



Coronavirus, Hong Kong and UK Government Support Debate on 19 March 2020

On 19 March 2020, the House of Lords is due to debate a motion moved by Lord Pendry (Labour) to move that “this House takes note of the problems facing the citizens of Hong Kong as a result of Wuhan coronavirus; and the case for Her Majesty’s Government providing support to those affected in the light of the 1984 Sino-British Declaration”.

COVID-19 is a strand of coronavirus first reported in Wuhan, China. It is a respiratory disease resulting in mild to severe or critical symptoms. Older people and those with existing health conditions are most at risk of developing severe symptoms.

The World Health Organisation (WHO) has declared the COVID-19 outbreak a public health emergency and has urged every country to make tackling the disease its highest priority. Some national and local governments have implemented measures ranging from travel restrictions, strict quarantine requirements, bans on public gatherings and the temporary closure of schools, universities and workplaces.

Hong Kong has had 118 confirmed cases of the disease and three deaths as at 10 March 2020. Worldwide there have been over 113,000 confirmed cases of the disease and over 4,000 deaths. The UK had reported 373 cases and six deaths. The WHO has praised Hong Kong’s government’s response to the outbreak, which has included strict quarantine and travel restrictions and closing some public services, including schools. However, concerns have been raised about the social and economic impact of the measures taken. There have been reports of protests and mass arrests in recent weeks.

The Sino-British Declaration sets out how Hong Kong should be governed following its return to China in 1997. It guarantees certain rights and freedoms for its citizens, some of which obtained British National (Overseas) status, and a high degree of autonomy for the Hong Kong government. These rights and requirements last until 2047. The declaration has been registered with the United Nations (UN) and the UK monitors whether it is being upheld. However, the UK has no specific powers of intervention.

The British Consulate-General in Hong Kong has said it will maintain “close contact with British nationals in the region to ensure they have the latest information they need” if they encounter any difficulties due to the outbreak.

Russell Taylor | 11 March 2020

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I. Coronavirus outbreak

I.1 What is the coronavirus?

The coronavirus outbreak relates to a new strand of coronavirus (2019-nCoV or COVID-19) first reported in Wuhan, China at the end of 2019.

COVID-19 is a respiratory disease, with symptoms ranging from mild to severe or critical. Older people and those with pre-existing health conditions are most at risk of developing severe symptoms. The World Health Organisation (WHO) explains:

The most common symptoms of COVID-19 are fever, tiredness, and dry cough. Some patients may have aches and pains, nasal congestion, runny nose, sore throat or diarrhoea. These symptoms are usually mild and begin gradually. Some people become infected but don't develop any symptoms and don't feel unwell. Most people (about 80%) recover from the disease without needing special treatment. Around 1 out of every 6 people who gets COVID-19 becomes seriously ill and develops difficulty breathing. Older people, and those with underlying medical problems like high blood pressure, heart problems or diabetes, are more likely to develop serious illness. People with fever, cough and difficulty breathing should seek medical attention.¹

It has been estimated that the mortality rate for the disease is between 1% to 3%. The WHO has stated that around 3.4% of cases globally have resulted in death. However, some researchers believe this rate to be lower, as not all cases of the disease will have been recorded. The UK Government has estimated a mortality rate of 2% or below.²

The WHO believes that the main way COVID-19 transmits is through droplets spread by infected people when coughing or exhaling:

People can catch COVID-19 from others who have the virus. The disease can spread from person to person through small droplets from the nose or mouth which are spread when a person with COVID-19 coughs or exhales. These droplets land on objects and surfaces around the person. Other people then catch COVID-19 by touching these objects or surfaces, then touching their eyes, nose or mouth. People can also catch COVID-19 if they breathe in droplets from a person with COVID-19 who coughs out or exhales droplets.³

It is not known how long the virus can survive on surfaces, but studies have suggested it could be up to several days.⁴

There are currently no vaccines or specific treatments for the disease, but these are being investigated. Instead, treatment is aimed at relieving the symptoms, with hospitalisation recommended in severe cases.

¹ World Health Organisation, '[Q&A on coronaviruses \(COVID-19\)](#)', 9 March 2020.

