公義及法治的方式單方面修改香港的憲制架構，除了違背香港的法治精神，更是以眾人可見的方式藉強權踐踏主流民意，違反高度自治，破壞一國兩制，等同撕毀《英中聯合聲明》。

香港的主權及未來的決定權理應屬於香港公民，然而卻因為歷史原因，香港人始終不能自行決定未來，最後由當時的殖民地宗主國英國單方面地決定將主權移交中共，並根據《英中聯合聲明》設立《香港基本法》作為管治香港的法理依據。《香港基本法》雖然是根據《英中聯合聲明》而立，但中共強行不斷以「釋法」及「附件三立法」僭建《香港基本法》，來規管香港及香港公民，這種行為明顯缺乏合法性，更不能反映香港公民的意願。中共及港共的行為，等同宣布《香港基本法》不再有效。

在2024年11月19日的由香港法庭對「民主派初選」作出的判刑，對於以根據《香港基本法》第五十條中透過否決財政預算案方式令行政長官必須辭職的政治行為，被中共及港共政權指控為「顛覆國家政權」的行為，凸顯中共及港共政權毫不尊重，且公然違背《英中聯合聲明》。根據僭建於香港法制上的中共法律《國家安全維持法》進行的中共法制式審訊，更直接顯露出香港的法治系統已經變成了中共的形狀，失去了司法的獨立性。香港實行「高度自治」的指標之一——三權分立中的司法獨立，儼已蕩然無存。

在2020年舉行的立法會民主派初選，除了在本案被告的眾多候選人外，有超過61萬人名選民參與，具有民意基礎及合符當時的香港法例。然而，該次選舉卻因為候選人在政綱中表態希望運用憲制權力而被政權以政治審查取消參選資格，選舉亦因為政權一方認為沒有優勢而被強行取消。包括23名時任區議員及13名當屆立法會直選議員在內的參選人及初選主辦者被投獄。香港的選舉制度也在這次的大搜捕及被《國家安全維持法》的強行實施後，在香港公民不能合理凝聚共識下被政權單方面改變。在行政、立法、司法三權都被中共單方面破壞的情況下，《英中聯合聲明》已等同被中共撕毀。

初選是民主制度的重要組成部分，旨在讓公民參與政治進程，表達政治意願。港共政權將其定性為違法，以此起訴參選人，是違背民主社會的基本標準。本案以僭建於香港的《國安法》來對初選起訴並定罪，審訊並不設公民陪審團，而只是由港共政權指派的法官審理，使法律淪為政治工具，剝奪被告人受公平審訊的權利，明顯違反《公民權利和政治權利國際公約》，損害香港法治的核心原則和公信力。如前所述，大量香港公民於2020年以不同程度參與了初選，包括時任各區區議員、曾經提供地點進行初選的公司及個人、及參與初選票站和參選人團隊的義工和投票的群眾在內，此判決將對這些人士在香港的安全產生重大影響。

本會謹此要求國際社會：

1. 譴責港共政及法庭的不公義判決並追究責任

呼籲國際社會認知中共違背並單方面撕毀《英中聯合聲明》的行為，並採取相應救濟行動。

2. 制裁所有參與本案的法官、檢控官、政府官員及警察高層人員

因其行為已破壞了香港的人權和法治，要求國際社會對所有參與本案的法官、檢察官、港共政權及警察高層進行制裁。（包括但不限於國安法指定法官陳慶偉、李運騰、陳仲衡，檢控官周天行、楊美琪，時任律政司司長鄭若驊，現任律政司司長林定國、副司長張國鈞，時任警務處長鄧炳強、現任警務處長蕭澤頤，及受中共指揮的港共政權國安委員會成員等（40人名單見附表））

