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HONG KONG'S SUMMER OF DISCONTENT AND U.S. POLICY RESPONSES

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BEFORE THE

CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

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CONTENTS

STATEMENTS

	Page
Opening Statement of Hon. James P. McGovern, a U.S. Representative from Massachusetts; Chairman, Congressional-Executive Commission on China	1
Statement of Hon. Marco Rubio, a U.S. Senator from Florida; Cochairman, Congressional-Executive Commission on China	3
Statement of Hon. Christopher Smith, a U.S. Representative from New Jersey	6
Joshua Wong, Secretary-General of Demosistō, pro-democracy activist, and Umbrella Movement leader	9
Denise Ho, pro-democracy activist and award-winning Cantopop singer and actress	11
Sunny Cheung, spokesperson for the Hong Kong Higher Institutions International Affairs Delegation	13
Sharon Hom, Executive Director of Human Rights in China and Professor of Law Emerita at City University of New York School of Law	14
Daniel Garrett, Ph.D., political scientist and author of "Counter-Hegemonic Resistance in China's Hong Kong: Visualizing Protest in the City" (2014)	17

APPENDIX

PREPARED STATEMENTS

Wong, Joshua	49
Ho, Denise	50
Cheung, Sunny	52
Garrett, Daniel	56
Hom, Sharon	65
McGovern, Hon. James P.	72
Rubio, Hon. Marco	73
Smith, Hon. Christopher	74

SUBMISSIONS FOR THE RECORD

Witness Biographies	77

HONG KONG'S SUMMER OF DISCONTENT AND U.S. POLICY RESPONSES

TUESDAY, SEPTEMBER 17, 2019

CONGRESSIONAL-EXECUTIVE
COMMISSION ON CHINA,
Washington, DC.

The hearing was convened, pursuant to notice, at 10:00 a.m., in room 419, Dirksen Senate Office Building, Representative James P. McGovern, Chairman, presiding.

Also present: Senator Rubio, Cochairman, Senators King, Daines, Young, and Peters, and Representatives Suozzi, Smith, and McAdams.

OPENING STATEMENT OF HON. JAMES P. MCGOVERN, A U.S. REPRESENTATIVE FROM MASSACHUSETTS; CHAIRMAN, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

Chairman MCGOVERN. The committee will come to order. Good morning and welcome to today's hearing on Hong Kong's Summer of Discontent and U.S. Policy Responses.

This is the second China Commission hearing this year on the situation in Hong Kong. During our May hearing, the Commission heard compelling testimony from Hong Kong pro-democracy advocates, including Martin Lee and Nathan Law, who expressed serious concerns about the extradition bill that was quickly moving toward becoming law at that time. That legislation would have put anyone in Hong Kong, including U.S. citizens, at risk of extradition to mainland China where a lack of due process and custodial abuse have been well documented.

Over the last 16 weeks, millions of people from all walks of life in Hong Kong have taken to the streets in an unprecedented and sustained show of unity. The protesters have inspired the world and have risked their lives, their health, their jobs, and their education to fight for the future of Hong Kong. Thank you for your courage and thank you for your bravery. We stand in solidarity with you.

As protests continued throughout the summer, Hong Kong police used excessive and unnecessary force to target those engaged in peaceful demonstrations. The U.N. High Commissioner for Human Rights has called for an investigation. The U.K. has suspended export licenses for the sale of tear gas and crowd-control equipment. And the House of Representatives—Congressman Chris Smith and I—have introduced H.R. 4270, the PROTECT Hong Kong Act, that would prohibit U.S. exports of police equipment to Hong Kong. U.S. companies should not be selling equipment used to violently crack

down on pro-democracy protesters. I hope Congress will pass this legislation as soon as possible.

Although consideration of the extradition bill has been suspended, the people of Hong Kong are calling for greater accountability and democratic participation. It's my understanding that the Hong Kong protesters have outlined five demands of Hong Kong and Chinese authorities. I look forward to hearing from today's witnesses what those demands are specifically, what progress has been made by the Chinese and Hong Kong governments on achieving them, what remains to be done, and how we in Congress and the international community might be helpful.

The "one country, two systems" framework was enshrined in the 1984 Sino-British Declaration and Hong Kong's Basic Law. This is an international treaty signed by the Chinese government to allow Hong Kong a high degree of autonomy with the ultimate aim of electing its Chief Executive and Legislative Council members by universal suffrage.

The 2014 Umbrella Movement protests were sparked by the Chinese government reneging on its commitment to make Hong Kong more democratic. It is the continuing erosion of Hong Kong's autonomy and rule of law that fuels the protests in Hong Kong today.

Over the last five years, the Chinese government has prioritized control over Hong Kong by stifling free expression and restricting the space for democratic participation. We have seen the prosecution and sentencing of pro-democracy leaders, the disqualification and removal of pro-democracy legislators, and the introduction of a new national anthem bill that would restrict free expression.

Anson Chan, the former Hong Kong Chief Secretary and Legislative Council member recently offered this insight: "If only Beijing would understand what makes Hong Kong tick, what are the values we hold dear, then they can use that energy to benefit both China and Hong Kong. Instead, they have this mentality of control."

While the protests were sparked by concerns about the extradition bill, the heart of the discontent is that Hong Kong's political leaders do not represent and are not accountable to the people. Instead, Hong Kong's leaders are beholden to the Chinese government.

Millions of people would not have to protest in the streets if they could freely choose their political leaders. I hope the Chinese government would understand that stability and prosperity can be achieved if Hong Kong's autonomy is respected and if the Chief Executive and Legislative Council members were elected without Chinese influence over candidate selection.

In light of the continuing erosion of Hong Kong's autonomy and the recent violence against peaceful protesters, I believe it is time for the United States to reconsider its policies toward Hong Kong. U.S.-Hong Kong relations are governed by the U.S.-Hong Kong Policy Act of 1992 that commits the United States to treating Hong Kong as a separate customs territory from the rest of China so long as Hong Kong remains sufficiently autonomous.

I am proud to support H.R. 3289, the Hong Kong Human Rights and Democracy Act, sponsored by Senator Rubio and Congressman Smith. The legislation would require the Secretary of State to cer-

tify on an annual basis that Hong Kong is sufficiently autonomous in order to justify special economic, financial, and trade treatment different from mainland China under U.S. law.

It is time we put the Chinese government on annual notice that further erosion of autonomy or a crackdown in Hong Kong will cause the city and by extension mainland China to lose its special economic and trade arrangement with the United States. Over the years, Hong Kong has prospered and become the financial center of Asia because of its strong commitment to the rule of law, good governance, human rights, and an open economic system. The erosion of this unique system threatens not only the people who attempt to speak out, but the economic vitality of the city itself.

So to be clear, we stand together with the people of Hong Kong and, indeed, all the people of China when we express our concerns about the human rights violations of the Hong Kong and Chinese governments. Our focus today is doing right by the people of Hong Kong as they seek a democratic future that protects Hong Kong's autonomy and rule of law.

At this point, I would like to yield to the Cochair, Senator Rubio.

STATEMENT OF HON. MARCO RUBIO, A U.S. SENATOR FROM FLORIDA; COCHAIRMAN, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

Cochairman RUBIO. Thank you, Mr. Chairman, for convening this important hearing and for your willingness to host it here on the Senate side.

Chairman MCGOVERN. It's kind of nice over here.

Cochairman RUBIO. It is quiet.

Chairman MCGOVERN. Yes.

[Laughter.]

Cochairman RUBIO. A little different pace. We had four votes yesterday. Today people will be exhausted.

Chairman MCGOVERN. Yes.

[Laughter.]

Cochairman RUBIO. But anyway, I want to thank you for doing this. I look forward to our continued partnership on this Commission, and particularly as it relates to this topic.

I also want to thank all of our witnesses, especially those who are on the front lines and have even been jailed multiple times, and we'll hear from them today about the things that have been done against them. And your commitment to freedom and democracy is inspiring. It really is inspiring for those of us who live in this republic. It reminds us of why so many of us serve here and what we seek to preserve around the world. And that's why we want to stand with you.

Your fight and the fight of your fellow Hong Kongers is the fight of every human who yearns for liberty and dignity and demands that their fundamental rights be respected and upheld. Let me say at the outset to the people of Hong Kong, We stand with you, and by we, I mean this is a bicameral, bipartisan commitment, as you will see today and have seen in the past few days, on these efforts across both political parties and every major figure. And not only that, but many Americans stand with you in your fight to keep your long-cherished freedom.

It was only a few months ago in May that we held a hearing on Hong Kong. It was titled "Hong Kong's Future in the Balance: Eroding Autonomy and Challenges to Human Rights." At that hearing and before, it was highlighted on the facts that the Chinese Communist Party has been eroding Hong Kong's autonomy and freedoms guaranteed by the Joint Declaration and by the Basic Law.

The May hearing discussed the extradition bill that, had it passed, would have exposed everyone in Hong Kong—and that includes, by the way, 80,000 Americans who reside there—it would have exposed them to the justice system or the so-called justice system of the Chinese Communist Party. The same justice system that routinely tortures those in its custody, that denies critically needed medical care, that arrests lawyers for serving their clients, and that places the desires of the Communist Party above every and any demand for justice.

The proposed bill exposed the very real and increasing threat to Hong Kong's autonomy. But few of us could have anticipated the events that would follow. Since June, the people of Hong Kong have bravely taken to the streets for 15 straight weeks and more than 400 separate demonstrations involving more than 8 million people of every age and every background.

Recently there have been very credible reports that have emerged of the police's brutal treatment of demonstrators while in their custody. This weekend, for example, we saw images of the police holding down a protester whose head was bleeding and spraying pepper spray into the wound, which is an act of total cruelty. We watched the police throw tear gas grenades at journalists, many of whom were well far away from the demonstrators.

Since the 21st of July, pro-Beijing thugs associated with organized crime and the Party's United Front activities have violently confronted demonstrators, journalists, and innocent passersby, and the police just looked on, looked the other way, and in some cases even cooperated. And while detained demonstrators have been beaten or their faces smashed into the concrete, journalists have photographed these same thugs in "detention," smoking and playing on their cell phones after attacking journalists and demonstrators.

Although Hong Kong's Chief Executive may have promised today to withdraw the extradition bill when the Legislative Council reconvenes in October, the government's violent response to the demonstrations demands accountability. And yet, Lam and the Hong Kong government refuse to press for any accountability for the violence by Hong Kong security forces that was committed and continues to be committed against peaceful protesters.

The Chief Executive did not listen to the outcry against the bill in Hong Kong since its introduction, but rather tried to ram it through the legislature.

So what's at stake? The Hong Kong government's stubbornness in the face of public outcry has launched one of the greatest people-power movements we have witnessed in recent memory. The actions of the government and the people demonstrate that there are two Hong Kongs. The Hong Kong of the government, totally leveraged by the Chinese government, has proven that it is not com-

mitted to a free and autonomous future for Hong Kong, nor is it one of rule of law or of justice. The other Hong Kong, the real one, is the one of its people—the students and youth activists, artists, journalists, doctors and nurses, lawyers, accountants, business people—from every walk of life, the city's people, of all ages, who have shown us a Hong Kong with a vibrant civic life, prepared to stand up for its own autonomy, democracy, and liberty.

It is clear that these two very different Hong Kongs are colliding, and therefore the city is at a crossroads. The fact of the matter is maintaining Hong Kong's autonomy is critical to U.S. interests and it also has real implications for the United States and for the rest of the world.

Hong Kong's status as an international trade and investment hub is threatened just as long as the long-cherished freedoms of the Hong Kong people are being threatened. Threatened—by the way—not by us, but by the Communist Party of China.

So it is my belief that it's long overdue for the United States and the free world to respond. I hope we quickly pass the Hong Kong Human Rights and Democracy Act, which I hope will be heard next week in committee so that we can provide this and future administrations with updated tools to respond robustly and flexibly to the Chinese Communist Party and its proxies who are undermining Hong Kong's autonomy.

The U.S. Government and other democracies need to hold Chinese and Hong Kong officials accountable for their failure to uphold their commitments. The United States and other nations have options precisely—precisely because Beijing benefits from Hong Kong's special status, a special status which has made Hong Kong an international financial center built on the promises that China made to the world with regard to Hong Kong which they now seek to break.

China's leaders must either respect Hong Kong's autonomy or know that their escalating aggression will lead them to face real consequences, not just from the United States, but from the free world. And I issue one final warning in this regard. I anticipate fully that they will continue their work to turn the system of government in Hong Kong to more resemble the one that exists in Macau, one that allows them to intervene in the legal system as they wish.

So we're here today to examine what has happened, to look forward to Hong Kong's future. There are many challenges in our relationship with China, but Hong Kong must remain a priority. Hong Kong is not a Chinese internal affair, and the world has a responsibility to help the people of Hong Kong move toward a future that protects their individual freedoms and provides for civic well-being.

I look forward to hearing your views and today's discussion. I thank you for your courage and for your commitment.

Chairman MCGOVERN. Thank you very much.

Let me just emphasize one thing Senator Rubio said. We represent up here on this Commission a diverse political spectrum, from the left to the right and everything in between.

We have lots of differences on lots of issues. We probably couldn't even agree on what to have for lunch. But we have one thing in

common, and that is we believe your cause is noble and just. And we are honored that you are all here today.

So we want to welcome this distinguished panel. I will introduce each one of them, and then we will go to testimony.

I yield to Mr. Smith.

STATEMENT OF HON. CHRISTOPHER SMITH, A U.S. REPRESENTATIVE FROM NEW JERSEY

Representative SMITH. Thank you very much, Mr. Chairman.

Thank you very much. What a panel of heroes, the best and the bravest and brightest. Thank you for being here and bearing witness to a very ugly truth as to what Hong Kong is doing.

It has been a long hot summer in Hong Kong, as we all know. The inspiring and courageous protests there are a daily reminder of the stark differences between free and authoritarian societies.

The people of Hong Kong have shown the world that a free people will not accept the boot of repression without protest. The millions of Hong Kong protesters have also done the world a great service. They have exposed Beijing's plan to erode freedoms guaranteed to the people of Hong Kong by international treaty. They have exposed Beijing's pernicious and repressive behavior.

And have no doubt about it, the Chinese government is both uniquely repressive and incredibly paranoid about maintaining its grip on power. Today there are over a million Uyghurs interned in Orwellian political education camps. Human rights lawyers have disappeared, have been horribly tortured in detention. Christians, Tibetans, labor activists, and journalists as well face egregious abuse in the most intrusive system of surveillance operating in the world today.

Why would anyone want their political fate determined by Beijing? If given a choice, no one would.

As inspiring as the protests have been, they have also raised serious concerns about the actions of the Hong Kong and Chinese Communist governments. The violence and the use of force perpetrated against the protesters by thugs and police—I repeat myself—is extremely alarming.

Representative McGovern and I were the first Members of Congress to call on the Trump Administration to suspend the sale of tear gas, rubber bullets, pepper spray, and other crowd-control equipment to the Hong Kong police. And I agree with him, we need to quickly pass the PROTECT Act that we introduced last week.

Also alarming are the repeated and irresponsible threats of intervention made by Chinese officials, particularly given that this year marks the 30th anniversary of the Tiananmen Square massacre. The Hong Kong and Chinese governments are alone responsible for the grievances expressed by the protesters. And they alone can peacefully end the protests by addressing the demands for universal suffrage and investigation of police threats.

Blaming the United States Government and blaming the U.S. Congress for the protests is an act of cowardly propaganda and not befitting a nation such as China which has aspirations of global leadership. It is time for U.S. policy to respond to Beijing's long-term ambitions in Hong Kong and pass the Hong Kong Human Rights and Democracy Act.

Five years ago, Mr. Chairman, I introduced the Hong Kong Human Rights and Democracy Act with my CECC Cochair, Senator Brown. The bill allows for a more robust U.S. response to the steady erosion of Hong Kong's autonomy and human rights. Over the years Senator Rubio and I have upgraded the bill—and you as well—to reflect the kidnapping of booksellers, the disqualification of elected lawmakers, and the political prosecution of Joshua Wong, Nathan Law, Benny Tai, and others.

However, every time—every single time we pushed for passage, there was opposition from the diplomats, the so-called experts, the committee chairs of both the House and the Senate, and the American Chamber of Commerce in Hong Kong. We were told not to upset the status quo. We were told that upgrading U.S. policy would undermine their efforts with Beijing and its hand-selected political leaders in Hong Kong. We were told that our bill would cost U.S. businesses.

It is the exact same advice that we have been hearing on China since Tiananmen Square. And the big issue was then MFN.

China experts have failed the American people, and their advice helped to gut parts of our own economy. Their advice this time will fail the people of Hong Kong as well.

Specifically Mr. Chairman, as you know, the bill directs the Secretary of State to certify to Congress annually as to whether Hong Kong continues to deserve special treatment under U.S. law that is different from mainland China in such matters as trade, customs, sanctions enforcement, law enforcement cooperation, and protection of human rights and the rule of law.

It directs the State Department not—I say not—to deny entry visas based on an applicant's arrest or detention for participating in nonviolent protest activities in Hong Kong. It requires an annual report from the Commerce Department on whether the Hong Kong government adequately enforces U.S. export controls and sanctions laws.

It requires the Secretary of State to submit a strategy to Congress to protect U.S. citizens and businesses in Hong Kong from the erosion of autonomy and the rule of law because of actions taken by the Chinese Communist government.

It requires the President to identify and sanction persons in Hong Kong or in mainland China responsible for the erosion of Hong Kong's autonomy and serious abuses of human rights.

We have wide agreement for this legislation. It is time that it passed.

I've heard it said that the business of Hong Kong is business. I believe it's clear that the business of Hong Kong is freedom. The people of Hong Kong are working to protect the rights and rule of law that are the foundation of the city's prosperity and unique vitality.

This Commission and so many of our colleagues in both the House and the Senate stand united with the people of Hong Kong and will not be silent in the face of threats to their guaranteed liberties and way of life. The U.S. and the international community cannot be silent or just make noise with nothing that backs it up. The whole world has a stake in a peaceful and just resolution of

Hong Kong and the survival of the "one country, two systems" model.

Hong Kong people—Gaa yau!

I yield back.

[Applause.]

Chairman MCGOVERN. Thank you.

I am proud now to introduce our esteemed panel of expert witnesses this morning. Three of our witnesses traveled all the way from Hong Kong to provide their testimony to this Congress.

The panel includes Joshua Wong, a pro-democracy activist and the Secretary General of Demosistō. At the age of 15 he organized protests against "patriotic education" in Hong Kong. Subsequently, he rose to prominence as a core leader of the 2014 Umbrella Movement.

Mr. Wong was also one of Hong Kong's first three political prisoners since 1997, sentenced in 2018 with Nathan Law and Alex Chow for leadership roles in the Umbrella Movement. Most recently he was arrested in August 2019 for his role in a peaceful protest outside police headquarters during the anti-extradition bill movement.

Denise Ho, a pro-democracy and LGBTQ rights activist, and an award-winning Hong Kong-based singer, producer, and actress. Ms. Ho is a prominent supporter of the anti-extradition bill protests in Hong Kong and a leading figure in Hong Kong's pro-democracy movement.

She was arrested during the 2014 Umbrella Movement for taking part in nonviolent protests. The Chinese government has banned her from performing in China. In July 2019, Ms. Ho addressed the U.N. Human Rights Council in Geneva on Hong Kong, during which she was repeatedly interrupted by the Chinese delegation.

Sunny Cheung, a spokesperson for the Hong Kong Higher Education International Affairs Delegation (HKIAD), and an activist from the Student Union of the University of Hong Kong.

Established in July of 2019, HKIAD includes all student unions of universities in Hong Kong, with the primary mission of raising global awareness and support for Hong Kong's anti-extradition bill protesters and the pro-democracy movement.

Mr. Cheung has participated in and organized exchange events and conferences in Hong Kong, Taiwan, South Korea, the United States, and at the United Nations, and he recently gave a speech in the U.K. House of Commons in support of Hong Kong.

Sharon Hom, the Executive Director of Human Rights in China, where she leads its international advocacy and strategic policy engagement with NGOs, governments, and multi-stakeholder initiatives.

HRIC has covered human rights and democracy development in Hong Kong extensively, including the 2014 Umbrella Movement. Ms. Hom has presented in numerous hearings on a wide range of human rights issues before key European, U.S., and international policymakers.

She is a professor of law emerita at the City University of New York School of Law and has taught law for 18 years, including training judges, lawyers, and law teachers at eight law schools in China.

Daniel Garrett, a Ph.D., an author, photographer, and political scientist focusing on Chinese security politics and the securitization of Hong Kong. Since 2011, he has documented over 600 demonstrations, marches, and rallies in Hong Kong, including most recently the anti-extradition bill demonstrations.

Dr. Garrett is a doctoral graduate of City University of Hong Kong with approximately 20 years of engagement with Hong Kong, and completed his dissertation on "one country, two systems" under China's national security framework.

Dr. Garrett was a career national security professional, providing strategic counterintelligence and threat analysis, and served at the Defense Intelligence Agency, National Security Agency, and in the United States Air Force.

I want to thank you all for being here. We are honored by your presence. We will begin with you, Mr. Wong.

STATEMENT OF JOSHUA WONG, SECRETARY-GENERAL OF DEMOSISTŌ, PRO-DEMOCRACY ACTIVIST, AND UMBRELLA MOVEMENT LEADER

Mr. WONG. Good morning, Chairman McGovern, Cochairman Rubio, and members of this Commission. It's an honor to be invited back to Capitol Hill to speak about developments in Hong Kong.

You may recall that I last traveled to Washington more than two years ago and testified before this Commission in this same building on May 1st of 2017. What I said back then was that Hong Kong's "one country, two systems" was becoming "one country, one-and-a-half systems." I don't think there is any doubt among observers who have followed recent events that today we are approaching dangerously close to "one country, one system." The present state of affairs reflects Beijing's inability to understand, let alone govern, a free society.

The ongoing demonstration began on June 9th when one million Hong Kongers took to the streets in protest of proposed legislation that would have allowed criminal suspects to be extradited from Hong Kong to China where there are no guarantees of the rule of law. Still, before the night had ended, Chief Executive Carrie Lam announced the bill's reading would resume in three days. Hong Kongers were preparing for the last fight on June 12th.

And then the unthinkable happened. Knowing that Beijing controlled enough votes in the Legislative Council, protesters surrounded the complex earlier in the morning, successfully preventing lawmakers from convening. I was then serving my first jail sentence.

For a moment I wondered why the news channel was replaying footage of the Umbrella Movement. It was not long before I realized Hong Kongers were back with even stronger determination.

Lam suspended the bill on June 15th but fell short of fully withdrawing it. A historic two million people demonstrated the following day, equivalent to one in four out of our entire population. I'm not aware of anything comparable to this level of discontent against a government in modern history.

I was released exactly three months ago on June 17th and have since joined fellow Hong Kongers to protest in the most creative ways possible. In addition to the bill withdrawal, we demand that

Lam retract the label on us as rioters, drop all political charges, and conduct an independent investigation into police brutality.

