



November 28, 2014

## Protests in Hong Kong: The “Umbrella Movement” (Update)

Students and others took to the streets of Hong Kong on September 23, 2014, launching a protest movement that its organizers now call the “Umbrella Movement.” That first day, a group of students organized by the Hong Kong Federation of Students (HKFS) and another student organization, Scholarism, marched through central Hong Kong to protest against the an August 31, 2014, decision by China’s National People’s Congress Standing Committee (NPCSC) that would restrict the number of candidates for the city’s next Chief Executive and the way they may be selected. Over the two months of sit-ins that followed, the movement raised questions about the limits of Hong Kong’s autonomy from China, the ability of Hong Kong’s Legislative Council (Legco) to pass reforms that could lead to a more democratic government in Hong Kong, the socio-economic policies of the administration of Chief Executive (CE) Leung Chun-ying (C. Y. Leung), and the proper role of the United States and other nations in the ongoing political crisis.

### Summary of the NPCSC Decision

The current Chief Executive was selected by a 1,200-member Election Committee, consistent with Article 45 of the Basic Law, a 1990 law enacted by China’s National People’s Congress as Hong Kong’s “mini-constitution.” That same article, however, states that, “The ultimate aim is the selection of the Chief Executive by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures.”

The NPCSC August 31 decision allows the election of the Chief Executive by universal suffrage provided that a 1,200-person Nominating Committee nominates only two or three candidates, and that those candidates receive the support of a majority of the Nominating Committee members. In addition, the NPCSC decision specifies that the Nominating Committee is to be created “in accordance with the number of members, composition, and formation method” of the current Election Committee. The protesters and other pro-democracy advocates in Hong Kong maintain that the nomination process required by the NPCSC would produce a nomination committee that is not “broadly representative” and would preclude the nomination of pro-democracy candidates.

### An Overview of the Protests

The protesters initially called for Chief Executive Leung’s resignation and retraction of the NPCSC’s August 31 decision. More recently, their main demand has been the ability to elect the Chief Executive by “genuine universal suffrage,” and to meet with Hong Kong officials to discuss ways of achieving that goal.

In its initial days, support for the student protesters grew. An estimated 30,000-50,000 people gathered in Admiralty

(near Tamar Park) on September 28, in response to a call from HKFS and Scholarism. Around 6:00 pm that day, Hong Kong police began firing tear gas into the crowd of protesters and sprayed others with pepper spray. The use of tear gas and pepper spray continued for over six hours. Protesters used umbrellas to shield themselves from the pepper spray and tear gas, prompting the protesters to adopt the umbrella as the symbol of the demonstrations. The following day, Hong Kong Chief Secretary Carrie Lam Cheng Yuet-ngor announced the postponement of planned public consultations on election reforms until “we have settled down for a while the sentiments that we are now seeing in society.”

The use of tear gas, pepper spray, and riot gear appeared to rally greater popular support for the protests, as well as spread the demonstrations across Hong Kong Island and Kowloon. On the nights of September 29 and 30, an estimated 100,000 people gathered in Admiralty, near most of Hong Kong’s main government buildings, and hundreds rallied in Causeway Bay and Mong Kok, to protest the use of tear gas and support the protests.

Over the following week, the number of demonstrators at the three main locations—Admiralty, Causeway Bay, and Mong Kok—declined, but the Hong Kong government appeared to make no overt effort to stop the demonstrations. Anti-protest groups appeared, complaining about the economic impact and inconvenience caused by the protests, especially in Mong Kok.

On October 8, the Hong Kong government and HKFS agreed to hold talks on October 10. The following day, Chief Secretary Lam cancelled the talks because she “realised that the basis for a constructive dialogue between us and the students has been seriously undermined,” apparently in response to a call from HKFS and Scholarism for supporters to gather in Admiralty to show support. On October 16, Chief Executive Leung announced that the Hong Kong Government was reaching out to HKFS via unnamed “middlemen” to reschedule the cancelled talks. Those talks, rescheduled to October 21, were held live on local television, but yielded no specific results. No subsequent talks have been held.

Two separate civil court cases have been brought against the demonstrators for blocking roads. The owners of CITIC Tower in Admiralty asked the courts to open the roads around their building, and Hong Kong taxi drivers asked the courts to open several major roads that protestors had blocked in Mong Kok. The Admiralty injunction was enforced by bailiffs of the court, with police support, on November 18 without incident. The police removed the barricades and protesters in the Mong Kok on November 25 and 26; over 100 protesters were arrested.

