

## Re: Hong Kong injunction seeking to ban “Glory to Hong Kong”

Dear Daniel Ek, CEO, Spotify, Tim Cook, CEO, Apple Inc, Sundar Pichai, CEO, Alphabet Inc and Google LLC, Linda Yaccarino, CEO, Twitter Inc, and Mark Zuckerberg, CEO and Chairperson of Meta Platforms Inc,

We are writing to you on behalf of more than 24 civil society organizations regarding a legal injunction being sought by the Hong Kong government that would effectively ban intermediaries from broadcasting or distributing online, including on YouTube, the 2019 protest song, “Glory to Hong Kong.”

The Hong Kong High Court has summoned all parties to the case to provide their views before the court on July 21, 2023. We urge you to intervene to [oppose the injunction](#), which would have a disastrous impact on the rights to freedom of expression and access to information not only in Hong Kong, but globally.

The injunction, if ordered by the court, would prohibit anyone from “[b]roadcasting, performing, printing, publishing, selling, offering for sale, distributing, disseminating, displaying or reproducing in any way” the song and its lyrics “with the intent of...inciting others to commit secession,” “with a seditious intention,” or “in such a way...as to be likely to be mistaken as the national anthem” of Hong Kong, “suggest that the [Hong Kong Special Administrative Region] is an independent state... with intent to insult the national anthem.” The injunction would apply to “any internet-based platform or medium” and their global operations.

The definitions of these actions are overly broad and vague. Hong Kong’s draconian [National Security Law](#) makes it a criminal offense to advocate secession from China by committing various acts that do not involve “force or threat of force,” including peaceful actions, such as speeches or even songs. The Crimes Ordinance defines “[sedition](#)” in overbroad terms and provides a low threshold for conviction so long as the court is satisfied that a speech or publication intends to cause “hatred or contempt” against the government, “raise discontent” or “promote feelings of ill-will” among Hong Kong residents. Since 2020, the Hong Kong government has used these laws to criminalize dissent and violate the rights to freedom of expression of people in Hong Kong. In September 2022, a man was [arrested](#) for “sedition” for playing “Glory to Hong Kong” on a harmonica in Hong Kong.

We note with heightened concern that this injunction would be used to censor “Glory to Hong Kong” globally, building on the growing tendency of Hong Kong authorities to apply abusive laws for actions committed outside Hong Kong’s territory. In June 2023, Hong Kong authorities charged a 23-year-old Hong Kong woman with “doing...acts with seditious intention” for Facebook posts that advocate Hong Kong independence while she was studying in Japan. The Hong Kong government was [responsible](#) for [50 instances](#) in which Meta said it was forced to remove content globally between July 2020 and June 2022.

We note that in Canada and the United States, Google opposed a global content removal injunction in *Google v. Equustek Solutions Inc.*

We urge you to take similar actions in Hong Kong and oppose the Hong Kong government’s petition for an injunction by visiting Wan Chai Police Station in Hong Kong on or before June 21 to accept service, and then file an opposition within seven days. It is critical that internet intermediaries take a collective stance against Hong Kong’s censorship.

Thank you for your prompt attention to this matter, which affects the rights of freedom of expression and access to information around the world.

Sincerely,

ARTICLE 19

Campaign for Uyghurs (CFU)

Chicago Solidarity with Hong Kong

Committee for Freedom in Hong Kong Foundation (CFHK Foundation)

DC4HK (Washingtonians Supporting Hong Kong)

Dialogue China

Electronic Frontier Foundation (EFF)

Freiheit für Hongkong e.V.

Georgetown Center for Asian Law

Hong Kong Affairs Association of Berkeley (HKAAB)

Hong Kong Democracy Council

Hong Kong Forum, Los Angeles

Hong Kongers in San Diego

Hong Kongers in San Francisco Bay Area

Hong Kong Professional Network

Hong Kong Watch

Human Rights Watch (HRW)

Judicial Reform Foundation

PEN America

Penn State Students For Hong Kong Representative

Philly4HK

Safeguard Defenders

Students4HK

Torontonian HongKongers Action Group (THKAG)

We The Hongkongers