Some of us crowdfunded for newspaper advertisements ahead of the G20 Summit in late June, calling for the world not to neglect Hong Kong. Others entered the chamber of the Legislative Council Complex on July 1, the same day another half million Hong Kongers protested peacefully.

The crowd continued to show up in large numbers in the past 15 weekends with more rallies taking place almost daily across the territories. But the government would not listen. Instead of defusing the political crisis, it dramatically empowered the riot police.

The movement reached a turning point on July 21st. That night, pro-Beijing thugs with suspected ties to organized crime gathered in the Yuen Long train station and indiscriminately attacked not just protesters returning home and reporters on the scene, but even passersby. The police refused to show up despite repeated emergency calls, plunging Hong Kong into a police state with more violence.

On August 5th alone, the day Hong Kongers participated in a general strike, riot police shot 800 canisters of tear gas to disperse the peaceful masses. Compare that to only 87 fired in the entire Umbrella Movement five years ago. The police's excessive force today is clear. Their excessive use of pepper spray, pepper balls, rubber bullets, beanbag rounds, and water cannons—almost all of which are imported from Western democracies—is no less troubling.

In light of this, I applaud Chairman McGovern and Congressman Smith for introducing the PROTECT Hong Kong Act last week. American companies must not profit from the violent crackdown on freedom-loving Hong Kongers.

Cochairman Rubio is also right for recently writing that Hong Kong's special status under American law depends on the city being treated as a separate customs area. Beijing should not have it both ways, reaping all the economic benefit of Hong Kong's standing in the world while eroding our freedom. This is the most important reason why the Hong Kong Human Rights and Democracy Act enjoys the broad support of Hong Kong civil society.

Lam finally withdrew the bill earlier this month. But just as protesters had long ago stopped calling for her resignation, so this decision was almost meaningless by then. The movement is far from over, because it has moved beyond one bill or one person.

Our most important demand is genuine structural change in Hong Kong, which means free elections. Our government's lack of representation lies at the heart of the matter.

As I speak, Hong Kong is standing at a critical juncture. The stakes have never been higher. We are confronted by the huge Chinese military buildup just across the border in Shenzhen.

President Xi Jinping is unlikely to take hardline action before the upcoming National Day in October. But no one can be sure what's next. Sending in the tanks remains irrational, but not impossible. With China's interference in Taiwan, Tibet, and especially Xinjiang, it serves as a reminder that Beijing is prepared to go far in pursuit of its grand imperial project.

I was once the face of Hong Kong's youth activism. In this leaderless movement my sacrifice is minimal compared to those among us who have been laid off for protesting, who have been injured but too afraid of even going to a hospital, or who have been forced to take their own life. Two have each lost an eye. The youngest of the 1,500 arrested so far is a 12-year-old schoolboy.

I don't know them personally, yet their pain is my pain. We belong to the same community, struggling for our rights of self-determination so we can build one brighter and common future.

A child born today will not even have celebrated his or her 28th birthday by 2047, when the 50-year unchanged policy is set to expire. That deadline is closer to us than it appears. There is no return for us.

Decades from now when historians look back, I'm sure that 2019 will turn out to have been a watershed. I hope historians will celebrate the United States Congress for having stood on the side of Hong Kongers, the side of human rights and democracy.

God bless Hong Kong. Thank you.

[Applause.]

Chairman MCGOVERN. Ms. Ho, welcome.

STATEMENT OF DENISE HO, PRO-DEMOCRACY ACTIVIST AND AWARD-WINNING CANTOPOP SINGER AND ACTRESS

Ms. HO. Thank you, Chairman McGovern, Cochairman Rubio, and the members of this Commission for holding this hearing and for having us here at this very critical moment for Hong Kong.

For more than 100 days now, young people in Hong Kong have been at the forefront of our resistance. This is a leaderless movement with widespread participation from people of all walks of life.

It is a fight for democracy, a fight for human rights, and most of all a fight for universal values. What started in June as a one-million-people march has morphed into a struggle for fundamental political reform in Hong Kong.

Chief Executive Carrie Lam's misjudgments and arrogance worsened the situation, resulting in a total clampdown by the Beijing government over Hong Kong's affairs.

To date, more than 1,500 Hong Kongers, the youngest at the age of 12 years old, have been unreasonably arrested. Sadly, it has become a daily occurrence to see youngsters being pinned to the ground with head concussions, if not being knocked unconscious. Meanwhile, riot police and plainclothes officers have early on deliberately hidden their I.D. numbers and warrant cards, making it impossible for us to even certify their legitimacy, let alone hold them accountable.

On August 21st, police from the special tactical unit charged into Prince Edward MTR station, beating up passengers randomly. They then shut down the station for 24 hours, refusing medical care for those who were injured, raising the suspicion of possible deaths in the station.

Separately, now, they will be charging into secondary schoolyards, shopping malls, and buses where young people merely dressed in black can be searched or even arrested without justification. In other words, merely being young is a crime in the police state of Hong Kong.

The protests began with an extradition bill, but at the core it has always been about these fundamental conflicts between two very different sets of values. On one hand, the China model which has no respect for human rights and the rule of law, and our hybrid city that has enjoyed these very freedoms for most of its existence, with a deep attachment to these universal values that the United States and other western societies treasure.

Hong Kong represents something unique in the world. We have long held dear our rule of law, transparent institutions, and freedom of expression in a part of the world where these are more often threatened than upheld. However, this system is now under great threat. Companies like Hong Kong's major airline Cathay Pacific have succumbed to political pressure, firing dozens of employees due to their political stance. The business community is coerced into making political decisions.

As a singer and activist from Hong Kong, I have experienced this oppression first hand. Ever since the Umbrella Movement in 2014, I have been blacklisted by the Communist government. My songs and my name are censored on Chinese internet. Pressured by the Chinese government, sponsors have pulled out. Even international brands have kept their distance.

For the past five years and even more so recently, China tried to smear and silence me with their propaganda machine, spreading false claims. Right now, I am facing threats from pro-Beijing supporters and could face arrest and prosecution at any time. Not only have I faced difficulties in both China and Hong Kong, but the self-censorship has now spread toward global institutions and cities.

Recently the National Gallery of Victoria in Melbourne, Australia denied a venue to an event of Chinese artist Badiucao and me due to security concerns. Celebrities from Hong Kong, Taiwan, and China are all pressured into voicing their unanimous support for the Beijing government and could be condemned for keeping their silence.

Hong Kongers are now living in constant fear and have unfortunately lost most of our freedoms. For a city that has been famously known as politically indifferent, the younger generations have taken up the road to safeguard our home, standing up courageously to the corrupt system in spite of increased suppression.

To the rest of the world, the United States is often a symbol of freedom and democracy. The freedom Americans enjoy is something that the people of Hong Kong have long hoped for. Even though our languages and cultures differ, what we have in common is the pursuit of justice, freedom, and democracy.

Through the challenges of Hong Kong, the West is also waking up to China's insinuating power on a global scale. Hong Kong is connected to the world in multiple ways, but China is trying to isolate it to exert control. If Hong Kong falls, it would easily become the springboard for the totalitarian regime of China to push its rules and priorities overseas, utilizing its economic power to conform others to their Communist values just as they have done with Hong Kong in the past 22 years.

The U.S. and its allies have everything to fear if they wish to maintain a world that is free, open, and civil. I therefore urge the U.S. Congress to stand by Hong Kong and most of all to pass the

Hong Kong Human Rights and Democracy Act. This is not a plea for so-called foreign interference. This is a plea for democracy. This is a plea for the freedom to choose.

And lastly, I would like to quote Eleanor Roosevelt, your most beloved first lady. "You gain strength, courage and confidence by every experience in which you really stop to look fear in the face. You are able to say to yourself, 'I lived through this horror. I can take the next thing that comes along.'"

This is a global fight for the universal values that we all cherish. And Hong Kong is on the very front lines of this fight. We were once fearful of what might have come with our silence. And for that, we have now become fearless.

Thank you.

[Applause.]

Chairman MCGOVERN. Thank you. Thank you.

Mr. Cheung, welcome.

STATEMENT OF SUNNY CHEUNG, SPOKESPERSON FOR THE HONG KONG HIGHER EDUCATION INTERNATIONAL AFFAIRS DELEGATION (HKIAD) AND STUDENT AT THE UNIVERSITY OF HONG KONG

Mr. CHEUNG. Chairman McGovern, Cochairman Rubio, and members of the Commission, thank you for your invitation to this hearing.

Last year, Chinese President Xi Jinping said in a closed-door meeting that China would never embrace the judicial independence of the West. This is why people in Hong Kong are trying hard to reject the extradition bill, because we do not believe in a country who looks down on human rights, disqualifies our legislators, and kidnaps our booksellers. We want to protect our legal system as the last barrier against Beijing's political interference.

Apart from asking for the withdrawal of the bill, Hong Kong people also demand an investigation into police brutality to save Hong Kong from turning into a police state. More importantly, we demand universal suffrage.

We believe that without any structural political reform and without a government chosen by the people, there is no possibility for Hong Kong to restore prosperity. We cannot have a society compromised in the interest of individuals. The voice of the people should always be heard. Unfortunately, our government ignores our demands by saying that we have no stake in the society.

Our student union members are detained, followed, beaten, and threatened. During the detainment, one of our student union members was told by the police that it was reasonable for them to rape some female protesters when they frequently work overtime.

Besides, the authorities try to stop us from having peaceful class strikes when more than 50,000 students are participating in it. People who side with Beijing are now advocating the installation of surveillance cameras inside classrooms to monitor teachers and students who dare to support class strikes and support the movement.

This apparently violates our academic freedom and freedom of speech. This is the "white terror" created by the Beijing government which should alert all people here.

Nowadays, students and Hong Kong people are even ready to die for Hong Kong. And some already have. They believe that the only limit to their freedom is their death. This is the ultimate sacrifice for the motherland, and we must not forget them.

Many students face strong objections from their families. Some of them are even forced to leave home. But they still head to the front lines carrying a letter with their last will. They are determined. They understand that the price of freedom is high. It always has been. But it is a price they are willing to pay, and it is a path of liberation they are willing to choose.

We do not fight for freedom out of passion. Passion will burn out. We fight for freedom from a sense of duty and dignity. China is rising. China is using its nationalism and invasive economic dominance to colonize small countries and put intense pressure on people and companies like Cathay Pacific who do not conform to them. Teachers, students, civil servants, and businessmen are all facing political pressure in Hong Kong.

This new form of imperialism in China poses a severe threat to Hong Kong. This is a crisis of values and systems. We need to contain the Communist Party of China.

Offering help to Hong Kong is the primary move to contain China. "One country, two systems" will expire in 2047. The U.S. Government should help Hong Kong people have the right to decide our future. Therefore, we urge the U.S. Congress to pass the Human Rights and Democracy Act to expand the current sanction list to all individuals who infringe on our human rights.

Moreover, if genuine universal suffrage cannot be achieved immediately, our autonomy and rule of law will continue to erode. The situation of China manipulating Hong Kong as a back door for trading with Iran and North Korea will also continue.

If this occurs, the U.S. Government should not acknowledge the special status of Hong Kong. The U.S. must send a strong signal that this special status will be canceled if Hong Kong loses its autonomy, in order to put pressure on China. Otherwise, China will keep taking advantage of Hong Kong as an international society but hollow out our liberal values. With such an assertive policy, it demonstrates that America will no longer tolerate totalitarianism.

Hong Kong people will take every step with the last inch of our efforts to fight for democracy and freedom. Thomas Jefferson once said he would be "forever against any form of tyranny." And I believe it is time for Americans to stand with Hong Kong.

Gwong fuk heung gong, si dai gaap ming! [Liberate Hong Kong, revolution of our time!]

Thank you.

[Applause.]

Chairman MCGOVERN. Thank you.

Ms. Hom, welcome.

STATEMENT OF SHARON HOM, EXECUTIVE DIRECTOR OF HUMAN RIGHTS IN CHINA AND PROFESSOR OF LAW EMERITA AT CITY UNIVERSITY OF NEW YORK SCHOOL OF LAW

Ms. HOM. Thank you.

Chairman McGovern, Cochair Rubio, and members of the Commission, thank you for this opportunity. It's an honor for me to stand in solidarity with the frontline activists.

I want to thank the Commission members for their critical support for the Hong Kong people and your leadership on the Hong Kong Human Rights and Democracy Act and the PROTECT Hong Kong Act.

Over the past three months, the whole world has witnessed the historic David and Goliath standoff. And against all odds, the Hong Kong people are standing up to the powerful authoritarian regime in Beijing. In this historic battle they are not only fighting for the democratic future of 7.4 million Hong Kong people, but they're holding the regional and global frontline on preserving human dignity and rights for all people.

As Congressman McGovern has already mentioned, the past summer of discontent is in fact part of years of ongoing resistance by the Hong Kong people against Beijing's encroachment on Hong Kong's autonomy, rights, and freedom. The mass demonstrations in the past have included resistance against security legislation, official brainwashing initiatives and the gutting of the promised genuine universal suffrage.

After the clearance of the Occupy Central sites, democracy activists left a promise inscribed on the concrete sidewalks—"We will return." They have kept that promise.

Instead of Beijing's hope for movement fatigue, the protests supported by unflagging solidarity and broad, diverse participation of Hong Kong society are moving into the 15th week, pressing for now five nonnegotiable demands. The out-of-control lawless actions of the Hong Kong police have provided mobilization fuel for Hong Kong people to "add oil."

As Chairman Mao said, "Wherever there is suppression, there will be resistance." And at the beginning of the Cultural Revolution he also said, "Anyone who crushes the student movement will not have a good ending."

I want to talk about the rule of law just briefly because there are tensions that were baked into the "one country, two systems" framework, making one country, one system or one-and-a-half systems perhaps an inevitable outcome.

Taiwan's President Tsai Ing-wen's takeaway from the current political crisis hits the nail on the head. Not only is "one country, two systems" not a viable model for Taiwan, but the Hong Kong example proves that dictatorship and democracy cannot coexist.

An independent functioning rule of law is essential, yet the Chinese state constitution and numerous high-level policy pronouncements legitimize the subordination of law to the leadership of the Party. The reintroduction of the Article 23 legislation that's in the works in Hong Kong will inevitably carry imprints of the Party's concepts of national security.

Second, the demand for complete loyalty to the Party guts the independence of key pillars of the rule of law, the legal profession, and the media. But Hong Kong is not the mainland—yet. Despite efforts like the proposed Hong Kong national anthem law and proposed loyalty requirements, loyalty, pride, and love cannot be legis-

lated. So it's not surprising that Hong Kong people, foreign business, and the international community have been alarmed.

The outrageous and painful excessive violence and abuse of law by the police have already been extensively described. I will move to, then, talking about what's at stake in terms of universal values.

China's aggressive activism at the U.N. is undermining international standards, weakening existing human rights mechanisms, and restricting the participation of independent civil society. This cuts off the Hong Kong people as well as human rights defenders on the mainland, and the Tibetan and Uyghur communities from the key international platforms that are available to press for accountability.

With this—instead of the West's hoped-for convergence, China is not only not playing by the rules, it is vocally and persistently asserting a set of relativist criteria that it alone can apply and pushing for Chinese models of human rights, democracy, and development; that is, no human rights, no development, and no democracy. This rhetoric helps to intimidate, silence, and deflect from the accountability of the state.

I want to point quickly to its role in blocking independent voices. China sits on the NGO Committee of the ECOSOC of the U.N. and, as a result, Chinese GONGOs do not face any objections such as the interruptions of Denise Ho's recent intervention at the Human Rights Council.

The intervention last week by Pansy Ho, the representative of the Hong Kong Federation of Women, is illustrative. She not only defended the SAR government's handling of the protest, but she accused the Hong Kong protesters of "child exploitation" and more. Ho, Cochairman and Director of a Macau casino operation, is also a Standing Committee member of the Beijing Municipal Committee of the Chinese People's Consultative Conference.

Because I am out of time, I want to take time to really jump ahead to the problem of a—in addition to the disinformation campaign, including the egregious use by China Daily on 9/11 of a photo depicting the destruction of the World Trade Towers to warn of terrorist attacks by Hong Kong protesters. Beijing is advancing a narrative of violence to frame the Hong Kong protest that is echoed uncritically by the international community.

Within this framework, the Hong Kong police, protected in full tactical gear, armed with rubber bullets, guns, tear gas, pepper spray, and batons, wielding the coercive power of the state, are presented as one "side" of an escalating violence, clashes with civilian protesters. Hence, we hear calls for "both sides" to de-escalate. But this deflects attention away from police accountability for its excessive use of force and its complicity with nonstate violence.

Moreover, the narrow violence framing of the situation on the ground is intentionally erasing or marginalizing the proliferation of diverse, creative, and peaceful protests by the Hong Kong people, including by students in boycotts and by elderly citizens, silver-hair volunteers protecting the children's actions.

Hong Kong people singing in the malls, in the metro stations, in neighborhood gatherings, shouting—the 10:00 p.m. shouts of slogans echoing throughout all the neighborhoods in Hong Kong—and forming human chains, creating Lennon walls.

And last Friday was mid-autumn festival. And a small family-owned bakery in Sai Wan made mooncakes with protest slogans. And in typical humorous Hong Kong fashion, Hong Kongers are creating art. This is what is happening. Hong Kong people are practicing democracy and exercising their freedoms for as long as possible. Hong Kongers are making the road by walking it. That is the real revolution already underway on the ground.

Thank you again, and I look forward to your questions.

Chairman MCGOVERN. Well, thank you very much.

[Applause.]

Chairman MCGOVERN. Dr. Garrett, thank you for coming, and we welcome your testimony.

STATEMENT OF DANIEL GARRETT, Ph.D., POLITICAL SCIENTIST AND AUTHOR OF "COUNTER-HEGEMONIC RESISTANCE IN CHINA'S HONG KONG: VISUALIZING PROTEST IN THE CITY" (2014)

Mr. GARRETT. Thank you.

Good morning, Chairmen McGovern and Rubio, distinguished members of the Commission. It is an honor and a privilege to talk with you regarding the Chinese Communist Party's erosion of "one country, two systems" in Hong Kong under the pretext of national security and its nexus to the extradition bill crisis.

I will begin with five key observations backgrounding the current China-Hong Kong conflict and the "one country, two systems" crisis.

First, today's "one country, two systems" is not the same as Deng Xiaoping's notion that proffered peaceful coexistence between the Communist and Hong Kong systems. Instead, it has been replaced by Xi Jinping's new era "one country, two systems" model embracing political struggle and enemy-friend binary and foregrounding Chinese national security as the paramount lens for governing the Special Administrative Region and implementing "one country, two systems." Rather than a confidence-building mechanism ensuring peaceful coexistence, "one country, two systems" under Xi Jinping is now intended to advance and safeguard China's sovereignty, security, and development interests.

Second, this new era "one country, two systems" model is informed by Xi Jinping's broader national security concepts known as the "three major dangers" and "national security with Chinese characteristics." The former situates Communist China at imminent risk of being invaded, toppled and separated, and its development, reform, and stability sabotaged, thereby leading to the derailing of China's rise, socialist modernization, and the "one country, two systems" policy. The latter dramatically broadens the notion of Chinese national security and radically expands the scope of Chinese authorities' prerogatives in administering "one country, two systems."

Consequently, it significantly erodes the Special Administrative Region's high degree of autonomy, diminishes Hong Kongers' freedoms, and widens the threat to U.S. citizens and national interests in Hong Kong.

Third, under Xi Jinping's new security paradigms and new era "one country, two systems" model, dissident Hong Kongers have

been systematically enemified and securitized as mortal threats to the Party-state and banned or removed from positions of political power. Elections have been partially nullified, Hong Kongers disenfranchised and terrorized with real and rhetorical political violence. The promise of Hong Kong people ruling Hong Kong has been effectively replaced with a tyrannical "rule of patriots."

Official declarations and Party-state media propagating Hong Konger enemy and Hong Kong threat security discourses have become ubiquitous, and Cultural Revolution-like mass line and United Front denunciation campaigns targeting democrats, localists and westernized Hong Kongers have swept the city repeatedly over the last seven years since Xi Jinping came to power.

And fourth, since at least 2012, Hong Kong and "one country, two systems" have been perceived by Beijing as Communist China's weakest links in its resurgent totalitarian national security state. For Chinese authorities, both are at the forefront of ideological confrontation with the United States and the West, "a new Cold War" in their terms.

By the end of 2014 and the Umbrella Movement, the struggle to rule Hong Kong was said to have matched the intensity surrounding the 1997 handover and that China now had to rethink how to rule the enclave.

An influential adviser to senior Chinese authorities said that Hong Kong faced a society-wide "long-term struggle" to eradicate the Party-state's enemies in the city, a de facto cultural revolution that would involve at a minimum rectifying and sinicizing the judiciary, legislature, media, secondary schools, and universities.

Chinese and Special Administrative Regions' furtive efforts to impose the Communists' legal, political, and social norms on Hong Kong via the extradition law and unprecedented violent suppression of protests have provoked a most severe crisis of "one country, two systems" as Hong Kongers fight for their endangered freedom, identity, and way of life.

This is not an anomaly. It is the sixth Chinese governance crisis involving "one country, two systems" since 2003 and the fifth since Xi Jinping took control of Hong Kong affairs.

Each has an underlying Chinese national security nexus seeking to broaden Beijing's powers, its so-called comprehensive jurisdiction in Hong Kong, and to roll back Hong Kongers' high degree of autonomy, liberal freedoms and limited democracy by forcibly transforming Hong Kong into a Chinese Communist city while maintaining a veneer of "no changes."

My next few observations will quickly touch upon the extradition law nexus to national security. Senior Chinese officials have described the extradition battle right now as a "battle of life and death" and a "battle to defend Hong Kong," a decisive war defending "one country, two systems" or jeopardizing it.

Since Xi Jinping came to power, national security is now a mandatory obligation for people in the Hong Kong SAR. This was never written into the original Basic Law. This has been done post facto since 2012.

Early in the extradition law saga, senior Chinese leaders have made extraordinary endorsements of the extradition law, expressing their full support. This included two Politburo Standing Com-

mittee members, Han Zheng and Wang Yang, the head of the State Council's Hong Kong and Macao Affairs Office, Zhang Xiaoming, and the chief of the Hong Kong SAR Liaison Office, Wang Zhimin.

There are also indications that President Xi Jinping, as a member of the Central Coordination Group for Hong Kong and Macao Affairs, has weighed in. An influential United Front commentator in state media has also observed that if it were not for the full support of the central government, the legislation would have been aborted.

Chief Executive Carrie Lam recently lamented in a leaked speech that since the issue had been elevated to one of national security and sovereignty, it had stripped her of any solutions or room for political maneuver.

Another source explained that because the ELAB involved the mainland Special Administrative Region relationship with the central government and the implementation of the Basic Law, it was not a matter entirely within the autonomy of the Special Administrative Region government.