² BBC News, '[Coronavirus death rate: What are the chances of dying?](#)', 4 March 2020.

³ World Health Organisation, '[Q&A on coronaviruses \(COVID-19\)](#)', 9 March 2020.

⁴ *ibid.*

1.2 Global impact and action

The World Health Organisation (WHO) has declared the COVID-19 outbreak a public health emergency and has called on all countries to make containing the disease their highest priority.⁵

As at 10 March 2020, the WHO had recorded over 113,000 confirmed cases and over 4,000 deaths from the disease. China had experienced the largest number of cases (over 80,000), including 118 cases in Hong Kong. This was followed by Italy (over 9,000), South Korea (over 7,500) and Iran (over 7,000). The next most affected country was France, with around 1,400 cases.⁶ The UK was 12th on the list, with over 300 confirmed cases.

To reduce the spread of the disease, the WHO has issued recommendations for the public. These include:⁷

- frequent and thorough handwashing;
- keeping your distance from those sneezing or coughing;
- to avoid touching your eyes, nose and mouth;
- seeking early medical attention if you experience symptoms; and
- practicing self-isolation if you believe you have the disease.

The WHO has called on national governments to take coordinated and comprehensive steps to tackle and contain the disease:

These are plans that start with leadership from the top, coordinating every part of government, not just the health ministry—security, diplomacy, finance, commerce, transport, trade, information and more—the whole government should be involved.

Activate your emergency plans through that whole-government approach. Educate your public, so that people know what the symptoms are and know how to protect themselves and others. Increase your testing capacity. Get your hospitals ready. Ensure essential supplies are available. Train your health workers to identify cases, provide careful and compassionate treatment, and protect themselves from infection.

If countries act aggressively to find, isolate and treat cases, and to trace every contact, they can change the trajectory of this epidemic.⁸

Some of the actions taken by national or local governments to date include: quarantining or isolating specific areas or places; travel bans; banning public gatherings over a certain size; postponing or cancelling sports events, or requiring them to take place behind closed doors; the temporary closure of schools and universities; and the temporary closure of physical workplaces or urging employees to work remotely.

⁵ Reuters, '[WHO urges countries to make containing coronavirus “highest priority”](#)', 6 March 2020.

⁶ World Health Organisation, '[Novel coronavirus \(COVID-19\) situation](#)', accessed 10 March 2020.

⁷ World Health Organisation, '[Coronavirus disease \(COVID-19\) advice for the public](#)', accessed 9 March 2020.

⁸ World Health Organisation, '[WHO Director-General's opening remarks at the media briefing on COVID-19](#)', 5 March 2020.

For example, China isolated and quarantined large sections of its population, with stadiums and other facilities used as large quarantine centres and temporary hospitals built to treat patients with less severe symptoms.⁹ Many factories and other workplaces were closed in early February, and its schools were closed until the beginning of March.¹⁰ The country also closely monitored the movements of its citizens, increasing the use of surveillance technology.

Reporting on China's response to the outbreak, the WHO noted that China's "ambitious, agile and aggressive" containment efforts appeared to have had a direct impact on reducing cases in the country.¹¹ The WHO believed this had also reduced the spread of the disease elsewhere and could inform other countries' efforts. However, it did note that the efforts came at a cost to its people, in "both human and material terms".

On 9 March 2020, the Italian government extended emergency quarantine measures to the entire country, including travel restrictions and a ban on public gatherings. The Italian prime minister, Giuseppe Conte, described the measures as "I stay home".¹² It includes a ban on social activities (for example by closing bars and cinemas) and the suspension of sporting events. Schools and universities will remain closed until 3 April at the earliest.

