

Congressional-Executive Commission on China
"A Son and Daughter's Appeal to Xi Jinping to Release Their Dad, Jimmy Lai"
Wednesday, September 16, 2026
Testimony by Mark L. Clifford

Chair Sullivan, Co-Chair Smith, and Honorable Members of the Commission, thank you for the opportunity to testify today.

When President Trump hosts Chinese Communist Party General Secretary Xi Jinping for a state visit next Thursday, September 24, the Chinese leader is expected to bring a large group of Chinese business leaders.

Yet one of China's most creative and visionary entrepreneurs isn't going to be on that trip. That's because 78-year-old Jimmy Lai sits alone in a Hong Kong prison. He's a man who created tens of thousands of jobs and untold riches for the workers and investors in his many companies – first making sweaters, then starting one of the earliest fast-fashion retail chains and finally emerging as the world's most influential independent Chinese-language newspaper publisher.

The story of why Jimmy is in prison is the story of freedom in Hong Kong – and how that freedom was crushed as China broke its promises to the people of Hong Kong and to the world.

Under British colonial rule Hong Kong counted as one of the world's freest places in many international surveys. As part of the 1997 handover deal that saw China take over the territory, Beijing promised to let Hong Kong keep those freedoms.

The 1984 Sino-British Declaration, an international treaty lodged at the United Nations, pledged that Hong Kong's free way of life would continue for 50 years after Britain left under a novel "one country, two systems" arrangement. In 1990 China went further, promulgating a mini-constitution (the Basic Law) that enshrined in law a wide range of freedoms – freedom of speech, freedom of the press, freedom of the assembly, freedom of religion and many more.

Indeed, China went further. It promised that universal suffrage was on the way. Hong Kongers would no longer be colonial subjects. They would be "masters in their own house." "Hong Kong people ruling Hong Kong" (*gang zhi gang*), went the slogan. They would be able to elect the mayor (known locally as the chief executive) and the city council (the legislative council).

Jimmy Lai is in jail because he wanted to hold China to those promises.

I’m proud to have known Jimmy Lai since 1993. I served on the board of directors of his media company, Next Digital, and am his biographer. I have a good sense of what makes Jimmy tick – and why the Chinese are so afraid of this aging man that they have kept him in prison for more than 2000 days, mostly in solitary confinement.

For Jimmy is unique in Chinese history.

Few people have had the courage to stand up against the Chinese Communist Party. One of those who did, Nobel Peace Prize winner Liu Xiaobo, made the ultimate sacrifice, paying for his principles with his life, dying while in Chinese custody.

Jimmy has principles but he has something more. He has money and for three decades he had a newspaper and magazine empire.

There’s been no one with Jimmy’s wealth and media platform in China who has dared to call for freedom in Hong Kong and in China so loudly and for so long. For more than four decades, until he was jailed, Jimmy called out the Chinese Communist Party’s lies, its corruption, its hypocrisy, and its cruelty.

Beijing’s 1989 democracy protesters awakened Jimmy’s hunger for political freedom. He had escaped famine in China as a young boy, making his way to Hong Kong where he focused on business. He supported Deng Xiaoping’s economic reforms. Seeing the protesting students in Tiananmen Square was “like my mother calling,” he remembered later. It sparked something in him. Inspired, he used his Giordano retail chain to sell t-shirts featuring the young activists and sent the proceeds to them in Beijing.

Lai resolved to go into the media business after the June 4, 1989, killings, when hundreds, probably thousands, of protesters were slaughtered in Beijing and across China. From the start his goal was to end communist rule. He thought that the scrutiny free media brought would enable change in China. In 1990, he started *Next* magazine.

In 1994, he used his weekly magazine column to excoriate Premier Li Peng, known as the “butcher of Beijing” for his role in the 1989 massacre, during his first visit to a Western democracy since the killings. He termed Li a “son of a turtle egg” (a bastard), and worse. The Chinese government responded by shutting his Giordano store in Beijing. They figured he’d choose profit over principle, as virtually every businessman had done since the 1949 communist takeover, and tone down his political attacks.

Jimmy chose principle. He fired back with another column, apologizing for his bad language but doubling down on his belief that the communist party should and would be relegated to the dustbin of history.

With the authorities going after his retail business, he sold his stake in Giordano, using the money to start the *Apple Daily* newspaper. He knew he risked prison after the Chinese takeover if he didn’t back down. Just before the handover in June 1997, in a discussion with *USA Today* founder Al Neuharth, he broke down in tears as he told the crowd he expected to go to jail. Yet he continued fighting.