This touches upon Hong Kongers' five demands as well as U.S. national security, and U.S. policy towards Hong Kong. Beijing's imposition of Communist legal and political and social national security norms on Hong Kong—constitute a violation of Article 5 of the Basic Law prohibiting the introduction of a socialist system in the territory.

Moreover, the Party's application of its "national security with Chinese characteristics" mandate and loyalty expectations to the Special Administrative Region and its civil servants, effectively dissolves any difference between the Communist and Hong Kong systems, thereby posing a significant threat to U.S. interests related to the protection of sensitive technologies and adherence to export controls.

My last two comments before I submit the rest of my testimony—the Hong Kong police force has been militarized and nationalized by the Chinese Communist Party, effectively becoming its "little gun" in the Special Administrative Region. Since the beginning of 2019, mainland police have been tasked by President Xi with "preventing and countering color revolutions."

China's Public Security Minister subsequently ordered police to "firmly fight to protect China's political security," and defend its national security and the leadership of the Communist Party.

Earlier, Hong Kong police had received similar national security tasking from Vice Premier Han Zheng who in August 2018 charged them to "firmly and effectively" safeguard China's national security and rule of law by "accurately and comprehensively" implementing "one country, two systems."

Also, according to a vice chairman of the State Council's Chinese Association of Hong Kong and Macao Studies, the Hong Kong police were now "on the forefront when it came to curbing Hong Kong independence," which meant their duty was not just to maintain public order, but to defend national security, too.

Chief Executive Carrie Lam, in a leaked speech, also iterated that the Hong Kong police were the only solution that they currently possess in dealing with the extradition process. In no small

way, the Hong Kong police have become the Special Administrative Region's people's armed police.

One last comment—Chinese authorities have dedicated significant academic, legal, political, propaganda, and United Front resources to systematically manipulating and recasting Deng Xiaoping-era content and understandings of the Basic Law in "one country, two systems" to accommodate Xi Jinping's totalitarian national security mandates, logics and outlook.

The Chinese Association of Hong Kong and Macao Studies, a shadowy political warfare-like think tank connected to the State Council's Hong Kong and Macao Affairs office, is one of these new subversive vehicles. Concomitantly, a network of Party-state constitutional and Basic Law experts and scholars, some attached to the National People's Congress Standing Committee's Hong Kong SAR Basic Law Committee have similarly contributed significantly to the erosion of "one country, two systems" policy, mobilized political bans, and informed the Central Authority's understanding of the actual situation in the region.

All of these United Fronters are key players in the erosion of Hong Kong's freedom and democracy and enable state tyranny.

Thank you.

Chairman MCGOVERN. Thank you very much.

[Applause.]

I will save my questions until the end. I am going to yield now to the Cochair, Senator Rubio.

Cochairman RUBIO. Thank you.

And I will just ask one question because I know Members have places to go and I want them to get in on this.

The key issue before us is autonomy. If you go back to 2014, they took away universal suffrage for the election of the chief executive. In 2016 and 2017, they disqualified six democratic lawmakers from the council seats using a very controversial interpretation of the Hong Kong constitution. And then in 2019, this effort at the extradition bill.

So my question to all the panelists is, How would you describe the state of Hong Kong autonomy today?

Mr. WONG. During the last congressional hearing, I was strongly aware of how "one country, two systems" had eroded to be "one country, one-and-a-half systems." But the recent political crisis—how the Hong Kong and Beijing governments have turned such a global city into a police state with more violence and even "white terror" I would describe now as the collapse of "one country, two systems." We are facing death under the current constitutional framework.

And I think now is also the time and the reason we should seek bipartisan support. Supporting Hong Kong's democratization should not be a matter of left or right. It should be a matter of right or wrong.

Ms. HO. In a more cultural and social context, there is immense fear among the people to speak their minds, which is a result of how the businesses and the government institutions have put pressure onto their employees or the people to keep their mouths shut, basically. This has a huge impact on the economy because without this freedom of speech, it's very difficult for the economy and also

the society to thrive because in a sense, we are already in somewhat of a "China city" situation where people would fear for their safety if they spoke out about their political stance.

Just for an example, there has been an unofficial Hong Kong anthem recently that has been written by an anonymous songwriter. And they have opted to keep their anonymity because if they had shown their face, then most likely they would have been arrested or prosecuted on claims of national threats—national security threats. So that's basically the sentiment of the Hong Kong people.

Mr. CHEUNG. Last year the USCC (U.S.-China Economic and Security Review Commission) published a report with concerns that Hong Kong is becoming more like any other Chinese city, and that means that our autonomy is already gone, and even the USCC has issued a report claiming that the autonomy of Hong Kong is already in danger.

In the U.K. when I met some politicians, I would tell them that the Chinese government already abridged the Sino-British Joint Declaration. And that is why I would say the autonomy of Hong Kong is already dead, and that's why we urge the U.S. Government and other free-world countries to try to help Hong Kong by, for instance, passing the Human Rights and Democracy Act.

And you can pass the Global Magnitsky Act in other countries, urge your allies to pass them to let other free-world countries stand with Hong Kong.

Ms. HOM. The economy question, Senator Rubio, is extremely important because post-1989, that was a decision made by the Communist Party: We're going to go forth, back into market and economic reforms, but absolutely no political reforms.

This has been echoed by the chief executive. When she endlessly has been having these kinds of ridiculous press conferences where she says nothing, one thing she does say is: We need to restore the economy; we need to restore economic order—completely ignoring the structural/political issues that are causing a lot of the fundamental unrest.

So the other point I wanted to add is that the Hong Kong economy was not delivering the goods to most of the Hong Kong people. The tycoons, and probably the triads, were doing quite well, but not the majority of Hong Kong people. Hence, we have the housing problem, the education problem, the problem of the elderly with inadequate care, and so forth, and health care.

So the economy was not delivering, and I think what needs to happen—yes, there should be a renewal of the economy. But it's going to be an economy that works for all the people.

If I could pick up quickly on Sunny's reference to autonomy. Autonomy, what it means for the Communist Party is—we only need to look at the so-called autonomous regions in Tibet and Xinjiang.

What autonomy means is no culture, no language, no history, no right to believe or practice your faith under the sinicization of religion, which is an oxymoron. And their understanding of autonomy even extends past this life. As you know, the Party is trying to now control reincarnation.

So they are also trying to impose a notion of Chineseness. What kind of Chineseness? Well, Xi Jinping's notion of Chineseness under the Chinese dream and what is Chinese. But Hong Kongers

are quite complex as a history, and language, and culture. And I think Hong Kongers are negotiating what it means to be a Hong Konger, whether it includes being a Chinese. Does it mean that?

And I think that's what it means to be free, the right to decide and determine in this complex way, what does it mean to be who we are? And that is absolutely antithetical to the DNA of the Communist Party and its notion of autonomy because it does not exist.

Mr. GARRETT. Thank you.

The "rule of patriots" in Hong Kong basically means that there is no substantive high degree of autonomy. Basically, under Xi Jinping, a democratic centralism is practiced. They may solicit input from the Hong Kong government, but once Beijing makes a decision, the SAR government has to implement it.

Building on Dr. Hom's comments here, national identity is now a national security issue for the Communist Party and Hong Kong. They believe that one of the major problems—this goes back to 2007 when Hu Jintao told the Hong Kong government on the tenth anniversary that the SAR government had to create a new generation of Hong Kongers who loved "one country, two systems," who loved China, that the recovery of Hong Kong would not be complete until Hong Kongers identified with China, with Communist China.

This also touches on Xi Jinping's Chinese Communist identity politics, which is attempting to rehabilitate the spoiled image of the Communist Party and the spoiled image of being a Communist. This is why we start seeing laws protecting the national anthem, martyrs and so forth.

So in Hong Kong, which has always been historically anti-Communist to a large degree, there is this effort related to the extradition campaign to eradicate so-called anti-Communist sentiment, and anti-Communist forces.

With regard to autonomy, because the Belt and Road Initiative and the Greater Bay Area Initiative are key to China's development program right now, and because the central government believes that the major impediment to Hong Kong signing on and strongly supporting these programs has been the two systems, has been its democracy, has been its freedoms, it is now looking to restrict those in order to force the SAR government to support these programs.

So, once again in closing, I would say there is no substantive autonomy. Thank you.

Chairman MCGOVERN. Thank you.

Mr. Suozzi.

Representative SUOZZI. Well, thank you, Mr. Chairman and Cochairman Rubio, for holding this hearing. We appreciate you bringing this together. Thank you, Representative Smith—Ranking Member Smith—for the work that you've done on this issue for so many years.

Thank you to the witnesses. We are so grateful to all of you for the information you've given us here today and for shining a light on this. I know we sit here in this chamber. It's very calm. It's very safe. It's very sterile, and you're bringing to life what's going on in real people's lives right now, when you talk about a 12-year-old being arrested. We hear the idea that someone gets pepper spray sprayed into their wound, when we hear about people's heads being

smashed into the concrete and getting concussions. And when we hear about the rubber bullets and the tear gas and everything else. And people living in fear on a regular basis for standing up, for speaking their minds.

Here in the United States of America, we have believed since Nixon went to China that the more that China was exposed to our way of life in the United States and to the West, that they would become more like us. We always thought they'd become—if they saw capitalism, if they saw democracy, sooner or later, they'd become more and more like us. And we now know that that is not at all the case.

Whether the hearings that we have held about the Uyghurs, or the hearings about Tibet, or now about Hong Kong, we know that they are pulling—well, you know we talk about Hong Kong as being "one country, two systems." It's really one world with two models, and they are meeting each other in Hong Kong right now.

And the question is, which model is going to win? Is it going to be the model that we promote here in the United States with the rule of law and with freedom of expression, and with democracy, or is it going to be authoritarianism, and the powerful forces of the government doing whatever they want, whatever way they want? They are meeting right there, and you are right in the middle of that challenge right now.

So we're so grateful to all of you. I am concerned about the timing of things right now. We're pushing to get this bill passed here in the Congress. But right now, we've got—I think you talked about it, Joshua—National Day in China is coming up on October 1st.

And I'm concerned about what mainland China's actions are going to be in relation to that and whether there will be more violence as a result as they try to flex their authority. And I'd like to hear each of you talk about that.

And the second thing I am concerned about is the local elections coming up in November. I want to hear from you about whether you believe there is an opportunity here for the people of Hong Kong to express themselves, or is mainland China trying to subvert that by not permitting certain candidates to run and not giving them permission to run, which is a foreign idea to us here in the United States of America, but so important to all of you.

And the third thing is, let's say a magic wand was all of a sudden waved. And mainland China said, we are going to support the idea of there being elections in the future in Hong Kong for the leader. Instead of Carrie Lam being appointed, there will be an election by the people.

That couldn't happen right away. It would take some time. I would like to hear what you think about the timing. So let's try and keep it brief. I know I talked a lot myself and used up a lot of time.

But please—October 1st, election day and how impactful that can be, and what the timing would be if they were to agree, as one of the five demands, that there would be universal suffrage?

So Joshua, you go first, please.

Mr. WONG. Troops were already moved to the border a few weeks ago, a tactic the Beijing authorities have used to generate a chilling

effect. We are strongly aware that Carrie Lam, the leader of Hong Kong, openly declared that she is considering imposing an "emergency ordinance" in Hong Kong to stop the protests. An "emergency ordinance" is the colonial-era law similar to martial law. It authorizes the chief executive of Hong Kong to shut down the internet, cut public transport, and even cut air traffic.

We all know that the political crisis must be solved by political system reform. That's the reason we urge Beijing not to handpick the leader. Please let us enjoy the right of free elections.

They are considering using this kind of martial law before or after Chinese National Day. But I think that's not the only reason people defending human rights should care about it. Even businessmen that focus on enjoying economic freedom and an open business environment should be aware of how Hong Kong is not only on the brink of bloodshed, it is also under the threat of martial law and "white terror."

So I really hope to have bipartisan support to pass the Hong Kong Human Rights and Democracy Act.

After explaining what is happening before or after Chinese National Day, the upcoming district council elections are scheduled on the 24th of November. With the track record of how Beijing unseated democratically elected lawmakers, including Nathan Law and Agnes Chow, the ones who hoped to run for office early last year, we strongly expect and are aware that Beijing will still keep its hardline policy toward Hong Kong and block or buy youngsters to run for office.

As one who has engaged in street activism, I also hope the voice of the young generation can be heard inside the institution. And at the same time, I will also make sure that the announcement will be in late September or early October as to whether I will run for office on the district council or not.

If the Beijing government bans me from running for office, they must pay the price in Hong Kong protests and also in the international community.

Representative SUOZZI. So in Hong Kong, there are many pan-democrats and many pro-Beijing folks? Is there a chance that that could change, that that dynamic could change because of the protests that are going on?

Mr. WONG. In the district council, we have 452 seats, and more than 75 percent of the seats are mostly in the pro-Beijing camp. And on the 24th of November, we hope the pro-democratic camp can get a good turnout to show the power of the people.

Representative SUOZZI. I just want to emphasize the timing coming up. October 1 and November 24 are big days that could have a big impact on what Beijing is doing and what is happening from the people. And it could be a flashpoint—we have to be very conscious of that.

Denise, do you want to go ahead?

Ms. HO. Yes, personally, I don't feel that October 1st would be something to stop the people from going onto the streets as the sentiment is still very, very determined and very strong among all walks of life. And so this fight has been able to sustain itself because of this sort of creativity and flexibility of the people. And I

believe that without a sincere answer or solution from the government, the people won't be backing down.

And as to how the Communist government might suppress us on even an escalating level, personally I feel that there are probably already Chinese police among the Hong Kong police force. There have been several occasions where the police commanders have been heard speaking Mandarin to their officers. So on this note, I believe that Hong Kong people are already facing this sort of infiltration of the Chinese police into the Hong Kong police force.

Representative SUOZZI. Are you concerned about it escalating around National Day?

Ms. HO. Well, I mean it's already on a daily basis—this sort of escalation where the police are patrolling the streets. People are arrested just for being young, really. So, I think we are already at that stage. That is why we call for the U.S. Congress and also the international community to monitor this regime—that is, the Xi Jinping regime—because we in Hong Kong are protecting these values that we all believe in. And if we fail, who knows what would happen to the world and to the next stage.

Representative SUOZZI. Thank you.

Sunny.

Mr. CHEUNG. Thank you for the question.

Personally, I think on National Day, actually, there will be more escalation of the movement, because I know that the Chinese authorities must want the Hong Kong people to respect National Day. But on the other hand, Hong Kong protesters, they know that it is important to have some symbolic movement on National Day. And that is why there will be some escalation of the movement.

But I doubt if the Chinese government will dare to use the emergency law or send out the PLA to Hong Kong because currently China relies on Hong Kong very much—much foreign investment in China is still coming from Hong Kong. And that is why if they deploy the PLA or try to use emergency laws to crack down on Hong Kong protesters, I think this is not very promising for Hong Kong people nor for the Beijing government. The Beijing government will not do something like that, I feel.

Representative SUOZZI. Sharon, if you could talk about the elections a little bit also.

Ms. HOM. I think a couple of things. One is really important that has not been raised.

In addition to the question of infiltration and use of decoys, last August 2018, the People's Daily announced the planned establishment of a Greater Bay Area police cooperation mechanism among Guangdong, Hong Kong, and Macao. Related to and part of this mechanism, the Guangdong public security department conducted training of key Hong Kong police personnel in Guangdong. This has been followed up on.

And one of the questions I think is important to press either through the U.N. systems is to raise the question, "Really? What kind of training?" I am pretty sure that the training did not include international standards on appropriate use of force.

And the special procedures of the U.N. special experts—just last week they issued a joint statement about concern and also raising these questions of the need to make the police, the Hong Kong po-

lice—there are very sophisticated detailed standards on the use of force: that you are supposed to deescalate, not escalate; you're supposed to reduce harm, not create harm; and that there is a whole range of police crowd-control mechanisms that they are supposed to choose according to proportionality. So I wanted to just emphasize that.

On the timing of National Day, I think we can't lose sight of the fact that Xi Jinping is not as powerful as we may think or as he would like us to think, and that it is true that with the consolidation of power, etc. and his "no term limit"—now both of the key positions—the fact is, what you're getting to see, the tea leaves, if you look a little more closely, is that the Party leaders inside are not happy with the way that Xi Jinping has "handled" the Hong Kong situation.

Xi Jinping is actually in a lose-lose situation. It's a no-win situation. He's stuck between the hardliners—who I am pretty much concerned about—they are pushing for military force, because he has already shown he's failed.

Deng Xiaoping took two months, shut down the whole 89 student and the democracy and free trade union movement. We are now in the third month, so under the Party's timeframe on how you "handle" these mass disputes, Xi has failed. So he's in a pretty dicey situation.

October 1st. This is not just any anniversary. This is the 70th anniversary. So they have made a year's worth of enormous investment in a film festival, special documentaries made. They have said that no Chinese entertainment in this Chinese TV recently. They have to show the history, etc. There's an enormous amount of investment to keep the legitimacy and have a wonderful birthday celebration for the country.

So he's stuck. It can't look bad. On the other hand, he's stuck between the hardliners and the others who are saying, "There's got to be a way to handle this. Not the way you're doing it because now we look terrible. Now we look like the thugs we are."

And so I think that that is—what we should be monitoring are the messages. And just last week, a very strange editorial appeared in Qiushi, which as you know is one of the major party organs. And in Qiushi, the editorial pointed out something very strange. It said that whether a country's political—this is our translation, sorry—"Whether a country's political system is democratic and effective, one needs to mainly look at whether the country's leadership ranks can rotate or alternate in accordance with the law in an orderly fashion."

What does this mean? We don't know. Because just the fact that the constitution eliminated term limits for the top office doesn't mean he'll stay.

So I think there are some other wild cards that are on the table that we need to keep an eye on in terms of how the U.S. Government can think about the options and policy options. Of course, we support the legislative initiatives—this is very important. But I think there's something much bigger underway in terms of the politics in Beijing that will absolutely have an impact on the decisions that will be made pre-October 1st and after.

Representative SUOZZI. Thank you.

Chairman MCGOVERN. All right. Well, why don't we go to Senator Young.

Senator YOUNG. I just have a statement to make and I regret I am going to have to leave after this.

But I wanted to say thank you, Mr. Wong, thank you, Ms. Ho, for your courage, for your resolve, for your leadership in the face of great trial and tribulation. Thank you for the example you are setting for the world and for all that you're doing for freedom-loving people.

I want to send a message to Beijing's Communists. And my message is, you cannot have it both ways. You cannot seek to trade with the wealthy nations of the world and rip off our intellectual property. You cannot seek to be a trusted international development partner and engage in predatory economic practices through your Belt and Road Initiative, and you cannot reap all the economic benefits, that you enjoy under American law, of Hong Kong's special status while undermining the rights of Hong Kongers, while eradicating their political identity. We cannot allow this to happen.

So I look forward to working with you. I will be signing on to the legislation offered by the cochairman of this committee as you have encouraged us to do. And I will be seeking other opportunities, perhaps in the immigration area, to provide further relief to Hong Kongers who do not want to be a part of this predatory regime that calls itself Communist, but in fact is really fascist in many respects. And we must continue to press it to change its behavior.

Thank you so much for your presence here.

Chairman MCGOVERN. Thank you.

Mr. Smith.

Representative SMITH. Thank you, Mr. Chairman.

There is no disputing the fact that under Xi Jinping, human rights abuses have seriously worsened. You name the area—from torture, religious freedom.

Ms. Hom, you talked about the sinicization of religions where every single religion or faith, including the Falun Gong, Christians, Tibetan Buddhists, the Uyghurs, all have to comport with the Communist model or else face severe torture, incarceration, and even death. It is incredible what he is doing and his regime and of course, all of that will be imposed on Hong Kong unless there is a reversal of this trend.

On human trafficking, the Trump Administration has designated China as a Tier 3 country because of sex and labor trafficking. It has gotten seriously worse over the last several years.

So every place you look, it is worse. Xi Jinping is bringing dishonor to himself and to his government with his abuse of people. I think we need to say that loud and clear. The great father of Chinese democracy, Wei Jingsheng, once said—and I had him at a hearing and I actually met him in Beijing when he was let out briefly to get Olympics 2000, which the Chinese government didn't get. So they rearrested him and beat him almost senseless.

Well, he said, you know, you Westerners don't get it. You do coddle dictatorship. You do allow and enable by your weakness. You've got to look a dictatorship in the eye and say, "We're not kidding." Conditionality of human rights either occurs or we're not going to

be trading with you and allowing you to use the economic power that you've got to further incarcerate and further repress.

The lessons of the Soviet Union were not learned when it came to China. I got elected in 1981. My first trip was to Moscow and Leningrad on behalf of Soviet Jews. And frankly, the Reagan Administration stood up strongly to the powers in Moscow and said, "Human rights matter."

And it did matter and thankfully we saw a change. Of course, under Putin it's still bad, but not as bad as it was during those years. I raise all of that because when it comes to China, we have not learned the lessons of conditionality with regard to human rights. I say that with sadness, with great sadness.

When we did the Comprehensive Anti-Apartheid Act in 1986, not only did I vote for it, but we had a world coalition saying this egregious behavior will not be tolerated. Therefore, we are going to hold you to account and no longer provide munitions—that was section 317, I believe, of that bill—which Mr. McGovern's bill (the PROTECT Hong Kong Act), which I have cosponsored, would seek to do with the police. Mr. Garrett, you might want to speak to that.

But we've got to be serious about all of this. And I just bring this up because it deeply concerns me that we just keep not learning the lessons.

Nancy Pelosi, Frank Wolf, David Bonior, and I all opposed MFN for China after Tiananmen Square. George Herbert Walker Bush thought he could manage the whole thing. He was our Ambassador to China. And as it turned out, we managed it extraordinarily poorly.

Bill Clinton came in and said, "Let's link human rights with MFN trade." One year later, he delinked it. And the lesson learned by the dictatorship in Beijing was—profits trump human rights.

And I have tried for five years to get my bill passed, our bill. It's a collective bill, House and Senate, bipartisan. And the same people who said just trade more and somehow China will matriculate from dictatorship to democracy have been proven wrong again.

And if it wasn't for the great people of Hong Kong standing up so powerfully at great loss to their liberty, going to prison, being arrested, being harassed, and even tortured and killed—this Congress needs to wake up and say, finally, at long last, we're going to put conditionality on this.

So if you want to speak to that, I would appreciate it. There have been 1,000 arrests since the activities occurred. What is the status of the prosecutions?

Joshua, we know your case. But there are many other cases that are in obscurity right now. What has happened to those individuals? And just generally on the police—are the police largely newer recruits who are more ideologically aligned with Beijing? Or are they the old hands who have just now become even more repressive than they had been in the past?

If you could speak to those things, I would appreciate it.