In addition to the global health impact of the disease, it is already having a large economic impact across the world, with many believing it will lead to a global recession. The outbreak has seen stock markets falling and pressure on several industries, particularly leisure and tourism.¹³

Situation in the UK

As at 10 March 2020, the UK had confirmed 373 cases of COVID-19 and had recorded six deaths from the disease.¹⁴ The latest information on the coronavirus outbreak in the UK, including government policies and statements, can be found on the dedicated [coronavirus webpage](#).¹⁵

1.3 Coronavirus in Hong Kong

As at 10 March 2020, Hong Kong had confirmed 118 cases of coronavirus in the region and three deaths from the disease.¹⁶

The Hong Kong government has utilised a number of measures to deal with the condition in the country, including: school closures; travel restrictions; strict quarantine conditions for those that might have the disease and compulsory 14-day quarantine for individuals arriving from certain

⁹ Lily Kuo, '[How did China get to grips with its coronavirus outbreak?](#)', *Guardian*, 9 March 2020.

¹⁰ *Financial Times* (£), '[China struggles to return to work after coronavirus shutdown](#)', 10 February 2020.

¹¹ World Health Organisation, '[Report of the WHO-China Joint Mission on Coronavirus Disease 2019 \(COVID-19\)](#)', February 2020, pp 16–17.

¹² Lorenzo Tondo, '[Coronavirus Italy: PM extends lockdown to entire country](#)', *Guardian*, 10 March 2020.

¹³ BBC News, '[The economic ravages of coronavirus](#)', 7 March 2020.

¹⁴ Department of Health and Social Care, '[Number of coronavirus \(COVID-19\) cases and risk in the UK](#)', 11 March 2020.

¹⁵ Department of Health and Social Care, '[Coronavirus \(COVID-19\): UK government response](#)', accessed 10 March 2020.

¹⁶ Government of the Hong Kong Special Administrative Region, '[Coronavirus](#)', accessed 10 March 2020.

countries (such as China); reduced public services; and encouraging workers to work from home.¹⁷ The government has also strongly urged the public to avoid social gatherings.¹⁸

Dr Michael Ryan, the executive director of the World Health Organisation's (WHO) health emergencies programme, highlighted the positive impact of Hong Kong's efforts to tackle the disease.¹⁹ He stated that Hong Kong showed that employing different measures to other regions or countries could still be effective in containing the disease, and acknowledged that large scale lockdowns (as had been undertaken in China) were not always appropriate. He described Hong Kong's efforts to suppress the disease and reduce transmissions as highly effective.

Impact

Some have raised concerns about the impact of the government's coronavirus measures on Hong Kong's citizens and on its economy. Writing for NPR, Jason Beaubien stated that at one stage in February around 12,000 people were in quarantine in the city. He said that this had led to difficulties finding room for more quarantine cases and that the measures were having a negative social and economic impact on the city.²⁰

In addition, there have been reports of continuing protests in the region, with some citizens unhappy at the government's response to the coronavirus outbreak, particularly the placement of quarantine zones.²¹ Although these protests have tended to be smaller than those taking place before the outbreak, they have still highlighted some dissatisfaction with the Hong Kong government. According to the *Washington Post*, the response from the police has been that of "mass arrests", with the publication stating that:

Of the more than 7,300 people arrested since June, one-tenth were detained this year, despite the smaller scale and frequency of protests. Among them are student journalists, civil rights observers, elected officials and medics.²²

The Hong Kong government has announced a number of financial measures to help citizens deal with the disruption caused by the outbreak. This includes an anti-epidemic fund to help employers maintain their businesses and staffing levels and the distribution of HK\$10,000 (about £985) to each permanent resident of Hong Kong aged 18 or above.²³

¹⁷ Nicolle Liu, '[Hong Kong's coronavirus response leads to sharp drop in flu cases](#)', *Financial Times* (£), 5 March 2020.

¹⁸ Government of the Hong Kong Special Administrative Region, '[Social distancing](#)', accessed 10 March 2020.

¹⁹ Elizabeth Cheung, '[Coronavirus: top WHO official praises Hong Kong, Singapore for "very effective" measures to suppress transmission of disease](#)', *South China Morning Post*, 3 March 2020.

²⁰ Jason Beaubien, '[Hong Kong has contained coronavirus so far—but at a significant cost](#)', NPR, 1 March 2020.

²¹ Shibani Mahtani, '[Coronavirus is fuelling new protests in Hong Kong. Authorities aim to arrest their way out](#)', *Washington Post*, 1 March 2020.

²² *ibid.*

²³ Government of the Hong Kong Special Administrative Region, '[Budget helps ease people's burden](#)', 26 February 2020.

