



HONG KONG

SUBMISSION TO THE UN COMMITTEE ON THE RIGHTS OF THE CHILD,
103RD PRE-SESSIONAL WORKING GROUP, 26 SEPTEMBER – 2
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1. INTRODUCTION

This submission outlines Amnesty International's concerns and recommendations regarding the implementation of the UN Convention on the Rights of the Child (the Convention) in Hong Kong, in advance of the Committee on the Rights of the Child's (the Committee) adoption of the list of issues and subsequent review of Hong Kong.¹

It aims to assist the Committee by highlighting ongoing children's rights concerns in Hong Kong, while not seeking to provide an exhaustive assessment of all children's rights issues.

¹ See, also, Amnesty International, *Hong Kong: Submission to Constitutional and Mainland Affairs Bureau on the Hong Kong Special Administrative Region's third report under the UN Convention on the Rights of the Child*, 9 April 2021, <https://amnestyhk.org/en-us/submission-to-constitutional-and-mainland-affairs-bureau-on-the-hong-kong-special-administrative-regions-third-report-under-the-un-convention-on-the-rights-of-the-child/>

2. GOVERNMENT'S WILLINGNESS TO CONSULT AND RESPECT THE VIEWS OF CHILDREN (ARTICLE 4 AND 12)

Amnesty International welcomes the measures highlighted in the State Report to promote children's participation, including the work of the Commission on Children (CoC) and the Children's Rights Forum (CRF).

However, most of the channels identified by the government are consultative in nature and lack decision-making authority. The government is under no obligation to adopt, respond to, or publicly explain its position regarding the views collected through these mechanisms.

In particular, while the CoC provides a platform for engagement, it is not an independent statutory body established by legislation and vested with legal powers. Rather, it is an advisory body chaired by the Chief Secretary for Administration and lacks the authority to formulate policy, investigate complaints or make binding decisions.² Furthermore, all non-official members of the CoC are appointed solely by the Chief Executive, while children have no role in the nomination or appointment process.

Amnesty International is also concerned that existing consultation mechanisms are largely initiated and controlled by the authorities and are often issue-specific or time-limited. For example, the annual survey conducted by the Education Bureau (EDB) as mentioned in the State Report were only limited to the topic of school curriculum.³ Amnesty International is not able to find and access the agenda, papers and minutes of the CRF meetings online as suggested by the State Report.⁴

Accordingly, Amnesty International recommends that Hong Kong:

- 1) Reconstitute the CoC by way of legislation as an independent and diversely represented statutory body with a clear mandate to promote and monitor children's rights. Vest it with adequate resources and powers to receive and investigate complaints.
- 2) Establish a permanent, accessible and child-friendly mechanism through which children can raise concerns and participate in decision-making on issues affecting them at any time.

² Commission on Children, Membership and Terms of Reference, <https://www.coc.gov.hk/en/member.html>

³ Hong Kong Special Administrative Region (HKSAR), Third Report of the HKSAR under the Convention, 23 June 2023, UN Doc. CRC/C/HKG/4-6, para. 49.

⁴ HKSAR, Third Report (previously cited), para. 48.

3. FREEDOM OF EXPRESSION, ASSOCIATION AND PEACEFUL ASSEMBLY (ARTICLE 13, 15, 17 AND 37)

Amnesty International notes that the State Report highlights legal protections for the rights to freedom of expression, association and peaceful assembly. However, the report does not adequately reflect the extent to which children have been unable to exercise these rights in practice, particularly following the enactment of the National Security Law (NSL) and the Safeguarding National Security Ordinance (SNSO).

The State Report also refers to the continued holding of public meetings and processions in Hong Kong. However, it does not acknowledge that, since 2020, public assemblies criticizing government policies or advocating for human rights have frequently been denied authorization or cancelled following pressure from the authorities.⁵

3.1 CRIMINALIZATION OF LEGITIMATE EXPRESSION, ASSEMBLY AND ASSOCIATION

Children face the risk of arrest and imprisonment for conduct protected under Article 13 and 15 of the Convention.⁶ For example, in July 2020, four activists aged 16 to 21 were arrested under Articles 20 and 21 of the NSL for setting up an organization that advocates Hong Kong independence.⁷

⁵ See, for example, Hong Kong Free Press (HKFP), “‘Emotional meltdown’: Hong Kong Labour Day demo cancelled, as activist says security law prevents disclosing why”, 26 April 2023, <https://hongkongfp.com/2023/04/26/emotional-meltdownhong-kong-labour-day-demo-cancelled-as-activist-says-security-law-prevents-disclosing-why/>

⁶ According to section 3 of the Juvenile Offenders Ordinance, the minimum age for criminal responsibility is set at 10 years old.