Mr. WONG. With more than 1,500 Hong Kongers arrested in the past three months, more than 200 of them have been prosecuted already. I am among them and we are also aware of activists who were already detained inside prison before any trial started. That

is the "sugar-coated" rule of law and the Hong Kong-style legal system under the pressure of Beijing.

I've been arrested and prosecuted with the charge of unauthorized assembly. Even after the experience of being jailed for around 120 days, the price I paid is "a piece of cake," because lots of our teammates—from my understanding, more than 100 of them face riot charges and may be locked up in prison for more than 10 years.

Five years ago during the Umbrella Movement, we were just arrested for unlawful assembly and would face maybe months or one to two years in jail. But now youngsters at the age of 15, who should be enjoying their summer holiday, who should be spending time on summer vacation with their friends and family but are now being prosecuted and facing trial, and maybe at 15 or 16—golden years for them—might be already locked up in prison.

And we have activist Edward Leung, who fights for Hong Kong's freedom, already being locked up in prison. He faces six years in prison.

Massive arrests and prosecution seem to be Beijing's tactic to silence our voice. And yet our movement keeps its momentum—just like two weeks ago, more than 200,000 Hong Kongers marched to the U.S. Consulate in Hong Kong and urged the United States to pass the bill and show global solidarity.

We are also aware that the cabinet of chief executives, which means members from the Executive Council, last week openly declared that Hong Kong's chief executive enjoys the right to appoint any secret police. "Secret police" is not a term created by activists or created by journalists. It is the term written in the current ordinance and regulation. It could authorize the Hong Kong chief executive to appoint anyone, whether they live in Hong Kong or mainland China, and regardless of their background.

They can be appointed to the Hong Kong police force and continue to use life-threatening force to crack down on our protests. That is the "white terror" and why all of us describe Hong Kong as a police state.

Ms. HO. I would like to add that among those who have been arrested and charged with riot, a lot of them have been on the sites, but they have not been on the front lines. They were just near the front lines, and some of them have been first aiders who have been helping other people get up and get away from the sites, social workers and, of course, the legislators who have been arrested. They were not charged with riot, but that is something that is shocking to the Hong Kong people—to have these legislators arrested.

And so on top of that, I would like to add that the situation, that is, in Hong Kong, is spreading into the international world where this Communist tactic of silencing people with fear and with money, it's everywhere, really. It's not only in Hong Kong.

As I said just now, there have been incidents in Australia where government institutions have kept away from me and other Chinese artists for fear of being associated with us, and in Canada where Hong Kong activists have been banned from a gay pride event because of security concerns. So they say.

The fact is that the Communist government, they use this sort of—the money where the brands and businesses, they would be adding this sort of suppression onto their employees and other people. And then everyone would be just silencing themselves.

So this also is causing a lot of fear among Hong Kongers and that is why this movement has been largely anonymous because we know for a fact that if we show our faces, then we would be arrested and prosecuted for riot or unlawful assembly.

Mr. CHEUNG. I would like to supplement what Denise has just mentioned about this problematic law. Actually, the Human Rights Council of the United Nations has decried the public order ordinance, which is a colonial law in Hong Kong. The Department of Justice and the police force in Hong Kong can use this public order ordinance to prosecute those protesters in a very easy way. And when they do, then it is easy for the protestors to be assumed guilty. And that's why this law should be abolished by the government. And we urge that the international community should also be aware of this law.

And apart from that, I had a personal experience—I had a tutorial kid. And he was arrested in one of the political disputes around the confrontation during the movement. When that kid was arrested, he immediately asked the police officer to—asked him can he call his lawyer. And the police officer told him, "Of course you can't . . . because I want to torture you. Because I want to make you suffer."

These police officers, they said something like that to a kid who is just under 18. And this is a real situation in Hong Kong. That's why many people are very frustrated and angry about the police brutality problem.

Ms. HOM. The prosecutions are related to the application of the public order ordinance that results in an unlawful assembly. So the "notice of no objection" process contributes to that, that's the tool. Hong Kongers then face this ridiculous situation where they have to file an application for a notice of no objection to a peaceful assembly that is to protest police violence.

So you have the police denying the notice of no objection, therefore making it an unlawful assembly for an assembly that is to protest police violence. So that's really important that through this kind of misuse of that process, they are really violating international standards for peaceful assembly by imposing this kind of unduly restrictive administrative procedure.

The police, under this procedure, then can act as both enforcement, prosecutor—because they are naming this—saying this is a riot. But a determination of "riot" requires a legal process. It's for the court to look at the evidence. It's for the court to see if this person engaged in illegal behavior and alleged violence, etc.

So right now, the police are acting as enforcement, prosecution, and executioner of orders. And that is part of the problem; on top of that, we have concerns with politicized decision-making by the prosecution.

This was also noted by independent U.N. experts several—maybe two years ago saying that they were concerned about a potential pattern of politicized decisions that were being made on whom to prosecute and whom to pursue.

Mr. GARRETT. There is an issue regarding whether Hong Kongers can get a fair trial in Hong Kong in the future. And a large reason for this is the heavy amount of propaganda coming from the Central People's government, whether it is Chinese state media organizations or it is so-called mainstream media organizations who quote them and cite them ubiquitously.

So when the Chinese regime characterizes demonstrators as separatists, extremists, terrorists, this is already setting an expectation for the Hong Kong judiciary to act, as well as law enforcement, not only in the charges that they decide to lay against a protester, but also the sentences that they're trying to give people.

The pro-Beijing United Front Movement in Hong Kong has been very aggressive in attacking judges that it feels have been too lenient with protesters. And this goes back a number of years. They derogatorily refer to them as "yellow judges," referring to the yellow ribbons from the Umbrella Revolution.

There have been threats made by pro-Beijing people toward the judiciary, in general, that have gone unprosecuted. So this is a real issue.

Also, because of the 2016 Oathgate intervention by the National People's Congress, there's an expectation that Hong Kong judges will uphold the national security of the Communist Party. So if you render a decision inconsistent with that national security expectation, you may be vulnerable to disqualification. Now this has not happened, but this is the logic that is being used to disqualify candidates of the district council, the Legislative Council elections, and so forth.

Regarding the police—touching on Sharon's comments earlier—the Hong Kong police also went to Xinjiang as observers to learn how they handle "mass incidents." There was very little visibility on that.

We know that the PLA in Hong Kong, there is some interaction with them. The Hong Kong PLA garrison commander has observed some of their passing out parades and so forth.

But one of the most dangerous and I think terrifying things for most Hong Kongers is that the Hong Kong police now act without wearing uniforms, without any type of identification. You can be grabbed off the street. You can be grabbed from your home. Nobody shows you any type of formal identification. You don't know if they are a police officer. You don't know if they are a triad, a patriotic vigilante, or if somebody from the mainland is kidnapping you. So this is a major issue.

Now, as for the Communist Party, they view law enforcement as their concept of the rule of law or rule by law. And so the support—basically, the Hong Kong police have been given carte blanche to do whatever they want. And as Carrie Lam said before, the Hong Kong police are seen as the last line in this. So the policing issue is a major problem in Hong Kong.

Chairman MCGOVERN. Senator King.

Senator KING. Mr. Chairman, Representative McAdams was here long before I arrived. So I'll defer to him.

Chairman MCGOVERN. Representative McAdams, go ahead.

Representative MCADAMS. Thank you. Thank you, Senator.

Today marks a significant day in United States history. It was 232 years ago on this very day that our forefathers signed the United States Constitution. So it's, I think, with some significance that we welcome you here today to the United States Congress, the House and the Senate, to share your testimony and as you share in this struggle, this global struggle of humanity for freedom and independence.

That Constitution signed 232 years ago today created a federal system, one with a Senate and a House, that oftentimes by design there's some tension between these two bodies. It created three branches of government—an executive branch, a legislative branch, and a judicial branch.

An outgrowth of that system is our two political parties that oftentimes also struggle for our ideas to move forward. It created a federal system with now 50 states that also—there's a healthy tension, sometimes unhealthy, but there is a tension within that system as we struggle to move forward ideas and the rule of law. One thing that I think is important to note, though, is that we all stand together. This is a legislative and executive branch, that we stand together, Republicans and Democrats, in support of the struggle for human rights, for the rule of law, and for freedom for Hong Kong.

And I would echo the sentiments that have been expressed earlier, that we cannot have it both ways. We cannot have the rule of law and human rights and the struggle for freedom with the actions that we see that are undermining the very nature of that system in Hong Kong today. And so it's incredibly troubling to me to see what we have seen play out over the last six months.

And forecasting into the future, some of the efforts to undermine the sanctuaries of democracy and human rights that we see right now—some of those sanctuaries and foundations of freedom as we've seen in the United States and we also see in Hong Kong, the freedom of democracy and government through elections, the freedom of academia and for ideas to thrive in an academic system, economic freedom for individuals, and economic competition, and the rule of law where every individual is treated fairly and equally under the law, and human rights—are protected.

So my concern and what I would love for you to comment on is where we go from here and with some very troubling signs on the horizon.

So I would like you to comment on, Mr. Wong—let me commend all of you who are examples and the founders of freedom whose names I hope will be remembered 232 years from now in the struggle for freedom in Hong Kong. But Mr. Wong, Ms. Ho, Mr. Cheung, and Ms. Hom, thank you for your efforts and struggles for Hong Kong.

I would love for you to comment on—first of all, Mr. Wong, the struggle in elections—for individuals to step forward. Over the last several years, the government has—as you referenced—has repeatedly rejected the nomination of candidates running for political office who have supported or been affiliated with self-determination. What challenges does that impose today and going forward for individuals who are willing to put themselves and their names forward?

Taking that same look at the foundations of freedom of thought—to academia—what support do academic institutions give to students as they raise their voices in support of intellectual freedom and human rights, and also to the free economy, as businesses—Ms. Ho, as I believe you spoke about—some of the concerns with Cathay Pacific and efforts that undermine individuality and freedom of thought in the marketplace of ideas and in the workplace. What is happening in these respective spheres and foundations of democracy and how can we best support freedom of thought?

Mr. WONG. Just let me explain what is on the mind of the young generation. In the past few years after the end of the Umbrella Movement, lots of youngsters, even if they uphold different kinds of political belief, they still have the awareness and consensus. They hope their words can be heard inside this institution.

Apart from taking to the streets joining protests, it is also significant for us to push forward political system/election reform. Unfortunately, with all the political censorship, even I am considering running for office. And I will make a formal announcement in late September or early October.

I am still aware of how Beijing hopes to bar this whole generation of youngsters from entering the institution. But we are lucky that with the determination and courage of Hong Kongers, they just turned a whole generation of youngsters into dissidents, and not just the baby boomers. Even Gen X and millennials have joined the fight with solidarity and unity.

So I will just make it clear. Hong Kong is not only suffering from a political crisis. We are also suffering from a humanitarian crisis, especially how the Hong Kong police force just hardline suppresses us, whether it be the sexual harassment experienced by a young woman arrested, or an injured protester pulled down from the ambulance by riot police directly. Or how an arrested person—it is really difficult for them—being refused the right to contact a lawyer or even seek any kind of medical treatment.

I think this kind of hardline suppression will just turn the whole of my generation and the generation younger than me, whether on the street or getting inside an institution, we will keep on together with this uphill battle and we hope that the U.S. Congress can stand with Hong Kong.

Ms. HO. Yes, on the cultural side and on the freedom-of-thought side of things, 90 percent of it, probably, has been eroded—all of "show business" has been—is in the control of the Communist government. I, along with just a very small handful of actors and singers, have spoken up for these movements, but the rest of the celebrities have kept their silence.

And they have been forced to participate in these support campaigns on social media, "Oh, I support the Hong Kong police," or "I am a protector of the national flag" campaigns where they have to voice their support for the Chinese government or else they would be prosecuted or censored—people like us.

Businesses, of course, have also been pressured into obstructing these freedoms of Hong Kongers, namely the MTR, our subway system; they have closed down stations in times of protest, thereby making it very easy for the police to arrest people and also very difficult for people to leave the sites. That was a result—I believe

there was an article in the People's Daily, the state newspaper, where they have named the MTR Corporation, saying that they have been helping the people.

I do think that in a free society, these businesses and corporations have an obligation, a social responsibility to keep up this kind of integrity, at least to safeguard our freedoms, which they have failed to do. And like, right now, we do not have many solutions to these problems because, aside from the people protesting, these businesses are exercising their suppression onto the people.

We hope that the Hong Kong Human Rights and Democracy Act with these sanctions on government officials—and hopefully this could extend to these corporations who have been violating the Basic Law, the freedom of speech—hopefully this would be monitoring the businesses and also, of course, the government institutions in Hong Kong.

Mr. CHEUNG. From the academic perspective, I believe we need to have a correct understanding of China first. In 1989 Professor Fukuyama famously declared "the end of history" because he believed democracy was the ultimate form of human government and that the ideology of Communism or of terrorism would have no place in the coming world.

But apparently, two decades after he gave his speech, he was wrong. And we cannot keep using the mindset of the old times that we should continue the engagement policy toward China. We should abandon the engagement policy and try to use a more assertive way to try to understand China.

Because on campuses we know that the Chinese government tried to establish a lot of Confucius Institutes around the world. And with those Confucius Institutes they are creating propaganda—trying to influence the youth in other countries—including your kids.

This is not reasonable. Canada's government last year started to shut down some of the Confucius Institutes. And I believe this is a global fight because when we uphold academic freedom and freedom of speech on campus, the Chinese government, apparently they do not agree with that.

And when many Hong Kong people over the past few months supported the movement in Hong Kong and have organized a lot of rallies across the globe, in Australia, in the U.K., in the U.S., they have received a lot of frightening letters, and they are being followed. Their home addresses are being posted on social media.

And that is why we need all the countries, including the U.S., to support Hong Kong people on campus and to uphold and support academic freedom in the long run. Thank you.

Ms. HOM. I think the question that all of this is related to is China's clear exercise of soft, hard, and sharp power. And so I want to say a couple of things on the academic front.

In the U.S., we have over 300,000 Chinese students from the mainland and also students elsewhere. I think Joshua saw recently, up close and personal, when he spoke at Columbia, what the actions of the students are. I'm not raising it to suggest that there's an easy answer, but I do think that we must be thinking about how we—and I use it for lack of a better word—engage the fact that we're welcoming students into U.S. institutions.

I teach a human rights course at NYU as well. And I had some mainlanders who were afraid if they took the course, other people would report them—if there were students in the class who were observers, So, I am saying that mainland students here face censorship as well. Some are protesting in support of Hong Kong, but we also have to recognize that they are all under surveillance, with families back home.

I really want to echo Denise's call to bring in the role of the companies. In particular, as the PROTECT Hong Kong Act moves forward in discussions—and I know that it's going through the legislative process—I think it would be really good to think about and address the question of the U.S. companies, because not only will the denial of export licenses really address the issue—it will address the issue of no longer being complicit— but will it address the issue of the actual category of lethal and nonlethal materials?

And I wanted to point out that China hosts the China International Exhibition on Police Equipment every two years. The next one—they're all held in Beijing—will be held on May 12th to the 15th. That's a really important date. And they sell and they have thousands of exhibitors and companies from all over the world. And in the past, we have been monitoring. Many U.S. companies have gone to exhibit and sell, and then afterwards report very proudly on the——

[Voices from the hall.]

Ms. HOM [continuing]. Are we singing? Okay. Not yet. Not yet, right? Not singing yet.

But they've also reported on the hundreds, the millions of dollars worth of contracts that they were able to secure in Beijing.

So, I think one thought might be to—aside from—or in addition to export licenses, what about technology transfers? What about collaboration? What about them training the Chinese partner companies? What are the other things that need to be in place? Because China has been named an economic competitor of the U.S. It's not an even playing field. They're an economic competitor where the SOEs are dominating the economy. You are not investing in all the U.S. companies, but China is investing in all the key industries. And that is technology, AI, the military sector, financial services, and the major telecommunications companies in the ICT sector, are completely state-owned enterprises.

So I want to share one final thought for what can be done going forward. At the end of this year, China rotates off the Human Rights Council in 2020.

I think that the U.S. Government has left the Council for various analyses of its effectiveness, but that does not take away from the fact that the U.S. is still viewed as a leading player among all the member states on the Council. You can exercise your role as an observer state. You can also exercise your very influential role in working with other democratic governments to issue joint statements, joint initiatives.

So I think 2020 is particularly important. And in particular, that is the year to push because you are also on the NGO committee of ECOSOC. That is the year to support and push for the reforms that are needed to allow independent civil society groups to be able to participate.

As you know, my organization had applied for ECOSOC status, over the last 30 years, and both times you can't make it out of the NGO committee because China goes [gestures slitting of throat]. And that's it. It's "end of story."

So I think it's very important that the U.S. can raise the issues not only as an observer in the Human Rights Council but in the General Assembly. And I know the USG is quite active on the Third and Fifth Committees. That's where I think it's really important to exercise leadership. 2020 is the year you can push because China will be there with its client states and threatening proxy states to support them while they're off the Council. But the point is, they won't have a vote, so I think it's a good year to perhaps get some traction.

Mr. GARRETT. I will just make a couple of quick comments.

One is the U.S. has law enforcement cooperation with the Hong Kong police, and this may need to be reconsidered or looked at more strongly in the future. Second, basically as far as companies go in Hong Kong, there is a "one country, two systems" apartheid-like system where patriotic companies are privileged over other companies. If you happen to be a pro-democracy supporter, you're at the bottom if not an enemy.

Regarding Hong Kong universities—if I remember my count correctly, there are seven public ones. They are all funded by the SAR government. So this puts pressure on the type of academic agendas, research interests, and so forth. And there are real problems if you're considered a sensitive personality like Benny Tai, or if you are researching sensitive issues. That may or may not be clearly evident.

There are also a lot of things that happen in Hong Kong related to academic and other freedoms that are above the waterline and below the waterline. One of the things that the Hong Kong police are doing right now is I.D. checks writ large.

So even if you aren't arrested, your name is being recorded and associated as being at a protest site. Now this may come down later on in some hiring decision, some vetting process by state-owned enterprises or other patriotic Hong Kong companies. Former Chief Executive CY Leung discussed such a possibility back—I think it was around 2014 or 2012.

And my last comment would be that Chinese state-owned enterprises incorporated in Hong Kong should not be treated as Hong Kong companies. Thank you.

Chairman MCGOVERN. Thank you.

I know we have two Senators here. There's a vote on, so I am going to yield to Senator King, but if we could just keep our answers short so they both can get their questions in, I think that would be helpful.

Senator King.

Senator KING. Thank you.

Ms. Hom, I'm struggling with the fact that we've got an island of democracy in a sea of repression. You've got a country which now seems to be perfecting the control state. Millions of cameras, facial recognition, oppression of the Uyghurs, religion, everything, and yet you've got Hong Kong. You have two societies moving in opposite directions.

Very briefly, what's the solution . . . or is there one? Where does this end, as a practical matter? As a practical matter, there are 7 million Hong Kongers and almost 800 million mainlanders, whatever that number is.

The other piece that I wanted to ask is, is there any sympathy for the Hong Kongers within the mainland? Is there a nascent—I wouldn't call it a democracy movement, but at least a freedom of expression movement, or is the government in such firm control that that's a fantasy? Give me a picture of where this goes.

Ms. HOM. Thank you. I have no answers because this is an ongoing struggle. But I do want to say that the control state—you've put your finger right on it. China has built a whole ecosystem of control through technology, through the law. We didn't even talk about the cybersecurity law——

Senator KING. The most thorough in the history of the world.

Ms. HOM. Most comprehensive, because it also is built on self-censorship. It's also built on whole social platforms of community reporting on each other. So there is this whole ecosystem which is pretty comprehensive that feeds each other. But the one thing about technology that's interesting is that the asymmetry of power that you could have, a very powerful authoritarian state, it has not been able—notwithstanding the mass crackdown on lawyers, notwithstanding torture on the mainland, notwithstanding the killing of untold thousands in the 1989 crackdown; they have not—the Communist Party has not been able to shut down people, Chinese people, who continue to work for a whole range of human rights. So, that's the first point.

The second thing we haven't really mentioned is that Hong Kong has always been, since '89, the only city—and I will say within formal China—that has over 100,000 people every year on June 4th—remembering. It was Hong Kong students, it was Hong Kong journalists who went up to Beijing to support the democracy movement in 1989. And there are very moving stories of the protesters knowing that the tanks were coming. But they said let the Hong Kong students through—they must make it safely back because they will tell our story.

Senator KING. Can the Beijing regime tolerate Hong Kong? Isn't Hong Kong a fundamental threat to this whole control regime?

Ms. HOM. Half of Hong Kong is a fundamental threat. The part of Hong Kong that can be its golden goose that lays the golden egg, they like that part. But that goose is not living on a free-range farm. And they want that golden goose to absolutely keep laying those eggs, but with no air, no freedom, no this, no that.

So they're trying to do something impossible. They're trying to keep half of Hong Kong denying the reality of who and what Hong Kong is because Hong Kongers have—we have had a history of freedom. We've had a history of working courts and independence. You can't just wipe it away.

Sympathy from mainlanders, I know, because I also teach human rights seminars at some institutions in Hong Kong, that mainlanders participate in the demonstrations. And I can tell you, when they participate in the demonstrations in Hong Kong, their family back home on the mainland will get a knock on the door and a visit

from the public security saying, your daughter, your son, is in those marches. Tell them to stop.

So mainlanders in Hong Kong are—it's not just what you see in the media of Hong Kongers fighting. There are mainlanders who support and are inspired by Hong Kongers—that's what Beijing is afraid of. They're afraid, that's why they first censored everything. And then suddenly they realized, oh my gosh. We cannot censor it. Everybody actually has those illegal VPNs and they are getting the information.

So then they started doing the disinformation because the blackout did not work.

The other point is that there have been mainlanders from the beginning, in June, who have expressed support for the Hong Kong democracy movement online. What has happened to them? Arrested, detained, threatened, intimidated, etc.

So, notwithstanding the full force of an authoritarian police state, they're not able to shut it down. And, Mr. King, they're not able to tell mainlanders who do see what they're seeing, and who are not afraid, and are willing to also pay the price to support Hong Kong's movement, because they understand that if Hong Kongers can hold the line, then the mainlanders who also want democracy and freedom can also have a chance. But Hong Kongers are the front line.

Senator KING. Well, I want to join my colleagues in thanking you all. It's hard for us to conceive of the courage that it takes. There's no doubt that in this room today is someone reporting to Beijing about each of your testimony.

Ms. HOM. That's right. That's right. So, please make sure we are stated properly. I don't want any misquotes.

[Laughter.]

Senator KING. And I want to thank you for your courage to speak the truth. And hopefully we will be able to pass some of this legislation to make it clear to the regime in Beijing that democracy is an important value and that we are not going to just pay lip service to it. Thank you all very much.

Thank you, Mr. Chairman.

Chairman MCGOVERN. Thank you all very much.

Senator Daines.

Senator DAINES. Thank you, Mr. Chairman.