UK government response

As at 10 March 2020, the UK Government does not advise against UK residents travelling to Hong Kong.²⁴ However, it does highlight some of the travel restrictions being imposed by Hong Kong; for example, the mandatory quarantine of individuals who have recently been to countries such as China, Italy and South Korea.

The Government has previously stated that the British Consulate-General in Hong Kong will maintain “close contact with British nationals in the region to ensure they have the latest information they need” if they encounter any difficulties due to the outbreak.²⁵

The latest information on Hong Kong’s response to the virus and the number of cases in the region can be found on the dedicated Hong Kong [government webpage](#).²⁶

2. Sino-British Joint Declaration

The Prime Ministers of China and Britain signed the Sino-British Joint Declaration on Hong Kong in Beijing on 19 December 1984. It entered into force on 27 May 1985 and the Chinese and British Governments registered it at the United Nations on 12 June 1985.²⁷

The Joint Declaration sets out how Hong Kong should be governed and some of the policies that should be observed. It arose from negotiations over how the transfer of the region back from British to Chinese sovereignty should be managed and how to ensure Hong Kong residents enjoyed the same standard of life. Negotiations started in the early 1980s and the transfer of sovereignty was fulfilled on 1 July 1997.²⁸

The Joint Declaration operates on the principle of ‘one country, two systems’, allowing Hong Kong to maintain its own social, economic and administrative systems. The *Economist* explains this as follows (also referencing similar arrangements in Macau):

All parties, including China, recognised that imposing China’s political system on the two colonies would create panic and cause economic mayhem. “One country, two systems” would allow the territories to remain much as they were, with independent legal systems and police forces. Their political structures would change little [...]²⁹

Article 3 of the Joint Declaration states that Hong Kong is a ‘Special Administrative Region’ directly under the authority of the Chinese government but which maintains a “high degree of autonomy”.³⁰ Article 3 provides for the establishment of the Hong Kong government and legal system to preside

²⁴ Foreign and Commonwealth Office, [‘Foreign travel advice: Hong Kong’](#), 11 March 2020.

²⁵ House of Lords, [‘Written Question: Hong Kong: British Nationals Abroad’](#), 7 February 2020, HL941.

²⁶ Government of the Hong Kong Special Administrative Region, [‘Coronavirus’](#), accessed 10 March 2020.

²⁷ Government of the Hong Kong Special Administrative Region, [‘Joint Declaration: Factsheet’](#), 1 July 2007.

²⁸ *Economist*, [‘What is China’s “one country, two systems” policy?’](#), 30 June 2019.

²⁹ *ibid.*

³⁰ Government of the Hong Kong Special Administrative Region, [‘Joint Declaration’](#), 1 July 2007.

over these matters, but reserves powers over foreign affairs and defence as the responsibility of the Chinese government.

Article 3 then sets out specific details on rights and freedoms that should be maintained:

The current social and economic systems in Hong Kong will remain unchanged, and so will the lifestyle. Rights and freedoms, including those of the person, of speech, of the press, of assembly, of association, of travel, of movement, of correspondence, of strike, of choice of occupation, of academic research and of religious belief will be ensured by law in the Hong Kong Special Administrative Region. Private property, ownership of enterprises, legitimate right of inheritance and foreign investment will be protected by law.³¹

In addition, article 3 states that:

- the region will maintain its status as a free port and separate customs territory;
- the Hong Kong dollar and the region's financial markets will be retained;
- the region will have independent finances;
- maintenance of public order will be the responsibility of the Hong Kong government; and
- Hong Kong may develop its own economic and cultural relationships with other countries, including the United Kingdom.

However, the guarantee of all the rights and arrangements expires after 50 years from Hong Kong's transfer in 2047. It will then be up to the Chinese government whether the arrangements continue.

Citizenship

Upon the transfer of Hong Kong back to China, some Hong Kong residents were entitled to apply for 'British National (Overseas)' (BNO) status. This status was available to former British dependent territories/overseas citizens if they registered by 1 July 1997.³²

BNO status allows the individual limited rights, including the right to British consular assistance and protection in certain situations. However, they do not allow the individual an automatic right to live in the UK.