⁷ HKFP, “4 ex-members of pro-independence student group arrested on suspicion of ‘inciting secession’ under Hong Kong’s security law”, 29 July 2020, <https://hongkongfp.com/2020/07/29/breaking-pro-independence-student-group-leader-arrested-on-suspicion-of-inciting-secession-under-hong-kongs-security-law/>

In July 2025, a 15-year-old boy was arrested alongside three adults for being members of the Hong Kong Democratic Independence Union (HKDIU), a Taiwan-based diaspora group advocating Hong Kong independence.⁸ He was subsequently charged with incitement to secession under the NSL, an offence carrying a maximum penalty of life imprisonment. In December 2025, following a guilty plea, the boy was sentenced to 42 months' imprisonment for actively providing assistance and participating in the operation of HKDIU, despite the absence of evidence that he had used, intended to use, or incited violence.⁹ The government also invoked the power under the SNSO to prohibit the operation of the group in Hong Kong, making it an offence for anyone to join or give aid to the group.¹⁰

Amnesty International's research found that 85% of concluded cases under national security laws involved only legitimate expression that should not have been criminalized.¹¹ The data further shows that bail was denied in 89% of national security cases and that the average period of pre-trial detention was 11 months.¹²

As of 31 August 2022, the police had arrested 10,279 persons in connection with the 2019 Anti-Extradition protests, of which 1,754 were under the age of 18. Among the 2,893 individuals prosecuted, 517 were aged under 18.¹³ However, the authorities have not disclosed further information regarding the offences for which these children were arrested or prosecuted, nor have they clarified whether their conduct constituted the peaceful exercise of rights protected under international human rights law.

Amnesty International is concerned that the use of national security legislation against children for peacefully associating with political organizations has had a profound chilling effect on the exercise of the freedom of association under Article 15 of the Convention.

3.2 RIGHTS RESTRICTED IN SCHOOLS

Steps taken and policies adopted by the EDB appear to curtail children's rights to engage freely in expression of views or beliefs that are, or may be considered, political.

According to official guidelines later issued by the EDB in 2021 and updated in 2023, schools face very strict limitations in organizing and hosting activities. They have to formulate strategies and contingency measures to "deal with acts and activities that involve elements endangering national security".¹⁴ Schools should also "forbid any person to conduct activities involving political propaganda at the school campus". Activities such as the chanting of slogans, distribution of leaflets and setting up of street counters are also deemed as "political propaganda or disturbances caused to teachers and students in the vicinity", and schools need to "dissuade their staff and students from joining those activities".¹⁵

⁸ HKSAR Government, "Four men arrested by Police National Security Department", 10 July 2025, <https://www.info.gov.hk/gia/general/202507/10/P2025071001083.htm>

⁹ 香港特別行政區 訴 黃智榮 [2025] HKDC (in Chinese)

¹⁰ HKSAR Government, "Prohibition of operation of 'Hong Kong Parliament' and 'Hong Kong Democratic Independence Union' in Hong Kong", 2 December 2025, <https://www.info.gov.hk/gia/general/202512/02/P2025120200269.htm>

¹¹ Amnesty International, *Hong Kong: "The state can lock up people, but not their thinking": How Hong Kong's National Security Law undermined human rights in five years* (Index: ASA 17/9556/2025), 30 June 2025, <https://www.amnesty.org/en/documents/asa17/9556/2025/en/>, pp. 9-12.

¹² Amnesty International, "The state can lock up people" (previously cited), pp. 13-18.

¹³ HKSAR Government, "LCQ16: Preventing young people from committing crimes", 26 October 2022, <https://www.info.gov.hk/gia/general/202210/26/P2022102600463.htm>

¹⁴ EDB, "National Security: Specific Measures for Schools", June 2023, <https://www.edb.gov.hk/attachment/en/sch-admin/national-security/specific-measures.pdf>, p.5.

¹⁵ EDB, "National Security: Specific Measures" (previously cited), p.6.

In addition to these restrictions driven by purported national security concerns, at present activities involving any “sensitive or controversial issues” are also expressly banned in schools, in line with a 2025 update of the EDB’s “School Administration Guide”.¹⁶

Schools are also instructed to report “acts and activities that involve elements endangering national security” to the EDB and, in case of a grave situation, to the police immediately.¹⁷

The EDB guidelines also specify that schools should ensure that displays of words or objects within the campus, including library collections, bulletin boards and leaflets, have no contents that “endanger national security”.¹⁸ However, the authorities have not provided clear criteria for determining what content may constitute a threat to national security. As a result, schools are left to establish their own standards, contributing to widespread self-censorship. Local media reported that, since June 2021, three secondary schools removed more than 400 books from their libraries. Hundreds of books addressing topics such as the 2019 protests and the 1989 Tiananmen crackdown have reportedly been removed from some school libraries.¹⁹