3. 要求國際社會展開營救行動以釋放所有香港政治犯

要求國際社會採取行動以達致港共政權釋放所有香港政治犯，以實際行動保障香港人的權利和自由。

香港公民代表會議

開埠184年

二〇二四年十一月十九日

具名參與聯署的香港民意代表：

中西區 許智峯

黃大仙區 尤漢邦

沙田區 丘文俊

中西區 葉錦龍

荃灣區 賴文輝

沙田區 許銳宇

灣仔區 張嘉莉

屯門區 曾振興

沙田區 曾杰

東區 黎志強

元朗區 黎國泳

沙田區 丁仕元

油尖旺區 林兆彬

元朗區 李俊威

葵青區 單仲楷

深水埗區 李文浩

元朗區 康展華

葵青區 蔡雅文

深水埗區 黃傑朗

元朗區 杜嘉倫

葵青區 郭子健

深水埗區 甄啟榮

大埔區 姚躍生

葵青區 劉子傑

九龍城區 李軒朗

西貢區 李賢浩

黃大仙區 劉珈汶

西貢區 王卓雅



ACRHK
香港公民代表會議
Assembly of Citizens' Representatives,
Hong Kong

Assembly of Citizens' Representatives, Hong Kong Public Statement on the Hong Kong Court's Verdict Regarding the 2020 Legislative Council Election Pro-Democracy Primary

On July 11–12, 2020, over 610,000 Hong Kong citizens participated in a pro-democracy primary election organized in preparation for the Legislative Council election scheduled for September 2020. Many candidates in the primary pledged to utilize the constitutional powers enshrined in the Basic Law to create a constitutional crisis, pressing the Hong Kong Communist Regime to respond to the "Five Demands" that Hongkongers had been advocating since the 2019 protests, including the implementation of universal suffrage for the Chief Executive and Legislative Council elections. However, following the primary, the Hong Kong Communist Regime used the pandemic as a pretext to cancel the election, disqualified candidates through political vetting, and revoked the seats of incumbent pro-democracy legislators. It then unilaterally overhauled the electoral system under Peking's directive, violating the Sino-British Joint Declaration and dismantling Hong Kong's constitutional order.

By unilaterally altering Hong Kong's constitutional framework, the Chinese Communist Party (CCP) and the Hong Kong Communist Regime have blatantly disregarded justice and the rule of law. Their actions trampled on public opinion, undermined Hong Kong's autonomy, and destroyed the "One Country, Two Systems" framework, effectively tearing up the Sino-British Joint Declaration.

The sovereignty and future of Hong Kong rightfully belong to its people. Yet, due to historical circumstances, Hongkongers have never been allowed to determine their own fate. The handover of sovereignty to the CCP was decided unilaterally by the former colonial power, the United Kingdom. The Basic Law, established based on the Sino-British Joint Declaration, was intended to govern Hong Kong. However, Peking has continuously amended the Basic Law through "interpretations" and legislative changes via Annex III, imposing regulations without legitimacy or the consent of Hongkongers. These actions render the Basic Law effectively null and void.

The November 19, 2024, sentencing by the Hong Kong courts of individuals involved in the 2020 pro-democracy primary election reflects Peking and the Hong Kong Communist Regime's blatant violation of the Sino-British Joint Declaration. The use of the National Security Law (NSL)—a CCP-imposed legal framework—to prosecute and convict the defendants reveals that Hong Kong's legal system has become an extension of Peking's authority, completely eroding judicial independence, a cornerstone of the rule of law and a pillar of Hong Kong's autonomy.

The 2020 pro-democracy primary election, which garnered participation from over 610,000 voters, was a legitimate democratic exercise grounded in public support and compliant with Hong Kong's laws at the time. However, due to candidates' platforms advocating the use of constitutional powers, the authorities disqualified them through political vetting, canceled the election, and arrested participants, including 23 incumbent district councilors and 13 directly elected legislators. This crackdown,

coupled with the NSL's forced implementation, unilaterally overhauled Hong Kong's electoral system, stripping Hongkongers of their ability to form a political consensus. With the CCP undermining the executive, legislative, and judicial branches, the Sino-British Joint Declaration is effectively annulled.