BNO status is recognised by the Chinese government. However, as the majority of BNO citizens were of Chinese descent, they were also considered Chinese citizens upon transfer, with the Chinese government specifically stating:

Under the Nationality Law of the People's Republic of China, all Hong Kong Chinese compatriots, whether they are holders of the 'British Dependent Territories Citizens' Passport' or not, are Chinese nationals.

³¹ Government of the Hong Kong Special Administrative Region, '[Joint Declaration](#)', 1 July 2007.

³² UK Government, '[Types of British nationality: British national \(overseas\)](#)', accessed 6 March 2020.

Taking account of the historical background of Hong Kong and its realities, the competent authorities of the Government of the People's Republic of China will, with effect from 1 July 1997, permit Chinese nationals in Hong Kong who were previously called 'British Dependent Territories Citizens' to use travel documents issued by the Government of the United Kingdom for the purpose of travelling to other states and regions.³³

As a result, the Chinese government said that those with Chinese nationality and BNO status would not be entitled to British consular protection in Hong Kong or other parts of China.

Some have called for the rights of BNO citizens to be extended, including granting the right to live in the UK or the option of full British citizenship.³⁴ However, the UK Government has stated it is not looking to change the law in this respect. It believes the best option for protecting the rights of BNO citizens is ensuring continued compliance with the Joint Declaration.³⁵

People with a form of British overseas citizenship connected to Hong Kong who were not entitled to Chinese citizenship, or the citizenship of another country, upon handover and who had not applied for BNO status were entitled to become 'British Overseas Citizens'. This ensured that no-one living in Hong Kong at the time of handover became 'stateless'. As with BNO status, this gives limited rights (including consular protection), but does not grant the right to live in the UK.³⁶

There are no official figures on the number of people in Hong Kong with BNO or British Overseas Citizen status. However, in a debate in October 2019, the Government quoted estimates there were 248,000 holders of BNO status and 2.73 million people who were eligible for it.³⁷

In 2016, the Hong Kong government estimated that around 35,000 people living in the city were British nationals.³⁸ In addition, it found that around 58,000 classed their ethnicity as 'white'. In contrast, over 6.6 million people classed themselves as Chinese nationals or of Chinese ethnicity.³⁹

The current population of Hong Kong is around 7.5 million.⁴⁰

3. UK-China relations: Hong Kong

The UK Government has consistently stated that it has a duty to ensure the terms of the Joint Declaration are upheld. This was reaffirmed last year by the then minister of state at the Foreign and Commonwealth Office (FCO), Dr Andrew Murrison, in answer to a written parliamentary question:

The Sino-British Joint Declaration is a legally binding treaty, registered with the UN that remains

³³ Government of the Hong Kong Special Administrative Region, '[Joint Declaration: Memorandum](#)', 1 July 2007.

³⁴ Hong Kong Watch, '[Calls for extension of BNO rights at packed House of Lords event](#)', 4 March 2019.

³⁵ House of Lords, '[Written Question: Right of Abode: British National \(Overseas\)](#)', 8 October 2019, HL17663.

³⁶ UK Government, '[Types of British nationality: British overseas citizen](#)', accessed 6 March 2020.

³⁷ [HL Hansard, 24 October 2019, col 767.](#)

³⁸ Government of the Hong Kong Special Administrative Region, '[Population by nationality and sex](#)', accessed 6 March 2020.

³⁹ Government of the Hong Kong Special Administrative Region, '[Population by ethnicity and sex](#)', accessed 6 March 2020.

⁴⁰ Government of the Hong Kong Special Administrative Region, '[Population](#)', 18 February 2020.

in force. We believe that the UK has an obligation and a right to monitor its implementation closely, and we are strongly committed to doing so.⁴¹

As part of this, the UK Government publishes six-monthly reports on developments in Hong Kong.