I want to thank this panel for coming before this Commission and providing some perspective and expertise on this important and very timely topic.

As many of you know, I spent more than five years living in Guangzhou and part of that time in Hong Kong back in the 1990s when I was in the private sector raising a family. In fact we have four children. Our two youngest children were both born in Hong Kong.

I'm deeply concerned with the ongoing erosion of autonomy and human rights in the region, and I will tell you I stand with the citizens of Hong Kong. In fact, just this past month I helped lead a legislative exchange between the U.S. and six LegCo leaders who came to my home state of Montana.

This event was important to better understand the situation in Hong Kong and identifying what some of the key issues were and having a very open and free exchange.

As the leader of the free world, we, the United States, and the entire world, must continue to support the autonomy and the freedom of Hong Kong. It is "one country, two systems."

I was in Hong Kong on June 30, 1997 and saw the Union Jack come down for the last time. The Hong Kong Central Government needs to work with protesters to accept the demands put forward by the citizens of the country, and the use of excessive force by the police must end immediately. We must continue to work together towards building a strong relationship between our two countries.

A question—and I'll start with Mr. Wong. The protesters have formed a consensus around five demands, including withdrawal of the extradition bill and, of course, universal suffrage. Does the government need to comply with all five demands immediately, or is there a phase or alternative outcome that might be acceptable?

Mr. WONG. Hong Kong people have fought for free elections and universal suffrage since three decades ago, even earlier than I was born. All five demands are the consensus of Hong Kongers who took to the streets in the past three months. All those five demands are also within the existing constitutional framework, especially Beijing fulfilling promises of the Sino-British Joint Declaration and recognizing the importance of letting Hong Kong people enjoy freedom and autonomy, especially with the goal of Hong Kong people ruling Hong Kong.

So I would say that the democracy movement and protests must continue until the day we have democracy, even while we strongly experience the state capitalist regime crackdown on Hong Kong human rights. So I will say that.

Now we have continued our summer of discontent—it has become the year of discontent. We just hope the world will understand more how Hong Kong people are in a difficult time in this long-term and uphill battle.

Senator DAINES. Let me in, if I could—and thank you. I've got a vote coming up I have to get to, and I am probably going to get there quickly.

A final question. How do you expect Chief Executive Carrie Lam will respond to these demands? And how much power does she have to make concessions, or would Beijing have the final say?

Mr. WONG. That's an extremely good question. Carrie Lam represents a puppet government hand-picked by Beijing. She is not a decision-maker.

What we realized is—withdraw the bill or not, stopping police brutality or not, allowing Hong Kong people to enjoy a free election or not, all depends on the Beijing authorities instead of the chief executive of Hong Kong. Carrie Lam doesn't have a say in it. She's just following orders from the Beijing authorities, especially on how the state council in Beijing regularly holds press conferences in the past few weeks to criticize Hong Kong protests. It has already been shown how Carrie Lam can't solve the political crisis through her personal capacity.

Senator DAINES. All right. Thank you. I've got to get to—I would love to keep the discussion going longer, but I've got to go down to the floor and vote.

Thank you very much.

Chairman MCGOVERN. Thank you very much.

And I think Mr. Smith has one additional question?

Representative SMITH. Well, thank you very much, Mr. Chairman. I do appreciate it.

If I could—and Ms. Hom, you did mention it, and I think it bears a little further scrutiny.

The notion that there is no such thing as a free lunch, in my opinion, applies (on steroids) to the issue of Confucius Centers, which are just agents of influence pushing the Beijing line. In the past in both my Subcommittee on Human Rights, which I chaired, and this commission, I've held a series of hearings on Confucius Centers as well as on those entities—universities, colleges—that get access to mainland China especially, and get an enormous number of perks, money, and physical plant venues for their colleges or universities, including NYU.

As a matter of fact, I had the chancellor of NYU testify at one of my hearings and asked if I could go and speak. And he allowed me to come and give a speech or a lecture on human rights in Shanghai at the NYU campus.

But the concern is that they are en route to 1,000 or something like that, globally—that is to say the Chinese government—with these Confucius Centers. We have 96 in the United States. Eighty-two are public. Fourteen are private.

One of the things that I'm most concerned about—and Rob Portman and I asked for a GAO report on this that finally came out in February of this year—and that is to look at the terms and conditions, which really are mostly secret. But we have a situation where hand-picked teachers come to the United States, come to Africa, go to Africa, I should say, Latin America, everywhere. And they seemingly are doing education in the language and culture, but it's all about the worldview and the domestic defense of Xi Jinping's policies, including Hong Kong.

My question very specifically is, what are the Confucius Centers? Do you have any insight as to what they are saying about what is going on in Hong Kong right now? And those U.S.-based universities and colleges that are in China today, what are they able to say and do without fear of retaliation, like at the NYU campus in Shanghai, about this great human rights pro-democracy effort on the part of all of you in Hong Kong?

Ms. HOM. I will start off. Thank you.

I think it's important also to note that the Confucius Institutes and the pushbacks have also been led by really active, wonderful activism by students for Free Tibet and the Tibetan community supported by the Uyghurs. And I think they've had some really good victories that show you really can push back and get the institutions to be more accountable and reliable.

I think the quick answer as to what they are saying is: What they can say will always be under the guidelines right now. Now the ideological campaign that's under way, where every single Party nonmember has to participate in political study, that the line

of the day—what can be reported in Xinhua, what can be reported in the news, everything—will be determined from the top.

If you say anything, and as you know under the new regulations, under the Cybersecurity Act for the news, news is defined very broadly to include opinion and commentary, including blogging. So you can't say, blog, or think anything except in conformity with the line that comes down on Hong Kong. Currently, the line is, it is a "riot" backed up by "black hands," led by the U.S. interfering in a domestic affair and violating China's sovereignty.

This is the same old chestnut we all hear over and over. They've got to get a better story here. But that's what they keep saying. So I think that is now the dominant line on what anyone can say. Because if you say anything against that, for example, you have a different idea, not only are you violating the new news regulations, you're also running the risk of being accused of subversion, incitement, because that is defined as challenging the Party's views.

So I think that's why it is so important that the authoritarian system in the mainland must change. It's got to change. I know I've heard some of my friends and colleagues say to the U.S.: Please, save us. I actually have another angle on that. I think Hong Kong people will save ourselves. I think Hong Kong people are going to do it.

What I think is necessary from the international community is, please help make the human cost less—because it's very clear and heartbreaking that the young people are ready to go to the mat. And I think the key is, as I think the U.S. Government and this Commission are doing, is to stand by so that the human costs can be mitigated a little bit.

Representative SMITH. Understood. But how do the teachers in the Confucius Institutes get their marching orders?

Ms. HOM. This is like going inside of a black box, but let me speculate. I am pretty sure that all the curricula are approved and reviewed. I'm pretty sure they don't exercise academic freedom and say, here is a creative thing I can do about Hong Kong. I am pretty sure that they are all approved curricula.

How do we know this? Because you will see nothing there about '89. There are just big holes in that history. What's happening and all of the—you will probably read about the diverse ethnic groups in China, happy people, happy Tibetans, happy Uyghurs. You'll probably see that version of what is happening. I am pretty sure.

The other thing is if the—those institutes are also monitored. So if anyone says anything that actually challenges the dominant narrative, I'm pretty sure that teacher will be in trouble.

So I think it's pretty tightly controlled. And the money is the enticement to universities. And I think not only just for the Confucius Institutes, they sometimes come along with perhaps other incentives like an endowed chair, like money for a program. So I think there's this kind of institutional collapse in the face of this.

Because Senator Daines left, can I say something to him anyway?

Senator, I'm so sorry, but I really think it's important. As you are somebody who loves Hong Kong and personally and professionally and as a member from the private sector, I think we need to also remember that every single SOE, state-owned enterprise, has a

Party committee. And now that requirement has extended to companies with foreign investments and foreign companies.

I had a Canadian company ask me, how could that be? Why are they making us establish a Party committee? I said, you're not being targeted. All the companies will have to have a Party committee.

What does the Party committee do? Review your personnel, review your management, review your business decisions, make sure everybody is ideologically pure, blah, blah, blah, like that. Do they hide this? Not a secret.

Look at past annual reports of China Telecom, China Mobile. They have pictures of the annual meeting of the Party committee saying, "We did good. The Party committee's happy with us this year. We complied."

So I think American companies going in, there are listed SOEs. I think Apple Daily reported over 120 that are listed—Chinese companies listed on the Hong Kong exchange. They all have Party committees within their management structure.

So I think we need to look at that when you're looking at these other actors.

Chairman MCGOVERN. Well, thank you very much. You have been very patient. You have been here for 2½ hours. I am the last person. So you have to bear with me a little bit more, but this hearing is winding down.

First of all, let me thank everybody for being here. Everybody's testimony has been, I think, informative and has given us some marching orders. I appreciate your responses to the questions.

And, you know, Congressman Smith earlier on in the hearing referenced the past inaction by the U.S. Government in response to human rights abuses in China and we've kind of looked the other way, or we thought more trade would do it, or more this or that would do it, or whatever. And really things haven't gotten any better. Things are continuing to get worse.

And I think it's fair to say that for the most part, the U.S. Government has been very good at kind of talking the talk. When it comes to Tibet, we issue the obligatory statement that we respect the right of the Tibetan people to practice their religion and we respect His Holiness, the Dalai Lama. But the repression continues and there's no consequence.

I think part of what we're trying to do is change that. Just talk in and of itself doesn't end up changing anything. There needs to be a consequence. So we are trying to move legislation forward that would impose that consequence. And I think it is very clear from everybody here that the PROTECT Hong Kong Act and the Hong Kong Human Rights and Democracy Act are important items for us to pass in the House and Senate. And I believe, and I can probably give you an assurance, that we will do that. I mean, you know, it does not happen here overnight.

Senator Rubio talked about hearings that are happening in the Senate. We have assurances from the relevant committees in the House that they will move on this. And I believe they will come to the House floor and they will come to the Senate floor and they will receive bipartisan support. So that will happen. So we get the mes-

sage on that, and we will follow through. So we have our assignments.

Mr. Wong, and Ms. Ho, and Mr. Cheung, you have traveled along with some of your colleagues who are behind you, and I want to recognize them as well, have traveled a long way at a very critical time in Hong Kong. And you've come here to build international support for Hong Kong. And I think it would be important for the record for you to say why it is so important that the international community and the United States support your effort, why that is critical to success and what you are doing.

And I also would like to get everybody's response to this. And that is, you know, I have to be honest with you, I have not—I've been somewhat disappointed in the current administration's—our administration's response to what is happening in Hong Kong. I think it should be much more forceful. I would appreciate your comments on advice that you would give the Trump Administration on what they should be saying when dealing with the Chinese government.

Why don't we begin with Dr. Garrett, because we have been going—we will end with Mr. Wong.

Mr. GARRETT. Speaking to what advice we could give the Trump Administration, I would say that U.S. responses have to be resolute, to use the Hong Kong term. If they're not hard, and if they're not unwavering, you will not get any respect from Xi Jinping's Communist Party. They will exploit it.

The strong-man aesthetic is what rules Beijing right now. And even in Hong Kong and Tamar. So this dealmaking doesn't really mean much to them because whatever deal they make they're going to subvert. So it is like with the rule of law, just like what universal suffrage, just like what defense means in the Hong Kong Basic Law. It means something different. We call it Party-speak. And I think the administration has to be aware of this Party-speak and understand it.

Second, as others have alluded to on both sides of the Pacific, this is the first ideological confrontation of the new Cold War. Whether or not you agree it's a cold war or not, the discussions have been out there, but it's perceived by both Beijing and people in D.C. to be an ideological confrontation.

The witnesses here, the people in this room, are looking to save Hong Kong's autonomy, to save the two systems. Well, in Beijing, and some places in Hong Kong, they are looking to weaponize the two systems against the U.S. So this is not just an issue of getting a good trade deal from China. It's an issue much broader than that.

The weaponization of "one country, two systems"—or the two systems specifically, is looking at how China can use Hong Kong's advantages, such as U.S. customs treatment of it, to exploit the world. We've seen it with the recent scandal at the United Nations where Patrick Ho was basically found guilty of state capture at the United Nations to promote the Belt and Road Initiative.

We've seen it earlier with China getting its first aircraft carrier from Ukraine. That was done through a whole series of deceptions and manipulations of Hong Kong's special status.

These types of things are still going on today. But we're not looking at them, and this is one of the reasons why, in my opinion, it's

very important to treat state-owned enterprises in Hong Kong and anybody affiliated with the CPPCC or the NPC differently than how we would treat regular Hong Kongers. Thank you.

Chairman MCGOVERN. Thank you.

Ms. Hom.

Ms. HOM. I really think that's a scary thought to give advice to Trump or the administration, but I think that any actions by the administration have to hold true to the U.S.'s core values. The U.S. has core values on human rights and democracy and freedom.

And I totally echo, Hong Kong should not be made into a bargaining chip in some deal that's on the table.

The ideological confrontation and the battle of the models is actually much more than that. It's really China against the world. It is not two models of equal legitimacy—because the model that China is trying to attack and replace is the model that the international community with Eleanor Roosevelt, in fact, playing a very key role in the drafting of the Universal Declaration of Human Rights—it was a new world order that emerged to say we will never again have what happened in Nazi Germany. We will never again have mass detentions. We will never have mass trampling on human dignity.

So to take down that human rights order, it's not about models. The Chinese model is not co-equal. It is a Chinese Party model. And I think we should start framing it as China against the dominant world order. It is a dominant world order, and it still exists, and they can't treat it as if we can now just change a model.

And so I think on no consequences criticism . . . there needs to be more consequences, but it is not totally accurate to say no consequences. It's very important to recognize that there are consequences already. When the U.S. speaks up, when the Commission has this hearing, it's being watched, and it's being listened to. I'm sure we are in living rooms in Beijing right now of some high official watching this. But——

Chairman MCGOVERN. You're live on C–SPAN.

Ms. HOM. I'm live on C–SPAN.

[Laughter.]

Ms. HOM. Hong Kong Yan, Gaa yau! (Hong Kongers, Add oil!) is what I have to say to them.

So I think the consequences that we also should keep in mind is the Party does want legitimacy. It can't stay in power through naked military bullying and force. It can get a long way with bullying, but it can't stay in power without legitimacy. That's the whole international human rights system—the U.S. holding on to core values. You don't have to give that up. You say, no, we're not going to give you that legitimacy. You're acting like a thug. We don't respect thugs. So I think that's really important.

Chairman MCGOVERN. Thank you.

Mr. Cheung.

Mr. CHEUNG. A quick response to your question is that China is getting more wealthy and is getting mighty. China is picking fights with all the other countries in the free world. China is expanding their military in the South China Sea. They ignore the international court's judgment and claim that they have the ownership

of the South China Sea, which severely threatens security in the Asia-Pacific region.

They even picked a fight with the Canadians regarding the Huawei incident. Who picks a fight with Canadians? Only China, I think. This is unreasonable and that explains how assertive China is.

And that's why I believe only the Americans—you are the only superpower that can really try to contain China. That's why we need support from the U.S. Government.

And regarding how China is doing a lot of silent invasion—I use the word according to Professor Hamilton in Australia—they are using a very silent invasion, using their economic dominance trying to colonize and control many local societies in other countries.

And many local societies in other countries are already compromised, like some East Asian countries such as Sri Lanka. They have to lease a military port to China for 99 years. Apparently, this is new imperialism for me, and I believe only the U.S. can contain China.

Also secondly, I believe, why the U.S. should be concerned about Hong Kong is that you have many interests here and you have to secure your interests. For example, a few months ago when there was a U.S. sanction that Hong Kong should not allow a ship which was carrying oil from Iran.

And the point is that the Hong Kong government, they ignored the U.S. sanction and they allowed the ship from Iran to come to Hong Kong and try to carry the oil back to Iran. And apparently, this undermines your interests, and that is why this is one of the most important reasons you should care about Hong Kong and you should do something instead of just maybe issuing a statement to support Hong Kong.

Thank you.

Chairman MCGOVERN. Thank you.

Ms. Ho.

Ms. HO. This historic fight in Hong Kong has only been possible with the determination of the youngsters and of the Hong Kong people. And I would really like to take this chance to thank the members of this Commission and Chairman McGovern and Co-chairman Rubio for the continuous attention on Hong Kong issues and, of course, to the push of this Act because this has contributed in giving hope to the Hong Kong people. And the way that it is telling the youngsters that their efforts are actually making a change in the world. And that we are not in an isolated struggle. It is a global fight. We are on the front lines of this global fight to protect these universal values that we all cherish.

So hopefully by passing this Act, we would be seeing momentum in the international community where other countries might join in and preserve these values and also monitor this totalitarian regime that is actually destroying these values on a daily basis.

So thank you very much.

Chairman MCGOVERN. Thank you.

Mr. Wong.

Mr. WONG. With the sharp power expansion from China to Canada and Australia, the Belt and Road Initiative implies how China takes economic advantage in European countries, and how China

does not respect the international order even after entering the WTO, after promises on the Joint Declaration, and even after having negotiations with the U.S. on the trade deal.

We are all aware of the rising China model. It is just the expansion of totalitarian rule without any respect for the international order with liberal values. That implies and explains why Hong Kong matters to the world, because Hong Kong people stand at the forefront to confront authoritarian rule, and Hong Kong people are aware that Hong Kong is the forefront, and we will confront the authoritarian crackdown. If Hong Kong falls, then maybe next the free world.

And I strongly realize now is the time for the U.S. Congress to pass the Hong Kong Human Rights and Democracy Act. And also, I hope the U.S. Government could reveal its foreign policy to China to prioritize human rights issues, especially now. We are not only suffering a political crisis, but a humanitarian one as well.

The first time for me to be in prison was two years ago. I remember I watched TV news on how Beijing authorities announced no term-limit for presidents in the future, which just let me realize that the one who locked me up in prison, which means the authoritarian rule represented by President Xi, will be Emperor Xi.

So that's the uphill and long-term battle. In 2047, no matter whether it's me, or Sunny, or others, we will be age 50. And I hope after 28 years Hong Kong can still be our hometown with freedom and democracy.

And I think it is time to thank all the Congressmen and Senators in the past few years, and even in the past few decades, for really paying attention to the protest movement in Hong Kong. We stand in solidarity. We stand as one. Hong Kongers never walk alone.

Thank you.

Chairman MCGOVERN. Thank you very much.

[Applause.]

Chairman MCGOVERN. Let me thank the staff of the Commission for all the work that they did in preparing this hearing. Let me thank, again, the panelists. And to our friends from Hong Kong, let me thank you for your courage and commitment.

I think what is prompting action here in the Congress is your courage that we see unfolding on our television screens and we read about in the newspapers.

I have to tell you, I think for everybody here, you have been an inspiration. And as I said at the beginning of the hearing, we are a diverse political group on this Commission. But on this issue, we're in solidarity with you. We believe that the future of Hong Kong ought to be determined by the people of Hong Kong.

And, again, I can't thank you enough for being here. So thank you.

This hearing is adjourned.

[Whereupon, at 12:39 p.m. the hearing was concluded.]

A P P E N D I X

PREPARED STATEMENTS

STATEMENT OF JOSHUA WONG

Good morning, Chairman McGovern, Cochairman Rubio, and members of the Commission. It's an honor to be invited back to Capitol Hill to speak about developments in Hong Kong. You may recall that I last traveled to Washington more than two years ago and testified before this commission, in this same building, on May 3, 2017. At the time, I warned about the probable disqualification of my friend Nathan Law, who had been Asia's youngest democratically elected legislator and who is in the audience this morning. I also warned about massive political prosecution. Unfortunately, both materialized: Nathan lost his seat that July, and we were both imprisoned in August for our roles in the Umbrella Movement. Further legal troubles in relation to the 2014 protests prevented me from traveling abroad.

While I said then that Hong Kong's "One Country, Two Systems" was becoming "One Country, One-and-a-Half Systems," I don't think there is any doubt among observers who have followed recent events that, today, we are approaching dangerously close to "One Country, One System." The present state of affairs reveals Beijing's utter inability to understand, let alone govern, a free society.

The ongoing demonstrations began on June 9 when one million Hong Kongers took to the streets in protest of proposed legislation that would've allowed criminal suspects to be extradited from Hong Kong to China, where there are no guarantees of the rule of law. Still, before the night had even ended, Chief Executive Carrie Lam announced the bill's reading would resume in three days. Hong Kongers were bracing for their last fight on June 12.

And then the unthinkable happened: Knowing that Beijing controlled enough votes in the Legislative Council, protesters surrounded the complex early in the morning, successfully preventing lawmakers from convening. I was then serving my third jail sentence. For a moment, I wondered why the news channel was replaying footage of the Umbrella Movement, though it was not long before I realized Hong Kongers were back. Lam suspended the bill on June 15, but fell short of fully withdrawing it. A historic two million people demonstrated the following day, equivalent to one in four out of our entire population. I'm not aware of anything comparable to this level of discontent against a government in modern history.

I was released exactly three months ago, on June 17, and have since joined fellow Hong Kongers to protest in the most creative ways possible. In addition to the bill's withdrawal, we demanded that Lam retract the characterization of us as "rioters," drop all political charges, and establish an independent investigation into police brutality. Some of us crowdfunded for newspaper advertisements ahead of the G-20 summit in late June, calling for the world not to neglect Hong Kong. Others broke into and occupied the Legislative Council complex on July 1, the same day another 550,000 Hong Kongers protested peacefully.

Crowds continued to show up in large numbers every weekend, with smaller rallies taking place almost daily across the territory. But the government would not listen; instead of defusing the political crisis, it dramatically empowered the police. The movement reached a turning point on July 21. That night, thugs with suspected ties to organized crime gathered in the Yuen Long train station and indiscriminately attacked not just protesters returning home and reporters on the scene, but even passersby. The police refused to show up despite repeated emergency calls, plunging Hong Kong into a state of anarchy and mob violence.

On August 5 alone, the day Hong Kongers participated in a general strike, the police shot 800 canisters of tear gas to disperse the masses. Compare that to only 87 fired in the entire Umbrella Movement five years ago, and the police's excessive force today is clear. Their increasingly liberal use of pepper spray, pepper balls, rubber bullets, sponge bullets, beanbag rounds, and water cannons—almost all of which are imported from Western democracies—are no less troubling. In light of this, I applaud Chairman McGovern for introducing the PROTECT Hong Kong Act last week

in the House of Representatives. American companies mustn't profit from the violent crackdown of freedom-loving Hong Kongers.

Cochairman Rubio is also right for recently writing that "Hong Kong's special status" under American law "depends on the city being treated as a separate customs area, on open international financial connections, and on the Hong Kong dollar's peg to the U.S. dollar." Beijing shouldn't have it both ways, reaping all the economic benefits of Hong Kong's standing in the world while eradicating our sociopolitical identity. This is the most important reason why the Hong Kong Human Rights and Democracy Act enjoys the broad support of Hong Kong's civil society, a point which I want every member of Congress to take note of.