Primaries are a fundamental element of democratic systems, allowing citizens to engage in political processes and express their will. By criminalizing the 2020 primary election and prosecuting its participants under the NSL—without a jury and through judges handpicked by the “government”—the Hong Kong Communist Regime has turned the law into a political weapon. This violates the International Covenant on Civil and Political Rights, undermines the principles of fair trial, and erodes public confidence in the rule of law. The sentencing also endangers the safety of the many Hongkongers who participated in the primary election as voters, organizers, or volunteers.

The Assembly of Citizens' Representatives, Hong Kong, calls upon the international community to:

1. Condemn the unjust verdicts

Recognize and respond to Peking's unilateral breach of the Sino-British Joint Declaration and its destruction of Hong Kong's democratic values.

2. Sanction all involved individuals

Impose targeted sanctions on judges, prosecutors, government officials, and senior police officers involved in this case. This includes, but is not limited to, NSL-designated judges Andrew Chan Hing-wai, Alex Lee Wan-tang, and Johnny Chan Jong-herng; prosecutors Anthony Chau Tin-hang and Maggie Yeung Mei-kei; former Secretary for Justice Teresa Cheng; current Secretary for Justice Paul Lam and Deputy Secretary Cheung Kwok-kwan; former Commissioner of Police Chris Tang; current Commissioner Raymond Siu; and members of the Hong Kong National Security Committee (see Appendix for a full list of 35 names).

3. Launch rescue efforts to release all political prisoners

Advocate for the immediate release of all Hong Kong political prisoners and take concrete actions to protect the rights and freedoms of Hongkongers.

The Assembly of Citizens' Representatives, Hong Kong
Year 184 of the Founding of Hong Kong
On November 19, 2024

Signatories: Elected Representatives of Hong Kong

1. Central and Western District - Hui Chi-fung Ted
2. Central and Western District - Yip Kam-lung Sam
3. Wan Chai District - Clara Cheung
4. Eastern District - Lai Chi-keung
5. Yau Tsim Mong District - Lam Siu-ban
6. Sham Shui Po District - Lee Man-ho
7. Sham Shui Po District - Ken Wong Kit-long
8. Sham Shui Po District - Yan Kai-wing
9. Kowloon City District - Timothy Lee

10. Wong Tai Sin District - Carmen Lau
11. Wong Tai Sin District - Yau Hon Pong
12. Tsuen Wan District - Lai Man-fai
13. Tuen Mun District - Tsang Chun-hing
14. Yuen Long District - Lai Kwok-wing
15. Yuen Long District - Wilber Lee
16. Yuen Long District - Thomas Hong
17. Yuen Long District - Kalun To
18. Tai Po District - Manson Yiu
19. Sai Kung District - Ryan Lee
20. Sai Kung District - Wong Cheuk-nga Valarie
21. Sha Tin District - Man Yau
22. Sha Tin District - Hui Yui-yu
23. Sha Tin District - Tsang Kit
24. Sha Tin District - Ting Si-yuen
25. Kwai Tsing District - Sin Chung Kai
26. Kwai Tsing District - Choi Nga-man
27. Kwai Tsing District - Kwok Tsz-kin
28. Kwai Tsing District - Lau Chi-kit Chris

2020年香港立法會初選案中被起訴／判刑的時任民意代表：

姓名	時任區議員	當屆立法會	刑期	備註
區諾軒		香港島直選	6年9個月	認罪並成為控方證人
趙家賢	東區／副主席		7年	認罪並成為控方證人
鍾錦麟	西貢／主席		6年1個月	認罪並成為控方證人
袁嘉蔚	南區／議員		4年3個月	認罪
梁晃維	中西區／議員		4年11個月	認罪
鄭達鴻	東區／議員		6年6個月	不認罪
徐子見	東區／議員		4年2個月	認罪
李予信	東區／議員		—	不認罪，無罪釋放
楊雪盈	灣仔／主席		6年6個月	不認罪
彭卓棋	南區／議員		6年6個月	不認罪
岑子杰	沙田／議員		4年3個月	認罪
毛孟靜		九龍西直選	4年2個月	認罪
何啟明	深水埗／議員		6年7個月	不認罪
劉偉聰	深水埗／議員		—	不認罪，無罪釋放(政府上訴中)
黃碧雲		九龍西直選	6年6個月	不認罪
譚文豪		九龍東直選	4年2個月	認罪
李嘉達	觀塘／議員		4年3個月	認罪
胡志偉		九龍東直選	4年5個月	認罪
施德來	黃大仙／議員		6年7個月	不認罪
朱凱迪		新界西直選	4年5個月	認罪
張可森	屯門／議員		4年11個月	認罪
伍健偉	元朗／議員		5年7個月	認罪
尹兆堅	葵青／議員	新界西直選	4年8個月	認罪
郭家麒		新界西直選	4年2個月	認罪
譚凱邦	荃灣／議員		4年3個月	認罪
楊岳橋		新界東直選	5年1個月	認罪
陳志全		新界東直選	6年6個月	不認罪