The most recent report was published on 31 October 2019 and raised concerns over the treatment of protestors in the region, which the Government believed may have interfered with the right to “peaceful and lawful protest”.⁴² The report also made a number of references to the importance of upholding Hong Kong’s autonomy. The Government has previously expressed fears that Hong Kong’s autonomy is being eroded, a concern also raised by the House of Commons Foreign Affairs Committee and the European Union.⁴³

The Government has also noted an increasing trend of China referring to the Joint Declaration as a “historic document” that is no longer required.⁴⁴ Addressing this in its most recent report, the Government stated:

During an interview on the BBC’s Newsnight programme on 12 June, the Chinese Ambassador to the UK, His Excellency Liu Xiaoming, referred to the Joint Declaration as an “historic document” that had “completed its mission”. On 13 June, during a debate in Parliament on Hong Kong’s proposed extradition law, the then FCO Minister for Asia and the Pacific, Mark Field, refuted the comments, stating that the Joint Declaration remained “as valid today as it was when it was signed over 35 years ago”.

As stated in previous six-monthly reports, since 2017 the Chinese Central Government has been referring to the Joint Declaration in these terms on more frequent occasions.

The Joint Declaration is a legally binding treaty, registered with the UN, and continues to be in force. It is unacceptable to suggest that it is no longer valid. As a co-signatory, the UK is committed to monitoring its implementation closely, and we have made this clear to the Chinese Government on many occasions.⁴⁵

China’s President, Xi Jinping, recently reemphasised China’s commitment to the ‘one country, two systems’ principle in Hong Kong. He also stated that China would ensure Hong Kong could continue to administer its affairs with a “high degree of autonomy”.⁴⁶

The FCO’s most recent report on Hong Kong concluded that UK-Hong Kong relations remained strong and that the region’s governance, under the principles of the Joint Declaration, benefited all parties. It stated that the Government will continue to monitor the Joint Declaration’s

⁴¹ House of Commons, ‘[Written Question: Hong Kong: Politics and Government](#)’, 28 June 2019, 267231.

⁴² Foreign and Commonwealth Office, [Six-monthly Report on Hong Kong: 1 January to 30 June 2019](#), 31 October 2019, p 9.

⁴³ *ibid*, p 16. Also see: House of Commons Library, [Hong Kong: the Joint Declaration](#), 5 July 2019.

⁴⁴ Reuters, ‘[China says Sino-British Joint Declaration on Hong Kong no longer has meaning](#)’, 30 June 2017.

⁴⁵ Foreign and Commonwealth Office, [Six-monthly Report on Hong Kong: 1 January to 30 June 2019](#), 31 October 2019, p 10.

⁴⁶ Tan Dawn Wei, ‘[Chinese President Xi Jinping vows to uphold “one country, two systems” in Hong Kong](#)’, *Straits Times*, 30 September 2019.

implementation and would “speak out where necessary”.⁴⁷ It stressed the importance of maintaining Hong Kong’s autonomy, rights and freedoms to “guarantee Hong Kong’s future success and the prosperity of its people”.

Hong Kong-UK Trade

In 2018, Hong Kong was the UK’s seventh largest non-EU trading partner. Trade between the UK and Hong Kong was worth £21.8 billion, amounting to 1.6% of the UK’s total trade. It represented a trading surplus for the UK made up of £11.6 billion in exports and £10.2 billion in imports.⁴⁸

The United States was the UK’s largest non-EU trading partner (£201.6 billion) in 2018, followed by China (£68.3 billion).

The UK was Hong Kong’s 12th largest trading partner in 2018, representing 1.3% of the region’s total trade. China was Hong Kong’s largest trading partner, accounting for 50.4% of total trade.⁴⁹

Hong Kong’s traditional key industries are: financial services; tourism; professional services (eg legal, accounting, architectural design etc); and trading and logistics.⁵⁰

⁴⁷ Foreign and Commonwealth Office, [Six-monthly Report on Hong Kong: 1 January to 30 June 2019](#), 31 October 2019, p 18.

⁴⁸ Department for International Development, [UK Trade in Numbers](#), February 2020, p 7.

⁴⁹ Government of the Hong Kong Special Administrative Region, [‘Hong Kong’s principal trading partners in 2018’](#), 6 January 2020.

⁵⁰ Government of the Hong Kong Special Administrative Region, [‘The four key industries and other selected industries’](#), December 2019.