In 2003 *Apple Daily* and *Next* led the campaign against a proposed national security bill. A crowd of 500,000 people took to the streets; the government withdrew the bill and Chief Executive Tung Chee-hwa resigned.

In 2014 the paper splashed out on yellow ink to support the pro-democracy Umbrella Movement, with its signature bright yellow umbrellas. Jimmy joined the students, pitching his tent among a sea of thousands of others for the 79-day occupation. In 2019, the paper again supported massive pro-democracy protests.

Yet Jimmy has no personal political ambitions. He has never wanted to be the next Nelson Mandela or Alexi Navalny. He has neither the temperament nor the desire for political power. He’s even rather shy personally, happier hosting a small group for dinner at his house or out on his boat than leading a protest march.

But he’s committed to freedom. And he refuses to back down. He’s fearless. He has a deep sense of right and wrong. Put bluntly, he’s rich, he’s principled, he’s fearless and he has an international voice. Any one of those things could make him a target of the Chinese Communist Party. The package makes him uniquely dangerous from the party’s standpoint.

President Trump promised two years ago on the campaign trail, that he would free Jimmy Lai. It would be “very easy,” Trump claimed. It hasn’t proven to be.

After he met with General Secretary Xi in May and pressed for Jimmy’s release, President Trump reported that it would be a “tough one” for Xi to free the aging newspaperman. Trump claimed that Jimmy had caused “bedlam” in China.

The reality is quite different. Jimmy is in jail because he represents freedom. China needed to imprison Jimmy because it needed to show the 7 million people of Hong Kong that even a man of Jimmy’s wealth and stature could be locked up.

From the party’s perspective, Jimmy needed to be subdued because the people of Hong Kong needed to be subdued. Jimmy is in jail because he believed China’s promises that Hong Kong’s way of life would remain unchanged for 50 years.

Jimmy is serving a 20-year sentence for “collusion with foreign forces,” stemming from his calls for targeted Magnitsky-style sanctions against Hong Kong and Chinese human rights violators. We will leave aside the legality of this charge --- in fact, it is not a crime under

common law to call for sanctions but protected free-speech activity. We will leave aside the fact that prosecutors didn’t even manage to show Jimmy called for sanctions after the National Security Law came into effect June 30, 2021, making the charges against him baseless.

Jimmy is in jail because of his decades-long fight for freedom. But the charges against him stem from his meetings with U.S. officials – members of Congress and the administration – to ask for help in protecting Hong Kong’s freedoms.

He came to the United States because he wanted help in protecting Hong Kong’s freedom.

Members of Congress and the Executive branch thus have a special responsibility to help free Jimmy.

This hearing focuses on Jimmy Lai. But Jimmy Lai is just one of hundreds of political prisoners being held in often appalling conditions. Key members of the Hong Kong Alliance – Chow Hang-tung, Lee Cheuk-yan and Albert Ho – have just last week [note: September 11] been sentenced to TK years for using the phrase “end one-party rule.” Student activist Joshua Wong, already in prison for the past six years, has just pled guilty – almost certainly under pressure – to a new round of national security charges.

Hong Kong’s prisons remain dangerously overcrowded, intensely surveilled, and structurally abusive one year after the Committee for Freedom in Hong Kong Foundation documented these conditions in its groundbreaking September 2025 report, “We Were Made to Suffer: Systemic Abuse and Political Control Inside Hong Kong’s Prisons.” Since then, the Hong Kong government has tightened the legal and administrative architecture around prisoners, deepening isolation and political coercion, particularly for those held over protest-related and national security offenses. These practices continue to breach the International Covenant on Civil and Political Rights (ICCPR) and the United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules), both of which remain binding on Hong Kong through Basic Law Article 39.

The Committee for Freedom in Hong Kong Foundation is now updating this research and would be happy to provide commissioners with more information about prison conditions in Hong Kong.

I’d be happy to answer further questions, particularly about the recommendations for Congressional and Executive action to help free Jimmy Lai and other Hong Kong political prisoners.

Mark L . Clifford is the president of the Committee for Freedom in Hong Kong Foundation. He is the author of *The Troublemaker: How Jimmy Lai Became a Billionaire, Hong Kong's Greatest Dissident, and China's Most Feared Critic*. He holds a PhD in Hong Kong history from the University of Hong Kong.