



Tom Lantos Human Rights Commission Hearing
The State of Civil and Political Rights in Hong Kong

Thursday, October 14, 2021
2:00 p.m. – 4:30 pm
2172 Rayburn House Office Building and Virtual via Cisco WebEx

Co-Chair Chris Smith, presiding.

Excerpt of Remarks

This hearing will come to order.

We meet to probe the ever-deteriorating state of civil and political rights in Hong Kong on this, the eve of the House passage of my bipartisan legislation—the [Hong Kong Human Rights and Democracy Act](#) of 2019 exactly two years ago tomorrow.

We also meet in search of pursuing the most effective ways to mitigate—and end—the egregious crimes committed against Hong Kongers each and every day by the Chinese Communist Party.

And we meet to remind the brave democracy activists that we deeply respect their courage and sacrifice and that they are absolutely not forgotten.

Seven years ago, I first introduced the [Hong Kong Human Rights and Democracy Act of 2014](#).

It was the time of the Umbrella Movement, which began in response to a decision by the Standing Committee of the PRC's National People's Congress to prescreen candidates for Hong Kong's chief executive, in other words, the Chinese Communist Party was putting its thumb on the scale with greater force, and people were speaking out.

Those were heady days, with brave students such as Joshua Wong and Nathan Law emerging as the next generation of democracy leaders. When looking back, one sees courageous idealism, optimism and enthusiasm that could bring about substantive political change.

At that time, it was extraordinarily hard to get my congressional colleagues or the White House to see the gathering threat—an existential threat—to Hong Kong democracy and human rights posed by General Secretary of the Chinese Communist Party Xi Jinping.

Our bill only had five cosponsors that year, including now-Speaker Nancy Pelosi. By way of contrast the [2019 Act that passed the House had 47 bipartisan cosponsors](#) including my friend and colleague Jim McGovern.

In 2014, far too many people in Washington felt that Hong Kong, with its greater freedom and free trade principles, would somehow tug the People's Republic of China in a liberalizing direction. After all, Hong Kong had the [Basic Law](#), a mini-constitution that could serve as a model for greater respect for rule of law in China one day.

Such hopes proved illusory—just as some American political and business leaders naively believed that delinking trade with human rights in 1994 would somehow help the Chinese Communist Party matriculate from a brutal dictatorship to a democracy.

In March of 2019, the Hong Kong government proposed extraditing alleged criminals to China, raising fears that political dissidents could be sent to mainland China to face charges over exercising basic freedoms.

Hong Kong's government, and the police force, began to resemble that of mainland China in its response to legitimate protest, speech and assembly.

Congress too awakened to the changed situation and under the leadership of Speaker Pelosi, our Hong Kong Human Rights and Democracy Act of 2019 passed.

Indeed, that same day, Jim's bill placing restrictions on tear gas exports and crowd control technology to Hong Kong also passed, with me as the lead Republican cosponsor.

Congress spoke with a unified voice, and when the Hong Kong Human Rights and Democracy Act was enacted into law, the Trump Administration gave it teeth, declaring that Hong Kong was no longer QUOTE "sufficiently autonomous" such as to warrant being treated as independent of China for trade and technology export purposes.

The Trump Administration also [sanctioned](#) key individuals in the Hong Kong government, including Carrie Lam, the Hong Kong Chief Executive.

42 PRC and Hong Kong government and police officials have been sanctioned pursuant to [Trump's Executive Order 13936](#)

More importantly, however—for in many ways Carrie Lam is just a figurehead and mouthpiece for Beijing—the Trump Administration sanctioned two individuals who are Xi Jinping's hatchet men: Chris Tang, the Secretary for Security and former head of the increasingly-repressive Hong Kong Police Force, and John Lee, the former Secretary of Security and current Chief Secretary.

Both these men—Chris Tang and John Lee—need to be better known for the purposes of being held morally and legally accountable. They, more than anyone except Xi Jinping himself, are responsible for the current demise of human rights in Hong Kong, for they have been the willing executioners for the Chinese Communist Party.

But beyond the names of those who should be called to task, are those we must remember for their valiant defense of freedom.

We should remember Jimmy Lai, the brave founder of *Apple Daily*, that beacon of free speech shut down by the government in June of this year, its assets frozen and its computers confiscated by the police.

Jimmy is now in jail, periodically brought to court in shackles, while the Court has yet to set a hearing date.

People may not know this, but Jimmy is a man of Faith, a fellow Catholic, who easily could have fled to safety like the roughly 90,000 citizens who have left Hong Kong between June 2020 to June 2021 because he is—or was—a rich man. Yet Jimmy stayed in Hong Kong to stand with those who spoke for freedom.

He has been stripped of his liberty, his home traded for a jail cell, yet he stands unbroken, a testament to moral principle and defiance in the face of tyranny.

One of distinguished witnesses Samuel Chu, a naturalized American citizen for nearly 25 years, has been accused of violating the National Security Law which severely punishes four types of activities—secession, subversion, terrorism and collusion with foreign forces, all “carrying a maximum sentence of life in prison”.

Mr. Chu states in his testimony today that “the absence of the People’s Liberation Army and rolling tanks like Tiananmen or barbwires and internment camps like those in Xinjiang does not mean that the crackdown has been any less brutal, swift and complete.”

There are others who we must remember, less famous than Jimmy perhaps but also heroic. Over 150 have been arrested under the National Security Law, implemented last year, and countless others have been chilled from expressing their opinion.

We have seen former legislators, like Claudia Mo, whom our witness Joanna Chiu has highlighted in her testimony, denied bail while standing trial for practicing democracy.

There are journalists who now are in jail for practicing free speech.

Indeed, Hong Kong reportedly has more journalists in jail per capita than any other place on earth.

We cannot forget them either, and we should say their names: Edmund Wan Yiu-sing, Ryan Law, Cheung Kim Hung, Chan Pui-man, Lam Man Chung, Fung Wai Kong, Yeung Ching-kee, and Gweyneth Ho are all in jail, while others have been released on bail, awaiting trial.

For those journalists watching today's hearing or in attendance, I ask you to share their names, for freedom of the press is such an important right undergirding so many of our freedoms.

We cannot forget these people, and those like them. We cannot forget Hong Kong.

The media in particular, I call upon you to lift up their voices. We cannot let the tyranny of Xi Jinping and the Chinese Communist Party stifle the flame of freedom that resides in the hearts of the people of Hong Kong.

Thank you, and I now yield to my esteemed colleague, Co-Chair McGovern.