Lam finally withdrew the bill earlier this month, but just as protesters have long stopped calling for her resignation, this decision is almost meaningless now. The movement is far from over, because it has long moved beyond one bill or one person. Our fifth and most important demand is genuine structural change in Hong Kong. Our government's lack of representation lies at the heart of the matter.

As I speak, Hong Kong is standing at a critical juncture. The stakes have never been higher. Authorities have all but stopped issuing permits known as "letters of no objection," so virtually every demonstration is an "illegal assembly." Moreover, we are confronted by the huge Chinese military buildup just across the border in Shenzhen. President Xi Jinping is unlikely to take bold action before the upcoming 70th National Day in October, but no one can be sure what's next. Sending in the tanks remains irrational, though not impossible. Chinese interference in Macau, Taiwan, Tibet, and especially Xinjiang, serves as a reminder that Beijing is prepared to go far in pursuit of its grand imperial project.

I was once the face of Hong Kong's youth activism. In the present leaderless movement, however, my sacrifices are minimal, compared to those among us who have been laid off for protesting, who have been injured but too afraid of even going to a hospital, or who have been forced to take their own lives. Two have each lost an eye. The youngest of the 1,400 arrested so far is only a 12-year-old schoolboy. I don't know them, yet their pain is my pain. We belong to the same imagined community, struggling for our right of self-determination so we can build one brighter common future.

A baby born today will not even have celebrated his 28th birthday by July 1, 2047, when Hong Kong's policy of "50-year no change" is set to expire. That deadline is closer to us than it appears; there's no return. Decades from now, when historians look back, I'm sure that 2019, much more so than 2014, will turn out to have been a watershed. I hope, too, that historians will celebrate the United States Congress for having stood on the side of Hong Kongers, the side of human rights and democracy.

STATEMENT OF DENISE HO

Thank you, Chairman McGovern, Cochairman Rubio and members of this Commission for holding this hearing and for having us here at this very critical time for Hong Kong. We hope that our personal accounts will be helpful in your deliberations on what the United States Congress and American people can do to help the Hong Kong people in the face of the erosion of our liberties and autonomy.

For more than 100 days now, the Hong Kong youth have led our city into the historic fight of our times. It is a leaderless movement, with widespread participation from people from all walks of life. It is a fight for democracy, a fight for human rights, and most of all, a fight for universal values and freedoms.

What started out as a million-people march against an extradition bill morphed into a determined fight for fundamental political reform in Hong Kong. Misjudgments and arrogance on behalf of Carrie Lam, the Chief Executive Officer of Hong Kong, resulted in a total clampdown by the Beijing government over Hong Kong affairs, at the same time that the reluctance of both governments to fully implement "One country, Two systems" in Hong Kong surfaced.

With Carrie Lam hiding behind the police force for months, refusing to resolve political issues with sincerity, she has given the police full authority to suppress the protests at all costs.

Since June, the Hong Kong police have shown excessive brutality in their use of force, arresting and beating up peaceful protesters heavily on uncountable occasions. More than 1,400 people have been arrested to date, with even more (including journalists, first aiders and social workers) severely injured by tear gas, rubber bullets, water cannons, and the police's indiscriminate use of batons. On a personal note, it has been extremely difficult to be away from home and to watch the people safe-

guard the city from afar, especially in the past weekend where we have seen police behavior getting out of control.

Sadly, it has become a common daily scene to see youngsters being pinned to the ground, with bleeding head concussions and some even knocked unconscious, but still refused medical care by the police.

Riot police and plainclothes officers have shown no restraint while performing their duties. From the early weeks, they have deliberately hidden their ID numbers, refused to show warrant cards even on request, therefore making it impossible for citizens to verify the legitimacy of plainclothes officers, nor to hold any police officer accountable for their violations.

Last month, a university student in possession of ten laser pointers was arrested and detained for 48 hours. A first aider was shot in the eye by a beanbag round dispersed from above head level, risking permanent loss of sight. On August 31st, police from the Special Tactical Unit charged into Prince Edward MTR station, beating up passengers randomly. Consequently, they shut down the station for 24 hours, refusing medical care for those who were injured, raising suspicion of possible death in the station. They have recently charged into secondary schoolyards, shopping malls and on buses, where young people merely dressed in black clothing could be searched or even arrested without justified reasons.

In short, in our Hong Kong today, being young is a crime. We are now officially a police state, where people live in constant fear of political repercussions.

In addition, on July 21st, in an infamous mob attack that occurred in the Yuen Long MTR station, where white-shirt-clad thugs attacked civilians indiscriminately, the police failed to arrive in a timely manner, only making their appearance 39 minutes after the incident, despite hundreds of emergency calls for help. Similar situations occurred later in the protests, where police would give favorable treatment to mobs and pro-Beijing supporters, helping them leave the sites after having attacked protesters, showing clear and continuous collusion between police and triad members.

On August 11th, police prevented pro bono lawyers from providing legal assistance to arrested protesters in the Sun Uk Ling Holding Center, violating the legal rights of 54 persons. There were also claims from female protesters of sexual harassment inside the police station, and of physical abuse on numerous occasions.

Since July, more than thirty "no objection applications" for rallies and marches have been systematically denied, including the 1.7 million-people rally on August 18th, where protesters gathered and marched peacefully despite the ban. According to Hong Kong Basic Law and international standards, Hong Kong residents have the freedom of assembly and demonstration, where peaceful public assembly is a legitimate use of public space. By banning the assemblies, the Hong Kong government is violating the people's right to peacefully protest.

With police violations accumulating by the day, Hong Kong people have been demanding that an independent investigative council be formed. The Chief Executive Carrie Lam has refused to do so, claiming we have "a well-established (IPCC), set up for exactly this purpose." This existing watchdog, the Independent Police Complaints Commission, is in fact entirely appointed by the CE herself, has no legal power to summon witnesses nor to force the police to provide sufficient documents, and is therefore powerless in bringing justice to the situation.

On its face, it all started with an extradition bill. But at the core, it has always been about fundamental conflicts between these two very different sets of values: on one side, the China model, which has no respect for human rights and the rule of law and demands their people's submission. And the other, a hybrid city that has enjoyed these freedoms for most of its existence, with a deep attachment to these universal values that the United States and other western societies are also endeared to. Unfortunately, with the rise of the present iron regime of Xi Jinping, "One country, Two systems" is racing towards its death.

Hong Kong represents something very unique in the world—as a crossroads that is strongly rooted in its own Asian cultures and yet has come to be known for its values and rule of law, transparent institutions, and freedom of information and expression. We represent the hope that as nations develop, they will evolve towards these universal values which protect individuals everywhere.

These protections are why over 1,500 multinational companies have chosen to place their regional headquarters in Hong Kong, the biggest proportion of these by country, from the United States. Hong Kong has become one of the most globally interconnected, financially important trading economies in the world, helping bring countries closer together through finance and today, through the flow of data, goods, ideas, culture and people.

However, this system is now under threat like never before. Companies such as Hong Kong's major airline Cathay Pacific have succumbed to political pressure, fir-

ing dozens of employees due to their political stance, some only over a mere facebook post. Business people are coerced into making political decisions. MTR Corporation, our subway system, has deliberately shut down stations during rallies and marches due to pressure from a state newspaper, resulting in more than hundreds of arrests and unnecessary injuries.

As a singer and activist from Hong Kong, I have experienced the suppression first hand. Ever since the Umbrella Movement in 2014, I have been blacklisted by the communist government. My songs and my name are censored on Chinese internet, and I have been "called out" several times by state newspapers. Pressured by the Chinese government, sponsors have pulled out; even international brands have kept their distance in fear of being associated with me. For the past five years, and even more so recently, China tried to silence me with their propaganda machines and smearing campaigns, making claims that are completely false. Right now, I am facing threats from the communist government and pro-Beijing supporters, and could face arrest and prosecution at any time.

Not only have I faced increased difficulty in continuing my singing career in China and Hong Kong, but the self-censorship has now spread towards global institutions and cities. Recently, the National Gallery of Victory in Melbourne, Australia denied a venue to a collaborative event of Chinese artist Badiucao and myself, due to "security concerns." The 2019 gay pride event in Montreal, Canada banned Hong Kong activists due to similar reasons. Celebrities from Hong Kong, Taiwan, and China are all pressured into taking a political stance, voicing their unanimous "support" for the Beijing government on social media, and could be condemned for keeping their silence. Even the songwriter of the new unofficial "anthem" for Hong Kong has opted to stay anonymous, in fear of future reprisal.

Hongkongers are now living in constant fear and have unfortunately lost most of our freedoms. For a city that has been infamously known as politically indifferent, the younger generations have taken up the role of safeguarding our home, standing up courageously to the corrupt system in spite of increased and ruthless suppression. They have awakened other Hong Kong people, and together we have taken the world by surprise with our continued fight.

To the rest of the world, the United States is often a symbol of freedom and democracy. The freedom Americans enjoy is something the people of Hong Kong have long hoped for. Even though our languages and cultures differ, what we have in common is the pursuit of justice, freedom, and democracy.

Through the challenges of Hong Kong, the West is waking up to China's insinuating power on a global scale. Hong Kong is connected to the world in multiple ways (institutional, social, economic, personal), but China is trying to isolate it to exert control. If Hong Kong falls, it would easily become the springboard for the totalitarian regime of China to push its rules and priorities overseas, utilizing its economic power to conform others to their communist values, just as they have done with Hong Kong in the past 22 years. The U.S. and its allies have everything to fear if they wish to maintain a world that is free, open, and civil.

I therefore urge the U.S. Congress to stand by Hong Kong, and most of all, to pass the Hong Kong Human Rights and Democracy Act. This is not a plea for so-called foreign interference, nor for Hong Kong independence. This is a plea for universal human rights. This is a plea for democracy. This is a plea for the freedom to choose.

And lastly, may I quote Eleanor Roosevelt, your most beloved First Lady: "You gain strength, courage and confidence by every experience in which you really stop to look fear in the face. You are able to say to yourself, 'I lived through this horror. I can take the next thing that comes along.'"

This is a global fight for the universal values that we all cherish, and Hong Kong is on the very front lines of this fight. We were once fearful of what might come with our silence, and for that, we have now become fearless.

STATEMENT OF SUNNY CHEUNG

My name is Sunny Cheung. I am the spokesperson of the Hong Kong Higher Institutions International Affairs Delegation (HKIAD), a group which represents over 100,000 students from all student unions in Hong Kong. We aim to garner international support through raising awareness and concerns with the international community. Our mission is to mobilize support for the Hong Kong Human Rights and Democracy Act of 2019. In August, we held a peaceful rally in central Hong Kong. Over 60,000 people attended to communicate their support for the Act. Currently, we are deeply involved in organizing a large-scale class boycott to put pressure on the government.

Background to the Current Protest Movement: The Umbrella Movement and Hong Kong Identity

The 2014 Umbrella Movement was a watershed moment in Hong Kong's story. Hundreds of thousands demonstrated and protested for democracy, but the government granted us nothing but prosecution. We lost hope and realized Beijing would not grant Hong Kong democracy as promised.

Under the "one country, two systems" blueprint, Hong Kong is gradually becoming more and more like China. The grand plan and ambition of the Greater Bay Area project is to completely erase our identity as Hongkongers. Hong Kong could become just another city in China. The "two systems" framework has not been able to defend us from prosecution under harsh and unfair laws.

But the younger generation will not accept Beijing's cultural invasion. Hong Kong has 177 years of history since 1842, for almost all of which Hong Kong was separate from China and developed its own unique culture and identity. Freedom and the rule of law are our core values. Culturally, Hong Kong is different from China. We consider ourselves Hongkongers rather than Chinese. A recent survey conducted by Hong Kong University found that only 11% of respondents see themselves as pure Chinese. We want so much to preserve our local language, Cantonese, and also our traditional Chinese characters in written Chinese which are different than the simplified version used in China.

Anti-extradition Protest and Five Demands

Hong Kong's extradition law protests began as a protest against amendments to the city's extradition legislation which could have marked the end of Hong Kong's autonomy. The Hong Kong government was trying to change the legislation so that it would become legal to extradite people to mainland China. China's courts have no independence, and this move would have permanently compromised Hong Kong's rule of law and autonomy which are protected under the Sino-British Joint Declaration and the one country, two systems principle.

On June 9, 2019, 1 million people took to the streets to say "no" to the extradition law. Carrie Lam ignored our cry. Students have played a major role, although this movement is leaderless. On June 12, 2019 hundreds of thousands of us occupied the streets. The police committed appalling brutality, firing rubber bullets and tear gas at peaceful protesters. Among them were lots of students, including high school students. Carrie Lam was forced to "suspend" the bill. On June 16, 2019, 2 million people marched to ask for a full withdrawal of the extradition bill, an independent inquiry into police brutality, and the retraction of rioting charges.

The government said "no" to these reasonable demands, despite calls from senior judges and business leaders. They could have defused the situation then, but they chose not to. The scene was set for months of protest. A dozen young people jumped to their deaths in protest. Many students took to the streets, leaving behind a note of last wishes as they prepared to die for Hong Kong in each protest. This is the fight for freedom and democracy. We do it because we love our city.

The police force was instructed to stamp out the protests by force. Instead of intimidating the brave people of Hong Kong, their actions have strengthened our resolve.

The people of Hong Kong drew up five demands which have been at the core of the protests since June. They are:

- The complete withdrawal of the extradition bill from the legislative process.
- The retraction of the "riot" characterization.
- The release and exoneration of arrested protesters.
- An independent inquiry into the police brutality.
- Universal suffrage for the city's leadership and the parliament.

In September, Carrie Lam, the Chief Executive, finally agreed to propose the withdrawal of the bill in the city's Legislative Council. But this is too little, too late, particularly after months of police violence.

Police Brutality

What is now driving the protests is the ongoing violent actions of the police. Beijing has given the Hong Kong Police Force complete free rein, and their actions have horrified the Hong Kong public. Their actions include randomly firing tear gas at the general public and journalists, firing tear gas inside train stations, shooting rubber bullets to the head, as well as the mistreatment and torture of detainees. This has led to a collapse of trust in the government and the police force. Compromise will not be possible until the government calls for an independent inquiry into police brutality.

There have been multiple horrifying events. The events of July 21, 2019 were a key turning point. White-shirted members of triad gangs entered Yuen Long MTR station carrying wooden sticks and beat up civilians, journalists, protesters returning home, and the lawmaker Lam Cheuk-ting. Lam's arm was broken, and many were hospitalized, including a number of journalists. The images were broadcast throughout Hong Kong.

The police did not respond to emergency phone calls for the first forty-five minutes and failed to stop the gang members or arrest anyone that evening. Images appeared of members of the mob standing alongside police officers earlier in the evening, holding the sticks they later used to attack protesters. Police inaction has granted immunity to these thugs who now routinely attack protesters and civilians. Another awful evening was August 31, 2019, when the police indiscriminately attacked civilians in the Prince Edward MTR station. One of the victims was a representative of HKIAD. On that traumatic and horrifying night, he was wearing a suit and passing through the Prince Edward train station. Yet, with the blockade created by the police, countless innocent civilians were trapped and the press was ordered to leave the scene without justification. He was outflanked on an escalator alongside a group of innocent civilians, who were just trying to get safe passage out of the station, which had become a hunting ground for the police. Then the passengers were insulted, arrested, struck, and stepped on by the police with batons and shields. They arrested them despite knowing they were innocent. Besides, we student union members frequently received threatening letters targeting us and our family, saying we would soon be killed. The threats against Student Union leaders are real and common. The Chair of the Hong Kong University Students' Union has resigned and fled the city after he was beaten violently. There is a collapse of trust in the government and the police force. Compromise will not be possible until the government calls an independent inquiry into police brutality.

Why Does Hong Kong Matter? Asia's Prominent World City Is Dying

Hong Kong's story matters. Hong Kong is one of the world's top international financial centers and one of Asia's few liberal cities. Our people care about freedom and democracy. We disprove the lie that Asian cities cannot have democratic values.

This is particularly true for young people. We will not compromise our dignity, freedom, and democracy for superficial prosperity. How we see our future and the meaning of life is different from the older generation. The older generation—especially those who are now ministers in the government and leaders of businesses—see material gain as the ultimate goal and success in life. But in Hong Kong, prosperity is only for the few. Twenty-two years after the change-over of sovereignty, we have to wake up to the fact that we cannot compromise our dignity and freedom for the sake of stability and prosperity for the rich and those who are in power.

Over 1 million Hongkongers are living below the poverty line. Inequality in Hong Kong is at extreme levels for a developed country and getting worse. An Oxfam report last year found that the median monthly income of the top decile of the population was 44 times higher than the lowest decile in 2016, up from 34 times in 2006. Hong Kong people live in some of the smallest apartments in the world because the government controls the supply of land and releases it slowly, in the interests of developers rather than the population.

Our system is corrupt because we do not have democracy as promised in the Basic Law. We cannot vote for our leader, and the Legislative Council is rigged by a functional constituency system, which means that big businesses and vested interests decide who represents 50% of the seats. Successive Chief Executives have done dirty backroom deals with property tycoons to keep home prices artificially high. Democracy is and will be one of our core demands for this reason.

Hong Kong Is on the Front Line of the Battle for Freedom and Against an Authoritarian China

Since joining the World Trade Organization, China has been utilizing the benefits of free trade to consolidate its authoritarian governance. The rise of an authoritarian China puts liberal democratic values in danger.

Domestically, the Communist Party suppresses activists in Hong Kong and mainland China. Nowhere is this more clearly seen than in Xinjiang, where the Chinese authorities have built concentration camps and subject ethnic minorities to mass surveillance, torture, killings, and arbitrary arrests. On this subject, the UN decried China as a shameful country last year.

Globally, under China's money diplomacy tactic, many small countries have already been compromised and lost their control over the local society. Sri Lanka has to lease a strategic port to China for 99 years. Scholars describe this phenomenon as economic colonialism and the new imperialism. It is crystal clear that China is using its economic dominance to penetrate foreign societies, business sectors, polit-

ical parties, and universities to gather intelligence and thereby undermine their autonomy. Fortunately, several countries have woken up to this reality and finally realize how China intends to negatively impact the world. One year ago, Canada started to shut down the Confucius Institutes, stopping China from preaching their propaganda to affect youth in Canada. Australia's parliament also ratified amendments to their national security law to prohibit foreign interference, targeting China, apparently.

Over the past few months, Hong Kong's people have demonstrated to the world that we believe in democracy and liberty, even though we face a harsh crackdown from the Chinese Communist Party regime. Hong Kong is an international city. China has benefited from its special customs status; 70% of foreign investment in China comes from Hong Kong. China utilizes Hong Kong to do illegal trading with North Korea and Iran and even purchases weapons from European countries which should have a weapons embargo on China. Therefore, international powers also have a say in the city's future. Hong Kong is on the front line of the battle against authoritarianism. It is vital that the United States work with like-minded countries to ensure that the rights and freedoms of Hong Kong's people are protected.

Our Call: Pass the Human Rights and Democracy Act of 2019

This is why we are calling for the Hong Kong Human Rights and Democracy Act to be passed. The legislation provides critical strengthening to the Hong Kong Policy Act, which will act to place the rights and freedoms of Hong Kong's people at the heart of U.S.-Hong Kong policy. Also, we hope the U.S. Government can protect Hong Kong people who unfortunately have criminal records due to participation in protests in Hong Kong. We hope the U.S. Government can still grant visas to them through a regular routine if they intend to study or work in the States. The Hong Kong government intentionally prosecutes protesters with an ancient and colonial law which is the Public Order Ordinance. With this law, Hong Kong's people can easily be found guilty even if they do not participate in a protest. We sincerely ask for you all to ensure that people who have taken part in protests are not barred from receiving visas to the U.S.

Lastly, we hope the U.S. Government can keep up the good work in monitoring the rise of an authoritarian China. The invasive economic dominance, reprehensible communist ideology, and deteriorating human rights situation of China should deeply concern the U.S. Government. Fifty years ago, U.S. President Truman famously gave a speech, which is the Truman Doctrine. He warned America and the world that the danger of Communism was real. He argued that it was the responsibility of the U.S. to support the free world. Fifty years later, Communist China poses a threat to international peace and the world liberal system. Hong Kong is now at the front line in the battle against totalitarianism. We never hesitate to take every step, with the last inch of our effort, to fight for freedom. The grandest of our ideals is an unfolding promise since the last world war that each human being deserves a chance to live with dignity and to live in liberty. Hong Kong is at a critical moment in its history. We are calling for the U.S. to stand with us in our fight for freedom, democracy, and dignity.

Thank you.

STATEMENT OF DANIEL GARRETT

Eroding "One Country, Two Systems":
Hong Kong Under National Security with Chinese Characteristics

Testimony before the Congressional-Executive Commission on China – September 17, 2019

Daniel Garrett, PhD
Principal, Securing Tianxia LLC

Chairmen McGovern and Rubio, distinguished members of the commission, it is an honor and a privilege to talk with you regarding the Chinese Communist Party's erosion of "One Country, Two Systems" in Hong Kong under the pretext of national security and its nexus to the extradition bill crisis. I begin with five key observations backgrounding the current China-Hong Kong conflict and the "One Country, Two Systems" crisis.

1) Today's "One Country, Two Systems" is not the same as Deng Xiaoping's notion that proffered peaceful co-existence between the communist and Hong Kong systems. It has been replaced by Xi Jinping's *New Era "One Country, Two Systems"* model embracing political struggle, an enemy-friend binary, and foregrounding Chinese national security as the paramount lens for governing the Special Administrative Region and implementing "One Country, Two Systems." Rather than a confidence building mechanism ensuring peaceful co-existence, "One Country, Two Systems" is now intended to advance and safeguard China's sovereignty, security and development interests.[1]

2) This *New Era* "One Country, Two Systems" model is informed by Xi Jinping's broader national security concepts such as the "Three Major Dangers"[2] and "National Security with Chinese Characteristics." The former situates Communist China at imminent risk of being invaded, toppled, and separated, and its development, reform and stability sabotaged thereby leading to the derailing of China's rise, socialist modernization, and "One Country, Two Systems." The latter dramatically broadens the notion of national security, and radically expands the scope of Chinese authorities' prerogatives in administering "One Country, Two Systems."[3] Consequently, it significantly erodes the Special Administrative Region's "high degree of autonomy," diminishes Hongkongers' freedoms, and widens the threat to U.S. citizens and national interests in Hong Kong.

3) Under Xi Jinping's new security paradigms and *New Era* "One Country, Two Systems" model, dissident Hongkongers have been systematically enemified and securitized as mortal threats to the Party-state and banned or removed from positions of political power. Elections have been partially nullified, Hongkongers disenfranchised, and terrorized with real and rhetorical political violence.