Children's right of access to information has been further restricted through the censorship of books specifically intended for young readers. In an illustrative case in 2022, five members of the General Union of Hong Kong Speech Therapists were convicted of sedition and sentenced to 19 months' imprisonment for publishing a series of children's books inspired by Hong Kong's 2019 pro-democracy protests, in which Hong Kong residents were portrayed as sheep and mainland Chinese authorities as wolves.²⁰ The books have been effectively prohibited in Hong Kong. Individuals have subsequently been arrested and imprisoned for importing copies of the books or sharing online links to their contents.²¹ Another example is the removal of two children's picture books, which contains illustrations depicting politically sensitive themes such as banners reading “Democratic China”, from public library collections in 2023.²²

3.3 RECOMMENDATIONS

Accordingly, Amnesty International recommends that Hong Kong:

- 1) Refrain from using the NSL and the SNSO to investigate, prosecute or punish individuals, including children, for the peaceful exercise of their freedom of expression, association and peaceful assembly.
- 2) Ensure a safe and enabling school environment in which students can freely express their views, access information and participate in peaceful activities without fear of punishment, surveillance or retaliation.

¹⁶ EDB, “School Administration Guide”, May 2026, https://www.edb.gov.hk/attachment/en/sch-admin/regulations/sch-admin-guide/SAG_E.pdf, para. 4.5.3

¹⁷ HKSAR Government, “EDB announces guidelines and curriculum arrangements for safeguarding national security and national security education”, 4 February 2021, <https://www.info.gov.hk/gia/general/202102/04/P2021020400806.htm>

¹⁸ EDB, “National Security: Specific Measures” (previously cited).

¹⁹ HKFP, “Hong Kong schools should remove books that endanger national security, education secretary says”, 7 June 2022, <https://hongkongfp.com/2022/06/06/hong-kong-schools-should-remove-books-that-endanger-national-security-education-secretary-says/>

²⁰ Amnesty International, “Hong Kong: Conviction of children's book publishers an absurd example of unrelenting repression”, 7 September 2022, <https://www.amnesty.org/en/latest/news/2022/09/hong-kong-conviction-of-childrens-book-publishers-an-absurd-example-of-unrelenting-repression/>

²¹ Amnesty International, “Hong Kong: Arrests for possession of ‘seditious’ children's books a new low for human rights”, 17 March 2023, <https://www.amnesty.org/en/latest/news/2023/03/hong-kong-arrests-for-possession-of-seditious-childrens-books-a-new-low-for-human-rights/>

²² Ming Pao, “圖書館下架繪本 書頁出現遊行、民女”, 13 October 2023, <https://news.mingpao.com/p1697134437724>

4. INHUMANE PRISON CONDITIONS (ARTICLES 16, 19, 24, 37 AND 40)

Amnesty International notes that the State Report emphasizes the humane treatment of children deprived of liberty and the safeguards in place to protect their dignity and welfare. However, the report does not adequately reflect persistent allegations of torture and other ill-treatment in Hong Kong's prisons. Amnesty International is concerned that the authorities have not implemented the Committee's 2013 recommendation to carry out an independent inquiry into all relevant allegations.

In 2025, Amnesty International interviewed nine individuals who had been detained between 2016 and 2023 in 11 prisons in Hong Kong, including detention facilities for children, managed by the Correctional Services Department (CSD). Interviewees reported experiencing physical violence, prolonged solitary confinement, poor sanitary conditions and dangerously high temperatures during the summer months.²³

Interviewees with firsthand knowledge shared that physical abuse was particularly prevalent in facilities holding children and young people aged between 14 and 20.

A young adult who was held on remand in detention facilities for children and young adults from 2020 to 2022 told Amnesty International that violence by CSD officers against detainees was commonplace. He recalled that officers would take an individual to a corridor not covered by CCTV cameras, after which he would hear screams and the sounds associated with a practice known as a "chicken wing". This term refers to officers striking an inmate's shoulder blades with their elbows, allegedly in a manner intended to avoid leaving visible injuries.

Another young adult formerly detained in the same facility reported that, on his first day in custody, a CSD officer slapped him eight times across the face because he did not know the specific phrases required when reporting his name to staff. He further stated that, on another occasion, he was ordered to memorize the prison rulebook and recite it in reverse. Each mistake was met with a strike to the soles of his feet. He believed that such corporal punishment was used by officers to assert authority and instil fear among detainees under the age of 21.