林卓廷	北區／議員	新界東直選	6年9個月	不認罪
范國威	西貢／議員	新界東直選	4年2個月	認罪
梁國雄		新界東直選	6年9個月	不認罪
柯耀林	西貢／議員		6年7個月	不認罪
岑敖暉	荃灣／議員		4年6個月	認罪
王百羽	元朗／議員		4年3個月	認罪
	23名	13名		

2020年香港立法會初選案中相關香港政府人員(包括行政及司法機關)

	時任政府高級職位	第一屆國安委員會	第二屆國安委員會	警務處國安處職位	司法機構／律政司
林鄭月娥	行政長官	主席			
李家超	行政長官, 政務司司長, 保安局局長	成員(2020年7月3日~2022年)	主席		
張建宗	政務司司長	成員			
陳國基	政務司司長, 特首辦主任	秘書長	成員		
陳茂波	財政司司長	成員	成員		
鄭若驊	律政司司長	成員			律政司司長
林定國	律政司司長		成員		律政司司長
鄧炳強	政務司司長, 保安局局長, 警務處處長	成員	成員		
蕭澤頤	警務處處長		成員		
劉賜蕙	警務處副處長(國家安全)	成員	成員, 執行長	警務處副處長(2020年7月3日—2023年4月29日)	

簡啟恩	警務處副處長(國家安全)		成員	警務處副處長(2023年5月2日—), 高級助理處長(國家安全處處長)(2021年12月—2023年4月), 助理處長(2020年8月—2021年12月)	
區嘉宏	入境事務處處長	成員	成員		
郭俊峯	入境事務處處長		成員		
鄧以海	海關關長	成員			
何珮珊	海關關長	成員	成員		
葉文娟	特首辦主任		成員		
羅振南	入境處副處長	副秘書長			
區志光	保安局前副局長		秘書長		
林曉彤	警務處前高級助理處長		副秘書長		
駱惠寧	(中聯辦主任)	國家安全事務顧問	國家安全事務顧問		
鄭雁雄	(中聯辦主任)		國家安全事務顧問		
蔡展鵬				高級助理處長(國家安全處處長)(2020年7月11日—2021年8月12日)	
江學禮				高級助理處長(國家安全處處長)(2023年4月—), 助理處長(2020年7月—2023年4月)	
趙詠蘭				助理處長(2022年1月31日—), 總警司(2020年7月—2022年1月31日)	
王忠巡				助理處長(2022年1月31日—), 總警司(2020年7月—2022年3月18日)	

張惠華				總警司(2022年1月31日—)	
李桂華				總警司(2023年5月2日—)	
張國鈞	律政司副司長				律政司副司長
洪曉敬	律政司司長政治助理				律政司司長政治助理
陳倩雯	律政司副司長政治助理				律政司副司長政治助理
陳慶偉					國安法指定法官
李運騰					國安法指定法官
陳仲衡					國安法指定法官
楊美琪					律政司刑事檢控專員
周天行					律政司副刑事檢控專員
萬德豪					律政司副刑事檢控專員
羅天璋					律政司助理刑事檢控專員
吳加悅					律政司高級檢控官
陳穎琛					律政司高級檢控官
徐倩姿					律政司高級檢控官