Since the release of the NPCSC decision, the Chinese government has repeatedly expressed its confidence in the ability of the Hong Kong government to handle the protests. Chinese officials have also cautioned other governments to refrain from interfering in the “internal affairs” of China. Coverage of the Hong Kong protests is heavily censored in mainland China, and official Chinese media have alleged that “external forces” are supporting the protests.

## Protest Organizers

The demonstrations in Hong Kong are being led by three separate organizations—the HKFS, Scholarism, and Occupy Central with Love and Peace—but their control over the protestors is reportedly limited.

**The Hong Kong Federation of Students (HKFS)** is an association of the student organizations at Hong Kong’s eight largest universities. Its Secretary-General, Alex Chow Yong-kang, and Vice Secretary, Lester Shum Ngo-fai, have also been major figures in the demonstrations.

**Scholarism** is an organization of high school and university students. Its co-founder, Joshua Wong Chi-fung, gained prominence in 2012 when he organized opposition to a “moral and national education” curriculum the Chinese government wanted the Hong Kong government to introduce in Hong Kong schools. Wong helped organize a rally of over 100,000 people after which the Hong Kong government withdrew plans to introduce the curriculum.

**Occupy Central with Love and Peace (OCLP)** is a grassroots organization established in March 2013 by Professor Chan Kin-man, Rev. Chu Yiu-ming, and Professor Benny Tai Yiu-ting. It originally planned to stage a large-scale sit-in in Central, Hong Kong’s main business and financial center, if the Hong Kong government did not propose election reforms that met “international standards in relation to universal suffrage,” including “no unreasonable restrictions on the right to stand for election.”

## Non-violent Civil Disobedience

Since the beginning of the protests, the three main organizing groups have remained committed to the principles of non-violent civil disobedience. OCLP posted on its webpage a “Manual on Disobedience” describing the philosophy and rules of non-violent civil disobedience. The vast majority of the protesters have complied with the call for non-violence, and the organizers have trained members to intervene when tensions flare.

## Obama Administration Response

Following the release of the NPCSC decision, State Department Spokesperson Jen Psaki stated that the U.S. government “supports universal suffrage in Hong Kong, in accordance with the Basic Law and the aspirations of the Hong Kong people.” On September 29, White House Press

Secretary Josh Earnest reiterated U.S. support for universal suffrage in Hong Kong, and stated, “The United States urges the Hong Kong authorities to exercise restraint and for the protesters to express their view peacefully.”

Following his meeting with President Xi in Beijing on November 12, President Obama made the following statement: “I reiterated to President Xi, as I have before, that America’s unwavering support for fundamental human rights of all people will continue to be an important element of our relationship with China, just as it is with all countries that we interact with around the world.... I described to him why it is so important for us to speak out for the freedoms that we believe are the universal rights that we believe are the birthright of all men and women, whether it is in New York, or Paris, or Hong Kong.”

## Congressional Response

Members of Congress have expressed concerns over the situation in Hong Kong, and support for democratic reforms in Hong Kong. Senator Marco Rubio wrote to Secretary of State John Kerry, urging him to “clearly speak out against this recent decision by the NPCSC and to work with your Chinese counterparts to ensure that Beijing does not further limit Hong Kong’s promised autonomy and its ability to move toward full democracy....” Senator Menendez wrote to Chief Executive Leung, calling on him to “exercise your leadership to guarantee your citizens, the people of Hong Kong, receive the full democratic rights and freedoms that they have been promised and which they deserve.”

Current U.S. relations with Hong Kong are governed by the United States-Hong Kong Policy Act of 1992 (P.L. 102-383; 22 U.S.C. 5701-5732), which provides that Hong Kong will be treated effectively as a separate entity from China for many matters unless the President determines that Hong Kong “is not sufficiently autonomous to justify” such treatment. Legislation has been introduced—H.R. 5696 and S. 2922—that would deny Hong Kong separate treatment unless the President certifies to Congress that Hong Kong remains sufficiently autonomous to warrant such treatment. The legislation would also reinstate an annual report by the State Department to Congress about Hong Kong.

## More Information

For more information see CRS Insight IN10146, *China’s Leaders Quash Hong Kong’s Hopes for Democratic Election Reforms*; CRS Insight IN10114, *Hong Kong’s Summer for Democracy?*; CRS Report R40992, *Prospects for Democracy in Hong Kong: The 2012 Election Reforms*; and CRS Report RS22787, *Prospects for Democracy in Hong Kong: China’s December 2007 Decision*.

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