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[1] Garrett, D. (2017). China's Securitization of Hong Kong, Hongkongers, and 'One Country, Two Systems': Enemy Images, Moral Panic and Political Warfare. (PhD), City University of Hong Kong, Hong Kong SAR. Retrieved from https://scholars.cityu.edu.hk/en/theses/chinas-securitization-of-hong-kong-hongkongers-and-one-country-two-systems-enemy-images-moral-panic-and-political-warfare(d71be9de-ce78-47e6-baa1-56f9b796e3c2).html

[2] Sun, J. (2015). Upholding the Chinese Approach to National Security. *China International Studies, Mar/Apr*, 5-22.

[3] Eleven security sectors were originally conceptualized under the National Security with Chinese Characteristics notion (cultural, economic, ecological, ideological, homeland, military, nuclear, political, resource, science and technology, and social security.) An implicit twelfth sector, described as "'One Country, Two Systems' Security," is discussed in Garrett, D. (2017). China's Securitization of Hong Kong, Hongkongers, and 'One Country, Two Systems'."

The promise of "Hong Kong People Ruling Hong Kong" has been effectively replaced with the tyrannical "Rule of Patriots."[4] Official declarations and Party-state media propagating *Hongkonger Enemy* and *Hong Kong Threat* security discourses have become ubiquitous, and cultural revolution-like mass line and united front denunciation campaigns targeting democrats, localists and Westernized Hongkongers have swept the city repeatedly over the last seven years.[5]

4) Since at least 2012, Hong Kong and "One Country, Two Systems" have been perceived by Beijing as Communist China's weakest links in its resurgent totalitarian national security state. For Chinese authorities, both are at the forefront of ideological confrontation with the United States and the West, a "New Cold War" in their words. By the end of 2014 and the Umbrella Movement, the struggle "to rule" Hong Kong was said to match the intensity surrounding the 1997 Handover and China had to now "rethink" how to rule the enclave. An influential adviser to senior Chinese authorities said Hong Kong faced a society-wide "long-term struggle"[6] to eradicate the Party-state's enemies in the city, a de facto cultural revolution that would involve – at a minimum – rectifying and Sinicizing the judiciary, legislature, media, secondary schools, and universities.

5) Chinese and Special Administrative Region authorities' furtive efforts to impose communist legal, political and social norms on Hong Kong via the Extradition Law Amendment Bill (ELAB) and unprecedented licit and illicit violent suppression of protests have provoked the "most severe" crisis of "One Country, Two Systems"[7] as Hongkongers fight for their endangered freedoms, identity and way of life. This is not an anomaly. It is the sixth Chinese governance crisis involving "One Country, Two Systems" since 2003, *and* the fifth since Xi took over Hong Kong affairs. Each has an underlying Chinese national security nexus seeking to broaden Beijing's powers – its so-called "comprehensive jurisdiction" – and rollback Hong Kong's "high degree of autonomy," liberal freedoms and limited democracy by forcibly transforming it into a Chinese city while maintaining a veneer of no changes.

This section contains 11 observations regarding the extradition bill crisis and its national security nexus.

The 2019 anti-extradition protests and earlier 2014 Umbrella Movement are defensive Hongkonger responses to Chinese and Special Administrative Region authorities' use of extraordinary political violence, theft of elections, and subversion of "One Country, Two Systems." At its core, the China-Hong Kong conflict involves an existential struggle over the power politics of "One Country, Two Systems" that juxtaposes the Chinese Communist Party's political security against Hongkongers' societal security.[8]

Extradition Law Nexus to National Security

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[4] Jiang, S. (2010). Written and Unwritten Constitutions: A New Approach to the Study of Constitutional Government in China. *Modern China, 36*(1), 12-46.

[5] For definitions of the *Hongkonger Enemy* and *Hong Kong Threat* categories see page 9 in Garrett, D. (2017). China's Securitization of Hong Kong, Hongkongers, and 'One Country, Two Systems'."

[6] Chueng, T., & Fung, F. W. Y. (2014, December 13). Now Hong Kong must face the big questions in wake of Occupy, *South China Morning Post*. Retrieved from https://www.scmp.com/news/hong-kong/article/1661573/now-city-must-face-big-questions-wake-occupy

[7] Master, F., & Pomfret, J. (2019, August 6). Hong Kong facing worst crisis since handover: senior China official, *Reuters*. Retrieved from https://www.reuters.com/article/us-hongkong-protests/hong-kong-facing-worst-crisis-since-handover-senior-china-official-idUSKCN1UX089

[8] Garrett, "China's Securitization of Hong Kong, Hongkongers, and 'One Country, Two Systems'."

1) The extradition law conflict between China and Hong Kong has been described by China's top official in the Special Administrative Region on Hong Kong affairs, Liaison Office director Wang Zhimin, as a "battle of life and death" and a "battle to defend Hong Kong."[9] The head of State Council's Chinese Association of Hong Kong and Macao Studies, Xu Ze, has also referred to it as "a decisive war between defending 'one country, two systems' or jeopardizing it."[10] According to Wang Zhimin, "The security of Hong Kong is an integral part of [Chinese] national security."[11] Moreover, as a "key member of the country's governance system and as a special administrative region directly under the Central People's Government," the Special Administrative Region Government had a "vital constitutional obligation to safeguard [China's] national security." As on the mainland, safeguarding the communist regime's security was a "civic duty." It was also an "inherent requirement" for implementing "One Country, Two Systems" that extended to every resident. Hong Kong's special status did not exempt it. Rather, "When it comes to safeguarding national security, the Special Administrative Region enjoys no special exemption. 'One country' and 'two systems' share the same obligation in safeguarding national security." Upholding China's national security was, in fact, a requirement for the maintenance of "One Country, Two Systems" – its bottom line – as expounded at a Hong Kong and Macao Affairs Office press conference. Specifically, for Hongkongers worried about the ELAB's erosion of "One Country, Two Systems" there were three bottom lines restricting their freedoms: "no harm to national security, no challenge to the central government's authority or the Basic Law, and no using Hong Kong as a base to undermine China."[12]

2) Affirmation of Hongkongers and others' anxieties regarding the backdoor imposition of communist legal, political and social norms on Hong Kong via the extradition law can seemingly be found in Chinese state media description of four scenarios where Hongkongers could be extradited to China.[13] Explicated by an individual knowledgeable of Vice-Premier Han Zheng's position on the extradition law, two of the scenarios involved offenses committed by residents or visitors in Hong Kong that threatened China's national security, or by Chinese or foreign nationals in Hong Kong who had previously committed crimes against China or Chinese citizens while abroad. In this context, the ELAB can be understood as being even more dangerous for Hongkongers' freedoms and visitors to the city than the feared Article 23 national security legislation that Special Administrative Region has yet to enact. Because national security is the

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[9] Cheng, K. (2019, August 8). Beijing deems Hong Kong protests 'colour revolution,' will not rule out intervention, *Hong Kong Free Press*. Retrieved from https://www.hongkongfp.com/2019/08/08/beijing-deems-hong-kong-protests-colour-revolution-will-not-rule-intervention/

[10] Xie, E. (2019, September 1). Chinese state media warns 'end is coming for those attempting to disrupt Hong Kong', *South China Morning Post*. Retrieved from https://www.scmp.com/news/hong-kong/politics/article/3025284/chinese-state-media-warns-end-coming-those-attempting

[11] Wang, Z. (2019, April 16). Cherishing Peace and Prosperity in Hong Kong, *China Daily*. Retrieved from http://www.chinadaily.com.cn/hkedition/2019-04/16/content_37458738.htm

[12] Bloomberg News. (2019, July 29). China Warns Hong Kong Unrest Goes 'Far Beyond' Peaceful Protest, *Bloomberg News*. Retrieved from https://www.bloomberg.com/news/articles/2019-07-29/china-commentary-says-hong-kong-police-must-act-to-restore-order

[13] China Daily. (2019, May 24). Central govt resolutely supports HKSAR in amending extradition law, *China Daily*. Retrieved from https://www.chinadailyhk.com/articles/158/187/206/1558672401243.html?newsId=83738

sole prerogative of the Chinese authorities under "One Country, Two Systems," any invocation of a national security card by Beijing leaves Hong Kong authorities no recourse but to comply.

3) Early in the extradition law saga, senior Chinese leaders made extraordinary endorsements of the ELAB expressing their "full support."[14] This included two Politburo Standing Committee members (Vice-Premier Han Zheng and Chinese People's Political Consultative Conference Chairman Wang Yang), the head of the State Council's Hong Kong and Macao Affairs Office (Zhang Xiaoming), and the chief of the HKSAR Central Government Liaison Office (Wang Zhimin.) There are also indications that President Xi Jinping, as a member of the Central Coordination Group for Hong Kong and Macau Affairs, weighed in. An influential united front commentator in state media has also observed that were it not for the "full support" of the central government the legislation would have been "aborted."[15] Chief Executive Carrie Lam also lamented, in a leaked speech, that since the issue had been elevated to one of national security and sovereignty it had stripped her of any "solutions" or room for political maneuver.[16] Another source explained that because the ELAB involved the Mainland-Special Administrative Region relationship and implementation of the Basic Law it was a matter not entirely within the autonomy of the Special Administrative Region Government.[17]

4) Beijing's imposition of communist legal, political and social national security norms on the Hong Kong Special Administrative Region constitutes a violation of Article Five of the Basic Law prohibiting the introduction of the Socialist System in the territory. Moreover, the Party's application of its National Security with Chinese Characteristics mandates and loyalty expectations to the Special Administrative Region and its civil servants effectively dissolves any difference between the communist and Hong Kong systems thereby posing a significant threat to U.S. interests related to the protection of sensitive technologies and adherence to export controls. Revealingly, according to Basic Law experts, Chinese authorities have decided to rely more on legal tactics to broaden and strengthen Beijing's authority in the Special Administrative Region, especially with regards to principal issues like national security or sovereignty. This would include pursuing "powers endorsed by the Basic Law but never practiced" such as mandating compliance with an official directive.[18] Such a strategy would insulate the Special Administrative Region Government from judicial reviews by opposition forces because the local government's actions would ostensibly be outside the jurisdiction of local courts. The 2016 Oath

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[14] Zhang, K. (2019, May 23). CPPCC leader voices support for extradition bill, *China Daily*. Retrieved from http://www.chinadaily.com.cn/hkedition/2019-05/23/content_37472806.htm

[15] Zhou, B. (2019, May 29). SAR govt must brace for difficult times ahead, *China Daily*. Retrieved from http://www.chinadaily.com.cn/hkedition/2019-05/29/content_37474985.htm

[16] Reuters. (2019, September 3). Exclusive: 'If I have a choice, the first thing is to quit' - Hong Kong leader Carrie Lam - transcript, *Reuters*. Retrieved from https://www.reuters.com/article/us-hongkong-protests-carrielam-transcrip/exclusive-if-i-have-a-choice-the-first-thing-is-to-quit-hong-kong-leader-carrie-lam-transcript-idUSKCN1VO0KK

[17] China Daily. (2019, May 24). Central govt resolutely supports HKSAR in amending extradition law, *China Daily*. Retrieved from https://www.chinadailyhk.com/articles/158/187/206/1558672401243.html?newsId=83738

[18] Mai, J. (2017, March 28). Beijing will rely more on 'legal means' to strengthen authority in Hong Kong, *South China Morning Post*. Retrieved from https://www.scmp.com/news/china/policies-politics/article/2082765/beijing-tighten-its-grip-hong-kong-resorting-legal

Gate decision by the National People's Congress Standing Committee that led to the partial nullification of that year's Legislative Council election and the purging of numerous lawmakers has been cited as a real-world example. Particularly, Hong Kong's use of "street politics" – protests such as the 2014 Umbrella Movement or the 2019 anti-extradition demonstrations – was also reportedly targeted to strategically use the "rule of law" to make an example of the "City of Protests" and teach defiant Hongkongers and mainland dissidents a lesson about confronting the Party-state.[19]

Color Revolution

5) Chinese authorities and the Party-state's united front apparatus' systematic and ubiquitous designations of Hong Kong's anti-extradition law protests as "color revolutions" and demonstrators as "counterrevolutionaries," 'extremists," "separatists," "traitors," and "terrorists" are not just propaganda, but are unambiguous flag posts of securitization. This situates the crisis as one to be resolved through national security, not political, logics. Albeit the extradition law exercise was originally a loyalty and performance test for the Special Administrative Region Government and the pro-establishment camp whom Beijing believes to be infiltrated by sixth column types sympathetic to the pro-democracy movement, the center of gravity for de-securitizing, de-escalating and resolving the conflict lies in Beijing, not Hong Kong. This has major implications for anti-extradition protests and the Liberate Hong Kong resistance, as well as for U.S. policy responses.

6) Mainland authorities' designation of the anti-extradition protests as an attempted color revolution is also important because of the lessons the communist regime took from the collapse of the Soviet Union, Eastern Bloc and North African nations.[20] First, regimes that survived were those that used violence – liberally – against non-violent movements. Second, regime survival was dependent on maintaining the unity of the pro-establishment camp. Third, securing the support of security forces was paramount to survival even if the pro-establishment forces fragmented. Lastly, per Xi Jinping's Southern Tour speech, the Soviet communist party collapsed primarily because no one was willing to fight for it. We can see these lessons manifesting in the Chinese and Special Administrative Region's unblinkered support and heroic exaltation of the Hong Kong police whatever the cost – even the possible end of "One Country, Two Systems."

Securitization scripts

7) Chinese and Special Administrative Region authorities' responses to the 2014 and 2019 mass movements have, thus far, followed roughly similar scripts for pacification albeit the efficacy, intensity and scale of efforts significantly diverge. That said, there are important differences

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[19] Global Times. (2014, December 4). Court ruling needed to push Constitution, *Global Times*. Retrieved from http://www.globaltimes.cn/content/894935.shtml

[20] For a pre-2012 account of these "lessons," see Chen, T. C. (2010). China's Reaction to the Color Revolutions. *Asian Perspective, 34*(2), 5-51.

between the two movements that have not been adequately discussed elsewhere but are beyond the scope of this brief discussion. With regards to similarities in security responses:

a. First, resolute use of heavy-handed police repression.
b. Second, surreptitious use of patriotic triads, hired thugs and vigilantes to attack, discredit and intimidate dissidents and journalists, and create images of chaos, illegality and violence.
c. Third, use of lawfare such as court injunctions and protest-bans for selective law enforcement, political prosecutions and purposefully manifesting law and order and rule of law spectacles.
d. Fourth, actual and threatened economic warfare.
e. Fifth, widespread mass line and united front mobilizations to attack the Party's enemies and to marshal support for the Hong Kong police and Special Administrative Region authorities.
f. Sixth, authoritative and quasi-authoritative framing of the 2014 Umbrella and 2019 Anti-ELAB unrest and Hong Kong's pro-democracy movements writ large as foreign instigated and/or controlled color revolutions and separatist plots targeted at unseating the Chinese Communist Party and derailing China's rise.
g. Seventh, securitization of democracy and freedom, the United States and Western media and values as "bad things" inimical to prosperity and stability.
h. Framing the 2014 and 2019 China-Hong Kong conflicts as a strategic contest between the East (China) and the West (the U.S.). The "defeat" of the "Umbrella Revolution" in 2014 was presented by the Party-state as a victory of the China model over the U.S./Western one.

People's Liberation Army/People's Armed Police

8) Because months of regime recourse to mass arrests and escalating police violence have been unsuccessful in quelling the extradition law protests, more severe responses have been floated by the Chinese regime. Yet, at this point, threats of Chinese military interventions over the anti-extradition protests appear primarily intended to deter Hongkongers (and the international community) from articulating support for the protests. Nevertheless, they are also representative of Xi Jinping's *New* Era "One Country, Two Systems" model that has immeasurably broadened its "defense" prerogatives under the Basic Law to resolutely tackle nonviolent regime change threats, i.e. color revolutions. This has occurred by substituting the conceptual content of "defense" in the HKSAR Basic Law with "national security with Chinese characteristics" which includes much more than simply defending against foreign military forces. One indicator of this is that since 2014 the People's Liberation Army Hong Kong Garrison has assumed a more visible combat and political warfare posture in the Special Administrative Region to counter purported threats of color revolutions and Hong Kong independence. For example, it has made strategic forays to publicly comment on 2014's Umbrella Movement, the 2016 Mong Kok Incident/Riot, and the 2019 extradition law protests where it claimed it stood ready to safeguard China's sovereignty, security and development interests and Hong Kong's prosperity and stability. Behind the scenes, the People's Liberation Army has been even more

active in attempting to shape China's security discourses regarding the threat from Hong Kong and "One Country, Two Systems."[21]

9) Notably, Chinese and Special Administrative Region authorities are preemptively attempting to legitimate and normalize the use of People's Liberation Army Hong Kong Garrison, the People's Armed Police, or a declaration of emergency by the local or central authorities to quell the anti-extradition protests. These maneuvers are intended to degrade or evade real and reputational damage to the "One Country, Two Systems" policy, maintain confidence among foreign investors, and to minimize possible sanctions such as those envisioned under the existing Hong Kong Policy Act or proposed Hong Kong Human Rights and Democracy Act. At the same time, a debate – and maybe an internal struggle – over whether to use any of these extraordinary security measures seems to be taking place. Though Chinese authorities have reportedly studied and strategized how to mitigate a range of consequences arising from deploying the military or armed police, it is unlikely they have thoroughly anticipated or theorized the complexity of the operational and political realities of such a military or police action under the quotidian realities of "One Country, Two Systems." In the interim, halfway measures may be deployed by the Special Administrative Region government such as operationally enforcing de facto martial law zones without formal or public declaration of emergency powers or a state of emergency.

Hong Kong Police aka the Special Administrative Region People's Armed Police

10) The Hong Kong Police Force have been militarized and nationalized by the Chinese Communist Party, effectively becoming its "little gun" in the Special Administrative Region. Since the beginning of 2019, mainland police have been tasked by President Xi with "preventing and countering 'color revolutions.'"[22] China's Public Security Minister subsequently ordered police to "firmly fight to protect China's political security," defend its national security, and the leadership of the Chinese Communist Party.[23] Earlier, Hong Kong police had received similar national security tasking from Vice-Premier Han Zheng who, in August 2018, charged them to "firmly and effectively" safeguard China's national security and rule of law by accurately and comprehensively implementing "One Country, Two Systems."[24] According to a vice-chairman of the State Council's Chinese Association of Hong Kong and Macau Studies, the Hong Kong police were now "on the forefront when it comes to curbing Hong Kong independence" which meant their duty was "not just to maintain public order, but to defend national security too." Chief Executive Carrie Lam, in a leaked speech, iterated the police were the only solution they

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[21] For a discussion of the People's Liberation Army's role in the securitization of Hong Kong and "One Country, Two Systems" see pages 129 to 137 in Garrett, D. (2017). China's Securitization of Hong Kong, Hongkongers, and 'One Country, Two Systems'."

[22] Lam, W. W.-L. (2019). Xi Jinping Warns Against the 'Black Swans' and 'Gray Rhinos' of a Possible Color Revolution. *China Brief, 19*(5). Retrieved from https://jamestown.org/program/china-brief-early-warning-xi-jinping-warns-against-the-black-swans-and-gray-rhinos-of-a-possible-color-revolution/

[23] Reuters. (2019, January 18). Chinese police must guard against 'color revolutions', says top official, *Reuters*. Retrieved from https://www.reuters.com/article/us-china-politics-police/chinese-police-must-guard-against-color-revolutions-says-top-official-idUSKCN1PC0BS

[24] Leung, C., Cheung, T., & Lam, J. (2018, August 27). Chinese Vice-Premier Han Zheng urges Hong Kong officers to 'firmly' safeguard national security and rule of law, *South China Morning Post*. Retrieved from https://cdn4.i-scmp.com/news/hong-kong/politics/article/2161577/chinese-vice-premier-han-zheng-urges-hong-kong-officers

possessed to manage the crisis – a crisis which was likely to last a long time.[25] For all intents and purposes, the Hong Kong police have become the Special Administrative Region People's Armed Police. To many in Hong Kong, the police are perceived as having captured the local government given their carte blanche and impunity of action in brutally suppressing Anti-ELAB demonstrations and seeming collusion with organized criminal elements, thugs and patriotic vigilantes attacking protesters and Hong Kong's now iconic and ubiquitous Lennon Walls.

United Front

11) Chinese authorities have dedicated significant academic, legal, political, propaganda, and united front resources to systematically manipulate and recast the Deng Xiaoping-era content and understandings of the Hong Kong SAR Basic Law and the "One Country, Two Systems" framework to accommodate Xi Jinping's totalitarian national security mandates, logics and outlook. The Chinese Association of Hong Kong and Macau Studies – a shadowy, political warfare-like think tank connected to the State Council's Hong Kong and Macao Affairs Office – is one of these new subversive vehicles.[26] Concomitantly, a network of Party-state constitutional and Basic Law "experts" and "scholars," some attached to the National People's Congress Stand Committee's HKSAR Basic Law Committee, have similarly contributed significantly to the erosion of "One Country, Two Systems" policy, mobilized political violence, and informed the central authorities' understandings of the "actual situation" in the Region. All these united front actors are key players in the erosion of Hong Kong's freedoms and democracy and enablers of state tyranny.

Policy recommendations

In formulating a strategy to cease and reverse the Chinese Communist Party's erosion of Hongkongers' promised democracy and freedoms under "One Country, Two Systems," Congress should consider the following:

1) Congress and the Executive Branch should prioritize resolute, preemptive and holistic responses to China's ongoing erosion of Hongkongers' democracy and freedoms under "One Country, Two Systems" as the hardline Xiwinger regime respects only stern action, not talk. Proposed policy responses should not start at the bottom of an escalatory ladder but rather move directly to strong policy actions.

2) Congress and the Executive Branch should strongly warn Chinese authorities that use of the People's Armed Police or People's Liberation Army to quell the anti-extradition protests would unequivocally result in an immediate, unsuspendable 90-day (or longer) suspension of the Special Administrative Region's special customs status and commensurate closures of the Hong Kong Economic and Trade Office (HKETO) offices in the United States. It should also make clear that discovery of such deployments after the fact will also result in similar and wider punitive

[25] Reuters. (2019, September 3). "Exclusive: 'If I have a choice, the first thing is to quit' - Hong Kong leader Carrie Lam – transcript."

[26] For a discussion of the role of Chinese and Special Administrative Region Basic Law and legal "experts" and the Chinese Association of Hong Kong and Macau Studies role in subverting "One Country, Two Systems" see Garrett, "China's Securitization of Hong Kong, Hongkongers, and 'One Country, Two Systems'."

actions to disabuse it of the notion it can post facto normalize aggression. Because China's gray war on Hong Kong will likely continue to rely on non-state violent entrepreneurs such as triads, hired thugs, and patriotic vigilantes to achieve state ends in the Special Administrative Region and abroad, new policy tools to punish illicit Chinese aggression against Hongkongers (and others) need to be conceptualized and deployed.

