

Tom Lantos Human Rights Commission

Hearing  
on  
The State of Civil and Political Rights in Hong Kong

October 14, 2021- 2:00 p.m.  
2172 RHOB and Virtual, via WebEx

Statement of Joanna Chiu  
Author, *China Unbound*  
Former Hong Kong-based journalist

Thank you co-chairs and commissioners for the opportunity to speak with you today.

I am here as a journalist to provide information, and I'm not in a position to offer policy recommendations for the Commission to consider.<sup>1</sup>

I was born in Hong Kong. When I started working in greater China a decade ago, I decided to renounce my Hong Kong citizenship. Even back then, I was worried about my safety, because I knew Chinese authorities wouldn't recognize my Canadian passport if I were detained.<sup>2</sup>

It should be a Hong Kong-based journalist speaking to you today, but the sweeping and vaguely-worded National Security Law has sent a chill through the city I used to call home. Not only journalists, but virtually all professionals in Hong Kong must operate in a cloud of fear and uncertainty. Psychologists including high school counsellors are afraid to discuss political topics with clients and students even during private counselling sessions.<sup>3</sup>

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<sup>1</sup> For a list of potential actions on Hong Kong by concerned governments, see Human Rights Watch report: <https://www.hrw.org/feature/2021/06/25/dismantling-free-society/hong-kong-one-year-after-national-security-law>

<sup>2</sup> On international and dual citizen concerns, see: <https://www.thestar.com/news/canada/2020/07/03/what-the-new-hong-kong-security-law-means-for-canadians-everywhere.html>

<sup>3</sup> Source: <https://hongkongfp.com/2021/08/22/hong-kong-counsellors-struggle-to-navigate-security-law-concerns/>

International engagement, including with the United Nations or foreign governments, is now criminalized as "collusion with foreign forces". And while people of Chinese descent have *always* been the most vulnerable to Chinese state persecution, the National Security Law applies to anyone in the world.

Hong Kong police have arrested or issued arrest warrants for American citizens.

This makes it impossible for anyone to be certain of how to support civil society in Hong Kong without further endangering other people—or themselves.

Chinese officials appear to be most concerned about support from Americans for Hong Kong's pro-democracy movement. Many experts have noted that past *and* present American politicians bear responsibility for unnecessarily stoking tensions through irresponsibly non-factual or racist rhetoric on China.<sup>4</sup>

The research in my book, *China Unbound*, shows how ordinary people, like scientists and students, usually suffer the most as U.S.-China relations degenerate.

But today, I would like to focus on the question of whether any form of democracy could survive in Hong Kong. I've spent countless hours as a reporter navigating massive crowds of over a million protesters calling for voting rights. I've listened to the hopes and dreams of so many Hong Kongers of all ages and backgrounds. Now, it's unclear if large protests will ever take place in Hong Kong again.

Most of the city's pro-democracy leaders (both the old guard and youth like Joshua Wong) are in jail. Last month, on Sept. 8, 2021, the National Security Department arrested four more members of the Hong Kong Alliance which had organized the annual June 4 rally in memory of the Tiananmen Square massacre.<sup>5</sup>

In January of this year, Hong Kong police arrested dozens of Democrats for participating in an unofficial primary election. They are accused of taking part in a conspiracy to commit subversion.<sup>6</sup>

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<sup>4</sup> <https://carnegieendowment.org/2019/01/16/relationship-under-extreme-duress-u.s.-china-relations-at-crossroads-pub-78159>

<sup>5</sup> <https://www.reuters.com/world/asia-pacific/police-arrest-vice-chairwoman-hong-kong-democracy-group-2021-09-08/>

<sup>6</sup> <https://hongkongfp.com/2021/09/23/hong-kong-security-law-47-democrats-await-trial-over-unofficial-election-as-case-adjourned-to-nov/>

It was a grassroots democratic exercise. In July 2020, hundreds of thousands of Hong Kongers voted to narrow the field of potential pro-democracy candidates seeking seats in the city's legislature. This was meant to avoid a splitting of votes to increase the chance of having pro-democratic lawmakers in office.

Hong Kong's security chief said the police sweep was needed because election organizers were seeking to "paralyze the Hong Kong government" by winning a majority in the legislature.

So far, only 14 of the 47 defendants have been released on bail awaiting trial. Those who remain in jail include Claudia Mo, a former journalist for international media and student in Canada, who had been a pro-democracy LegCo member since 2012.

Hong Kong's High Court cited Mo's communications on WhatsApp with foreign journalists as a reason to deny her bail.

Steven Butler, the Committee to Protect Journalist's Asia program coordinator said the court decision marked yet another assault on basic freedom of expression. "The idea that a person's texts and interviews with mainstream international press outlets are evidence of subversion is absurd, and will create severe obstacles for journalists in Hong Kong who are just reporting the news," he said.<sup>7</sup>

Hong Kong elections have never been fully free, but recent electoral reform rules will keep "unpatriotic" persons from gaining positions of power. A new vetting committee (which is an additional layer of vetting on what existed previously) will make it easy to bar any candidate deemed as critical of Beijing.<sup>8</sup>

Remaining opposition politicians in Hong Kong who *aren't* in jail face a real lose-lose situation:

Should they boycott the upcoming December elections in order to avoid lending legitimacy to the system, or should they run in the election to hang onto any ability to represent the views of the majority of Hong Kongers—who support democracy?<sup>9</sup>

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<sup>8</sup> <https://www.bbc.com/news/world-asia-57236775>

<sup>9</sup> <https://www.reuters.com/article/us-hongkong-security-poll-exclusive-idUSKBN25Q00U>

Everyone I know in Hong Kong feels a sense of hopelessness. They worry that as authorities use increasingly convoluted legal methods to dismantle civil society piece by piece, one arrest after another, the world will stop understanding—and stop caring—about what is going on.

This Commission is doing the right thing by hearing a range of expert and insider views on the state of civil and political rights in Hong Kong.

Thank you again for this opportunity to testify.