The then elected representatives who were prosecuted/sentenced in
the 2020 Hong Kong Legislative Council primary election case:

Name	Then district councilor	Then current Legislative Council	sentence	Remark
Au Nok-hin		Hong Kong Island / GC	6 years and 9 months	Plea guilty and become a prosecution witness
Chiu Ka-yin Andrew	Eastern District/Vice Chairman		7 years	Plea guilty and become a prosecution witness
Chung Kam-lun	Sai Kung/Chairman		6 years and 1 month	Plea guilty and become a prosecution witness
Yuen Ka-wai Tiffany	Southern District/Member		4 years and 3 months	plead guilty
Leung Fong-wai Fergus	Central and Western District/Member		4 years and 11 months	plead guilty
Cheng Tat-hung	Eastern District/Member		6 years and 6 months	Plead not guilty
Chui Chi-kin	Eastern District/Member		4 years and 2 months	Plead guilty
Lee Yu-shun	Eastern District/Member		-	Not guilty, acquitted

Yeung Suet-ying Clarisse	Wan Chai/Chairman		6 years and 6 months	Plead not guilty
Pang Cheuk-kei	Southern District/Member		6 years and 6 months	Plead not guilty
Sham Tsz-kit	Shatin/Member		4 years and 3 months	Plead guilty
Mo Man-ching Claudia		Kowloon West / GC	4 years and 2 months	Plead guilty
Ho Kai-ming Kalvin	Sham Shui Po / Member		6 years and 7 months	Plead not guilty
Lau Wai-chung Lawrence	Sham Shui Po / Member		-	Not guilty, acquitted (under appeal by the government)
Wong Pik-wan		Kowloon West / GC	6 years and 6 months	Plead not guilty
Tam Man-ho Jeremy Jansen		Kowloon East / GC	4 years and 2 months	Plead guilty
Li Ka-tat	Kwun Tong/Member		4 years and 3 months	Plead guilty
Wu Chi-wai		Kowloon East / GC	4 years and 5 months	Plead guilty
Sze Tak-loy	Wong Tai Sin/Member		6 years and 7 months	Plead not guilty

Chu Hoi-dick Eddie		New Territories West / GC	4 years and 5 months	Plead guilty
Cheung Ho-sum	Tuen Mun/Member		4 years and 11 months	Plead guilty
Ng Kin-wai	Yuen Long/Member		5 years and 7 months	Plead guilty
Wan Siu-kin Andrew	Kwai Tsing/Member	New Territories West / GC	4 years and 8 months	Plead guilty
Kwok Ka-ki		New Territories West / GC	4 years and 2 months	Plead guilty
Tam Hoi-pong	Tsuen Wan/Member		4 years and 3 months	Plead guilty
Yeung Alvin Ngok-kiu		New Territories East / GC	5 years and 1 month	Plead guilty
Chan Chi-chuen Raymond		New Territories East / GC	6 years and 6 months	Plead not guilty
Lam Cheuk-ting	North District/Member	New Territories East / GC	6 years and 9 months	Plead not guilty
Fan Gary Kwok-wai	Sai Kung/Member	New Territories East / GC	4 years and 2 months	Plead guilty

Leung Kwok-hung		New Territories East / GC	6 years and 9 months	Plead not guilty
Or Yiu-lam Ricky	Sai Kung/Member		6 years and 7 months	Plead not guilty
Lester Shum	Tsuen Wan/Member		4 years and 6 months	Plead guilty
Wong Pak-yu	Yuen Long/Member		4 years and 3 months	Plead guilty
	23 people	13 people		

Relevant Hong Kong government personnel (including administrative and judicial agencies) in the 2020 Hong Kong Legislative Council primary election