These accounts appear to corroborate previous allegations of abuse by CSD officers. In 2017, a Hong Kong media outlet interviewed 50 formerly detained children and young adults who described severe physical and psychological abuse by CSD staff, including beatings and being forced to drink urine and eat faeces.²⁴ In 2020, dozens of children and young adults were reportedly slapped by a CSD officer after singing a protest song.²⁵

²³ Amnesty International, "Hong Kong: Prisons rife with violence and inhumane treatment, inmate testimony reveals", 17 December 2025, <https://www.amnesty.org/en/latest/news/2025/12/hong-kong-prisons-rife-with-violence/>

²⁴ HK01, "【唐四】01 專訪 50 名少年犯 揭懲教迫飲尿食屎 搗破耳膜損聽覺", 7 August 2017, <https://www.hk01.com/article/110179>

²⁵ HKFP, "Hong Kong prisons need independent monitor, say activists, as ex-detainees allege abuse", 6 May 2020, <https://hongkongfp.com/2020/05/06/hong-kong-prisons-need-independent-monitor-say-activists-as-ex-detainees-allege-abuse/>

In April 2026, a former CSD officer admitted to severely injuring a young adult by repeatedly thrusting a stick into the inmate's rectum for approximately 30 seconds.²⁶ The victim, who was 18 years old at the time of the assault in 2023, suffered permanent injuries. The officer's supervisor was also prosecuted for failing to intervene and prevent the assault.

Amnesty International is seriously concerned by reports suggesting a pattern of ill-treatment in Hong Kong's places of detention, including those holding children.

Accordingly, Amnesty International recommends that Hong Kong:

- 1) Conduct prompt, independent, impartial and effective investigations into all allegations of torture and other ill-treatment, including of children in detention; ensure that those suspected to be responsible are brought to justice in fair proceedings; and provide effective remedies, including rehabilitation, for victims.

²⁶ South China Morning Post, "Prison officer admits brutal assault on inmate after baby powder bingo game", 27 April 2026, <https://www.scmp.com/news/hong-kong/law-and-crime/article/3351586/prison-officer-admits-brutal-assault-inmate-after-baby-powder-bingo-game>

5. MENTAL HEALTH (ARTICLE 24 AND 31)

Amnesty International acknowledges the range of measures highlighted in the State Report to promote children's mental health. However, despite these initiatives, indicators of children's mental health remain concerning and raise questions as to whether existing measures are sufficient to meet current needs.

The number of student deaths by suicide almost tripled over the past decade, reaching a ten-year high of 32 cases in 2023.²⁷ This increase substantially exceeded the 6% rise in the overall number of suicide deaths in the general population during the same period. While the government attributed the surge primarily to the difficulties students faced in readjusting to in-person schooling following three years of remote learning during the COVID-19 pandemic, there have been growing calls for the early identification of students experiencing mental health difficulties and for the provision of timely and adequate support.²⁸

A survey also found that 6.9% of children aged 6 to 17 had exhibited suicidal behaviours in 2023, including 1.1% who had previously attempted suicide. The findings also indicated that the prevalence of suicidal behaviours was higher among secondary school students than among primary school students. More broadly, nearly one quarter (24.4%) of surveyed children were found to have a diagnosable psycho-social disability. In terms of emotional well-being, 6.1% experienced symptoms of anxiety and 5.4% showed symptoms of depression.²⁹

The number of secondary school students with a mental health diagnosis doubled over five years, rising from 660 in the 2020/21 academic year to 1,330 in 2024/25.³⁰ The EDB admitted that the prevalence of mental health issues among students may be under-reported because “some parents or students are reluctant for schools to submit their information to EDB”.³¹

Amnesty International is concerned that the rising prevalence of mental health challenges among children, coupled with the risk of under-reporting, may prevent many children from accessing the support they need.

Accordingly, Amnesty International recommends that Hong Kong:

- 1) Introduce periodic, evidence-based mental health screening in primary and secondary schools to facilitate the early identification of students at risk of self-harm or suicide.
- 2) Conduct an independent review of existing provision of mental health services for children, including suicide prevention measures, to assess their effectiveness and identify remaining protection gaps.

²⁷ Research Office of the Legislative Council Secretariat, “Statistical Highlights: Mental health of local students”, 28 October 2024, https://app7.legco.gov.hk/rpdb/en/uploads/2024/ISSH/ISSH22_2024_20241028_en.pdf

²⁸ Research Office, “Statistical Highlights” (previously cited).

²⁹ Research Office, “Statistical Highlights” (previously cited).

³⁰ Secretary for Education, “Replies to initial questions raised by Legislative Council Members in examining the Estimates of Expenditure 2026-27”, <https://www.edb.gov.hk/attachment/en/about-edb/press/legco/replies-to-fc/edb-e-2627.pdf>, Session 14 EDB - Page 36

³¹ Secretary for Education, “Replies to initial questions” (previously cited).

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