	Senior government position at the time	The 1 st Committee of Safeguarding National Security, HKSAR	The 2 nd Committee of Safeguarding National Security, HKSAR	Police National Security Department	Judiciary / Department of Justice
Carrie Lam	Chief Executive	Chairperson			
John Lee Ka-chiu	Chief Executive, Chief Secretary for Administrati	Member (July 3, 2020 ~ 2022)	Chairperson		

	on, Secretary for Security				
Matthew Cheung Kin- chung	Chief Secretary for Administrati on	Member			
Eric Chan Kwok-ki	Chief Secretary for Administrati on, Director of the Chief Executive's Office	Secretary General	Member		
Paul Chan Mo-po	Financial secretary	Member	Member		
Teresa Cheng Yeuk- wah	Secretary for justice	Member			Secretary for Justice
Paul Lam Ting-kwok	Secretary for Justice		Member		Secretary for Justice
Chris Tang Ping-keung	Chief Secretary for Administrati on, Secretary for Security, Commission er of Police	Member	Member		
Raymond Siu Chak-ye	Commission er of Police		Member		

Edwina Lau Chi-wai	Deputy Commissioner of Police (National Security)	Member	Member, Chief Executive Officer	Deputy Commissioner of Police (July 3, 2020 - April 29, 2023)	
Andrew Kan Kai-yan	Deputy Commissioner of Police (National Security)		Member	Deputy Commissioner of Police (May 2, 2023-), Senior Assistant Commissioner (Director of National Security Division) (December 2021-April 2023), Assistant Commissioner (August 2020-2021) December)	
Au Ka-wang	Director of Immigration	Member	Member		
Benson Kwok Joon-fung	Director of Immigration		Member		
Hermes Tang Yi-hoi	Commissioner of Customs	Member			
Louise Ho Pui-shan	Commissioner of Customs	Member	Member		
Carol Yip Man-kuen	Director of the Chief		Member		

	Executive's Office				
Law Chun-nam	Deputy director of immigration	Deputy Secretary-General			
Sonny Au Chi-kwong	Former Deputy Director of the Security Bureau		Secretary General		
Lam Hiu-tong	Former Senior Assistant Commissioner of Police		Deputy Secretary-General		
Luo Huining	(Director of the Liaison Office of the CPC Central Committee)	National security adviser	National security adviser		
Zheng Yanxiong	(Director of the Liaison Office of the CPC Central Committee)		National security adviser		
Frederic Choi Chin-pang				Senior Assistant Director (Director, National Security Division) (July 11, 2020 -	

				August 12, 2021)	
Kong Hok-lai				Senior Assistant Director (Director, National Security Division) (April 2023-), Assistant Director (July 2020-April 2023)	
Chiu Wing Lan, Margaret				Assistant Commissioner (January 31, 2022-), Chief Superintendent (July 2020-January 31, 2022)	
Wong Chung Chun, Dick				Assistant Commissioner (January 31, 2022-), Chief Superintendent (July 2020-March 18, 2022)	
Cheung Wai-wah				Chief Superintendent (January 31, 2022-)	
Steve Li Kwai-wah				Chief Superintendent (May 2, 2023-)	

Horace Cheung Kwok-kwan	Deputy Secretary for Justice				Deputy Secretary for Justice
Denise Hung Hiu-king	Political Assistant to the Secretary for Justice				Political Assistant to the Secretary for Justice
Nicole Chan Sin-man	Political Assistant to the Deputy Secretary for Justice				Political Assistant to the Deputy Secretary for Justice
Andrew Chan Hing-wai					National Security Law designated judge
Lee Wan Tang, Alex					National Security Law designated judge
Chan Jong Heng, Johnny					National Security Law designated judge
Yang Mei Kei, Maggie					Director of Public Prosecutions, Department of Justice
Chau Tin Hang, Anthony					Deputy Director of Public Prosecutions, Department of Justice
Man Tak Ho, Jonathan					Deputy Director of Public Prosecutions, Department of Justice

Lo Tin Wai, Andy					Assistant Director of Public Prosecutions, Department of Justice
Ng Ka Yuet, Karen					Senior Public Prosecutor, Department of Justice
Chan Wing Sum, Crystal					Senior Public Prosecutor, Department of Justice
Tsui Sin Chi, Jennifer					Senior Prosecutor, Department of Justice