3) Recognizing that Hong Kong's fight for its liberal freedoms and democracy is also the Free World's fight, Congress should fund and promote the development of Hong Kong and "One Country, Two Systems" studies to better understand and respond to Chinese Communist Party efforts to: 1) defect from its promises to Hongkongers and the international community; 2) use its Hong Kong-based united front apparatus for licit and illicit ends such as ideological confrontation/competition, influence operations, and the state capture of the United Nations, foreign governments or international institutions; and, 3) its "weaponization" of Hong Kong's special status under "One Country, Two Systems" to advance and safeguard Chinese sovereignty, security and development interests that threaten U.S. interests and the international liberal order.

4) Congress should pass a resolution – and encourage other nations to do the same – that unequivocally declares that implementation of "One Country, Two Systems" in Hong Kong is not the exclusive domain or the sovereign internal affairs of Communist China (until 2047) as the territory was part of the Free World and was only handed over by the United Kingdom with the understanding that the communist system would not be introduced for 50 years. This residue international responsibility constitutes a positive right to assist and protect the population of Hong Kong from the egregious erosion of Hongkongers' freedoms, identity and way of life as promised under the popularly understood conceptualization of "One Country, Two Systems" in place at the time of the signing of the Sino-UK Joint Declaration, the 1990 promulgation of the Hong Kong Special Administrative Region Basic Law, and the 1997 handover of the territory to Communist China.

Biography

Daniel Garrett, PhD
Principal, Securing Tianxia LLC

Daniel Garrett, PhD, is an author, photographer, political scientist, and visual sociologist documenting Chinese security politics and securitization of Hong Kong. He has a nearly twenty-year engagement with the city and is a photographic contributor to *Hong Kong Free Press*. Since 2011 he has documented over 600 demonstrations, marches, protests and rallies and several elections in the Special Administrative Region (SAR). Most recently, he spent five weeks in the territory observing and photographing political developments surrounding the 30th Anniversary of the Tiananmen Massacre, the 22nd Anniversary of the establishment of the HKSAR, and the historic anti-extradition Liberate Hong Kong protests. A doctoral graduate of City University of Hong Kong, Dan's dissertation investigated the power politics of 'One Country, Two Systems' under the People's Republic's new National Security with Chinese Characteristics framework and the escalating conflicts between China and Hong Kong. His first book, *Counter-Hegemonic Resistance in China's Hong Kong: Visualizing Protest in the City*, interrogated the Region's Pre-Umbrella Revolution protest culture. A second monograph, investigating Chinese and Hong Kong Special Administrative Region's enemification and securitization of Hong Kong protests and protesters, and related regime militarization of SAR protest policing in the post-Umbrella-era is in process. Prior to academia, Dan was a career national security professional providing strategic counterintelligence threat analysis for the U.S. Department of Defense. He is a past Office of the Director of National Intelligence "Exceptional Analyst" Research Fellow, and an Intelligence Community SEAL Medallion recipient. Garrett has served at the Defense Intelligence Agency, National Security Agency, and in the United States Air Force.

STATEMENT OF SHARON HOM

Chairman McGovern, Co-Chairman Rubio, and Members of the Commission,

Thank you for this hearing opportunity. It is an honor for me to stand in solidarity with the frontline activists. I want to thank the Commission members for their critical support for the Hong Kong people and leadership on the Hong Kong Human Rights and Democracy Act and the Protect Hong Kong Act.

Over the past three months, the whole world has witnessed a historic David and Goliath standoff. Against all odds, the Hong Kong people are standing up to the powerful, authoritarian regime in Beijing. In this historic battle, they are not only fighting for the democratic future of 7.4 million Hong Kong people, but they are also holding the regional and global frontline on preserving human dignity and rights for all people.

The past "summer of discontent" is in fact part of years of ongoing resistance by Hong Kong people against Beijing's encroachment on Hong Kong's autonomy, rights, and freedoms. This peaceful resistance has included mass demonstrations against the proposed Article 23 security legislation[1] (2003), against official brainwashing of so-called patriotic education[2] (2012), and against the gutting of promises of genuine universal suffrage[3] (2014). After the clearance of the Occupy Central sites in December 2014, democracy activists left a promise inscribed on the concrete sidewalks – *We will return*. They have kept that promise.

Instead of Beijing's hoped-for movement fatigue, the protests are moving into the 15th week pressing for now five non-negotiable demands, supported by unflagging solidarity and broad participation of diverse sectors of Hong Kong society. The out-of-control lawless actions of the Hong Kong police have only provided mobilization fuel for Hong Kong people to "add oil."

As Chairman Mao said: "Wherever there is suppression, there will be resistance!" [4]
The Communist Party of China leadership understands and fears this, as highlighted by Xi Jinping's ramped up invocation of Cultural Revolution "struggle" (*douzheng* 斗争) terminology.[5]

What actions can the international community and, specifically the U.S. Government, take to further support Hong Kong people in what will clearly be a long struggle?

We need to first address the tensions that were baked into the One Country, Two Systems framework, perhaps making One Country, One System an inevitable outcome. Taiwan's President Tsai Ing-wen's takeaway[6] from the current political crisis in Hong Kong hits the nail on the head—not only is One Country, Two Systems not a viable model for Taiwan, but the Hong Kong example proves that dictatorship and democracy cannot co-exist.

Rule of law and why it matters

An independent functioning rule of law is essential to protecting rights and preserving Hong Kong's promised autonomy. However, glaring rule-of-law deficits in the mainland "rule the country by law" approach (aside from the obvious fact it is *not* a rule of law) have implications for Hong Kong's rule of law.

- First, the mainland Chinese state constitution and numerous high-level policy pronouncements legitimize the principle that *subordinates law to the leadership of the Party*.[7] Anyone who challenges or is perceived to challenge the Party's leadership or disagrees with its policies or criticizes "Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era" (now also enshrined in the state constitution) runs the risk of criminal prosecution, including for inciting subversion or subversion of state power that carry potential heavy prison sentences. The reintroduction of Article 23 security legislation in Hong Kong will inevitably carry the imprint of the Party's concept of national security.

  Notwithstanding the fact that independence is clearly not one of the five demands of the protests, Beijing's invocation of terrorism, splittism, and separatism (China's "three evils" approach) is also building a foundation for the reintroduction of Article 23 security legislation.

- Second, the demand for complete loyalty to the Party from not only Party members, but also from judges, lawyers, teachers, media workers, and every sector of society, guts the independence of the legal profession[8] and media,[9] —two key pillars for ensuring the rule of law. But Hong Kong is not the mainland—yet. Despite efforts like the proposed Hong Kong national anthem law and forced loyalty requirements, loyalty, pride, and love cannot be legislated.

- Third, the Party has expanded its control beyond the administrative branch (where Party committees are already installed in government organs at all levels) to the legislative[10] and judicial organs.[11] Most recently, on September 10, 2019, a Central Inspection Group of the Party announced that in addition to its inspection tours of the Supreme People's Court, Supreme People's Procuratorate, and Ministry of Justice, it would also work *inside* the SPC, SPP, and MOJ for two months.[12] Party control of Hong Kong via the Macao Hong Kong Liaison offices is now more direct and public.

It is not surprising then that Hong Kong people, foreign business and the international community were alarmed by the prospect of being subjected to such a "rule the country by law" system—one also marked by rights violations including torture and abuse in detention, forced disappearance, televised confessions, and criminalization of and crackdowns on the legitimate exercise of rights.

In addition, developments in Hong Kong have contributed to undermining its long-established rule of law and eroding public faith and confidence in the government, the legal system, and law enforcement, including:

- Selective arrests and politicized prosecution of protesters, high profile democracy activists, and legislators, and the imposition of disproportionately heavier sentences related to misuse and application of the Public Order Ordinance.

- Police acting with impunity, trampling on rights to peaceful assembly and expression and freedom from torture, ill-treatment or abuse. Police misconduct includes use of excessive force in violation of international standards, refusal to show ID cards or other official identification, and increasing reports of torture, abuse, or delay in providing medical attention and restriction of access to lawyers. We see evidence of this impunity every day, in video after video.

- The use of "decoy" undercover police disguised as protesters (initially denied by the authorities), to conduct surveillance, sow distrust, and then participate in crowd control actions and conducting arrests.

- Concerns regarding the role of mainland police and security forces in cooperation with the Hong Kong police: For example, in August 2018, the People's Daily announced the planned establishment of the Greater Bay Area Police Cooperation Mechanism, among Guangdong, Hong Kong, and Macao.[13] Part of or related to this mechanism, Guangdong's Public Security Department (gongan ting 公安厅) has conducted training of key Hong Kong police personnel in Guangdong.

- Concerns regarding potential infiltration by or use of mainland security or police forces on Hong Kong territory have also been generated by contested videos and reports of use of *putonghua* or phrases not commonly used by Hong Kong people such as comrade (*tongzhi* 同志) [14]and mismatches between a visible police badge belonging to a female officer worn by a male officer. [15]

- The Notice of No Objection has granted the police the legal tool to clamp down on any peaceful protests. Therefore, Hong Kongers face the ridiculous situation where the police can deny application for a letter of no objection filed by a group for a peaceful assembly to protest police violence. More importantly, this misuse of the procedure undermines the right to peaceful assembly under international standards by imposing unduly restrictive administrative requirements on the exercise of the right.

Instead of addressing the rampant police violence and misconduct and misuse of law that is fueling public anger and protests, the Chief Executive has maintained a hard line echoing Beijing's law-and-order rhetoric and economic priorities. She has refused to establish an independent commission of inquiry as demanded by the protesters; and in fact recommended by the UN Human Rights Committee in 2013 in addition to its recommendation that there be training for the police. Instead, she is relying on a toothless IPCC fact-finding study exercise, that is woefully inadequate in terms of independence, credibility and even competency.[16]

Why the UN and international human rights standards must be defended

China's aggressive activism at the UN is undermining international standards, weakening existing human rights mechanisms and processes, and restricting the participation of independent civil society voices. This cuts off Hong Kong people (as well as human rights defenders in mainland China, and Tibetan and Uyghur communities) from the key international platform available to press for accountability for human rights abuses by China. Instead of the West's hoped-for convergence, China is not only not playing by the rules; it is also vocally and persistently asserting a set of relativist criteria that it alone can unilaterally apply. [17] A Chinese official stated at the conclusion of China's 2013 UPR: "What I want to emphasize is that whether the shoes fit, only the person knows. On the human rights situation of China, the people who are most qualified to speak are the people of China."[18]

With this rhetoric, the Party-state conflation of itself, the nation, and 1.4 billion people is then deployed to deflect criticism of China's rights record and accuse its critics of "hurting the feelings of the Chinese people." Efforts to raise rights concerns regarding the 1.4 billion wearers of the shoes are attacked as interference with domestic affairs and China's sovereignty. This rhetorical strategy helps to intimidate, silence, and deflect from accountability of the state; and undermines international standards and processes for monitoring, assessing, and promoting human rights protection.

In addition to this rhetorical strategy, through its membership in the NGO Committee of ECOSOC, China works to block ECOSOC accreditation of any NGO it views as critical of China, and therefore anti-China. GONGOs do not face objections such as the point-of-order interruptions of Denise Ho's recent intervention at the Human Rights Council. The intervention last week by Pansy Ho, the representative of the Hong Kong Federation of Women, (an NGO with ECOSOC special consultative status since 2000),[19] is illustrative. She not only defended the SAR government's handling of the protests but accused the Hong Kong protesters of "child exploitation" and more. Pansy Ho, co-chairwoman and executive director of Macao casino operator MGM China Holdings, is also a standing committee member of the Beijing Municipal Committee of the Chinese People's Political Consultative Conference. [20]

While the U.S. has strongly criticized the ineffectiveness of the Human Rights Council, its leadership remains influential in the international community and within the UN system to counter these trends.

When China has to rotate off and cannot run for Council membership in 2020, this will be a good opportunity to get traction on key issues such as reform of the NGO accreditation process and expanding civil society participation. Although China can and will undoubtedly remain active as an observer state, and work through its proxy client states, it will not have a vote and will be more procedurally limited. The U.S. should use its observer status and strengthen alliances with other democratic states to build joint concrete actions and strategies.

In addition, more effective use of international normative statements and recommendations regarding Hong Kong would be constructive to counter Beijing's vociferous assertions of its

sovereignty and accusations of the international community's "interference." Some recent examples include: statements of concern by the High Commissioner for Human Rights, and Joint statement by the Special Procedures.[21]

China strategic deployment of its "discourse power"

China's strategic deployment of its "discourse power" (*huayu quan* 话语权) and Beijing's narrative of protester violence contribute to disempowering (as intended) the frontline democracy movement's efforts to get its own story/stories out to the Hong Kong public, people in the mainland, and the international community.

Since the CPC announced its "big external propaganda" project in 2009, China has invested billions to compete with Western media. The key goal then and now is to "constantly enhance the dominance and discourse power in the ideological field"[22] to tell the China story. High-level pronouncements, in particular those by Xi Jinping, emphasize the priority of "enhancing China's influence and discourse power in regional and global governance." [23]

In addition to its disinformation campaign, including the egregious use by China Daily on 9/11 of a photo depicting the destruction of the World Trade Towers to warn of terrorist attack by Hong Kong protesters, Beijing is advancing a narrative of violence to frame the Hong Kong protests that is echoed uncritically by the international community. Within this frame, the Hong Kong police, protected in full tactical gear, armed with rubber bullets, guns, tear gas, pepper spray, and batons, wielding the coercive power of the state, is presented as one "side" of escalating violent clashes with civilian protesters. Hence, calls for "both sides" to de-escalate that deflect attention away from police accountability for its excessive use of force in violation of international standards, and its complicity with non-state violence, such as the triad-related attacks in Yuen Long.

More importantly, the narrow violence narrative framing of the situation on the ground is erasing or marginalizing (intentionally) the proliferation of diverse creative and peaceful protest actions by Hong Kong people such as:

- Students are participating in class-boycott actions, forming a "human chain" of joined hands,[24] shouting slogans across different campuses,[25]and singing "Do You Hear the People Sing" during opening ceremony for the academic year when the Chinese national anthem was played.
- Elderly citizens—"silver-hair" volunteers—have organized "protect the children" actions[26] or marched to support younger protesters.[27]
- Hong Kong people of all ages and backgrounds sing together in malls, streets, metro stations, in neighborhood gatherings,"Glory to Hong Kong," all shared on proliferating viral videos.[28] And Christians sing "Sing Hallelujah to the Lord" during marches and assemblies.[29]

- A young child leads a call and response —香港人，加油 (Hong Kong people, add oil!) —from a flyover as the stream of marchers pass below.[30]
- Since August, tenants in Hong Kong's residential estates shout out their windows every night at 10 p.m. protest slogans with calls and responses echoing across different neighborhoods in Hong Kong.[31]
- During the "Hong Kong Way" human chain formed by over 200,000 people stretching over 60 km (37 miles) across the city on August 23, citizens climbed up to the iconic Lion Rock, their cellphones forming an unending line of light in the dark night.[32]
- Since late June, Lennon Walls have appeared all over Hong Kong, in almost every district, and also in communities globally, including Japan, Canada, U.S., U.K., and Australia.
- Last Friday was Mid-Autumn Festival: A bakery shop in Sai Wan made mooncakes with protest slogans in support of Hong Kong citizens and the anti-extradition movement. [33]
- In typical creative humorous Hong Kong fashion, Hong Kongers are creating art, such as miniature figurines of protesters, with life-like accurate details[34] or a Hong Kong version of a Goddess of Democracy.[35]

This is what is happening on the ground. Hong Kong people are practicing democracy and exercising their freedom for as long as possible. Hong Kongers are making the road by walking it. That is the real revolution already under way.

Thank you again for convening this hearing. I look forward to your questions.

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[1] http://www.law.hku.hk/hrportal/basic-law/research-article-23.

[2] https://www.nytimes.com/2012/07/30/world/asia/thousands-protest-chinas-curriculum-plans-for-hong-kong-schools.html

[3] https://www.jurist.org/commentary/2019/04/sharon-hom-central-9-rule-of-law-hong-kong/

[4] Quotations of Chairman Mao, #5 (毛语录：5、哪里有压迫，哪里就有反抗！), http://www.wyl.cc/geyan/lizhimingyan/1517760.html.

[5] In a speech to Central Party School Youth Cadres Training Class on September 3, 2019, Xi Jinping invoked the term "struggle" (*douzheng* 斗争) 58 times. See "Struggle!": XJP's speech has deep meaning" ("斗争"！习近平这篇讲话大有深意), http://www.xinhuanet.com/politics/xxjxs/2019-09/04/c_1124960210.htm.

[6] http://focustaiwan.tw/news/aipl/201908200010.aspx.

[7] See "The socialist system is the basic system of the People's Republic of China. The leadership of the Communist Party of China is the defining feature of socialism with Chinese characteristics. Disruption of the socialist system by any organization or individual is prohibited." Article 1, paragraph 2, *Constitution of the P.R.C.* (promulgated by the National People's Congress on December 4, 1982, amended on April 12, 1988, March 29, 1993, March 15, 1999, March 14, 2004, and March 11, 2018), Pkulaw, http://en.pkulaw.cn/display.aspx?cgid=311950&lib=law. Also see "The legislative affairs department of the State Council shall . . . draft the annual legislative work plan of the State Council, submit the proposed plan to the Party Central Committee and the State Council, and publish it to society after approval," Article 9, *Regulations on Procedures for the Formulation of Administrative Regulations* (promulgated by the State Council of the P.R.C. on November 16, 2001, revised on December 22, 2017, and effective on May 1, 2018), www.gov.cn/zhengce/content/2018-01/16/content_5257039.htm.

[8] https://foreignpolicy.com/2016/02/22/a-looming-crisis-for-chinas-legal-system/.

[9] https://rsf.org/en/china.

[10] Effective May 1, 2018, the requirement that "legislation must be approved by the party committee" is written into the law for the first time (after the Mao era). See "The Revised *Regulations on the Procedures for the Formulation of Administrative Regulations* and the Revised *Regulations on the Formulation of Rules* are promulgated" (修订后的《行政法

规制定程序条例》和《规章制定程序条例》公布), Ministry of Justice of the P.R.C., Jan. 17, 2018, http://www.moj.gov.cn/organization/content/2018-01/17/552_113641.html.

[11] "The Central Inspection Group No. 4's Mobilization Meeting to Inspect the Supreme People's Court's Communist Party Group Has Been Held" (中央第四巡视组巡视最高人民法院党组工作动员会召开), the Supreme People's Court of the P.R.C., Sept. 10, 2019, http://www.court.gov.cn/zixun-xiangqing-183772.html.

[12] "The Supreme People's Court's Opinions on Deepening the Comprehensive Reform of the Judicial System of the People's Court – Outline of the Fifth Five-Year Reform Program of the People's Courts (2019--2023)" (最高人民法院关于深化人民法院司法体制综合配套改革的意见 ——人民法院第五个五年改革纲要（2019--2023）), the Supreme People's Court of the P.R.C., Feb. 27, 2019, http://www.court.gov.cn/zixun-xiangqing-144202.html.

[13] "Police of Guangdong, Hong Kong, Macao Discuss Joint Establishment of Bay Security Area; Plan Establishment of Leading Mechanism for Greater Bay Police Cooperation" (粤港澳警方商议共建平安湾区 拟建立大湾区警务协作领导机制), http://hm.people.com.cn/n1/2018/0908/c42272-30280788.html.

[14] 【9.8 直播實錄】防暴警收隊講：同志齊，同志齊，走得。https://www.youtube.com/watch?v=vp80x5NYb_M September 8, 2019: Video of police outside of Prince Edward station, one police man said in Cantonese: "同志齊，同志齊，走得" (around 0:23+); https://twitter.com/TuCaoFakeNews/status/1170859300886966273 September 8, 2019: short video of police coming out of Causeway Bay station, throwing tear gas at a journalist, showing a policeman shouting in putonghua: "左边、左边!" (around 0:22).

[15] https://twitter.com/liushihui/status/1138947067504541696 June 12, 2019: Includes partial picture of a policeman with a badge number that corresponds to the record of a female officer.

[16] Carrie Lam's announcement of two more appointments to IPCC contributes to further straining of credibility: Paul Lam is a veteran barrister, former chairman of the Hong Kong Bar Association, who was criticized for his mild stance and general silence during the co-location controversy and wide public concerns about the encroachment of mainland laws on Hong Kong territory. Helen Yu is a retired veteran civil servant who served as a senior consultant for Carrie Lam's election campaign when she ran for the Chief Executive. Yu also openly criticized suggestions for an independent commission of inquiry. Inviting a new international expert to serve on the IPCC special panel for conducting the study on incidents also raises questions. Gerry McNeilly, formerly Ontario's Independent Police Review Director, was caught in a scandal involving an independent investigation against a Toronto police officer that was overturned by the Court in January 2019 because McNeilly had backdoor undisclosed communications with the police. http://www.thestandard.com.hk/breaking-news.php?id=134228&sid=4.

[17] Human Rights in China, "Stakeholder submission to the Human Rights Council in advance of the Third Periodic Review of the People's Republic of China," March 2018, https://www.hrichina.org/sites/default/files/hric_china_upr_2018_submission.pdf.

[18] http://webtv.un.org/search/china-review-17th-session-of-universal-periodic-review/2760262774001/?term=&lan=english&cat=Universal%20Periodic%20Review&sort=date&page=47.

[19] https://esango.un.org/civilsociety/consultativeStatusSummary.do?profileCode=1928

[20] https://www.scmp.com/news/china/diplomacy/article/3026188/businesswomen-defend-hong-kong-governments-handling-protests.

[21] Mr. David Kaye (USA), Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Mr. Michel Forst (France), Special Rapporteur on the situation of human rights defenders; Mr. Clement Nyaletsossi Voule, Special Rapporteur on the right to peaceful assembly and association; Mr. Nils Melzer, Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, "China/Hong Kong: UN experts urge China to respect protesters' rights," https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24979&.

[22] Unofficial translation by HRIC.

[23] Unofficial translation by HRIC, In August 2016, Xi Jinping pointed out at the symposium on promoting the construction of the "Belt and Road Initiative": "[We must] introduce China's standards, rules and concepts to gradually form a set of multilateral governance rules with Chinese imprints, expand the global partnership network based on our country, and enhance China's influence and discourse power in regional and global governance."

[24] https://www.hongkongfp.com/2019/09/09/high-school-students-form-human-chain-in-support-of-hong-kong-protest-movement/.

[25] https://www.youtube.com/watch?v=RkRA6OgHg8k.

[26] 守護孩子行動 https://www.facebook.com/GoodNeighbournd/photos/a.1563622323932137/2095083654119332/.

[27] https://thestandnews.com/politics/9000 人參與銀髮族靜默遊行-表達長者支持年輕抗爭者.

[28] See Stand News compilation of videos of "Glory to Hong Kong" sung in various malls in Hong Kong https://thestandnews.com/politics/睇片-遍地開花-多區市民自發高歌-願榮光歸香港; With English lyrics at: https://www.youtube.com/watch?v=y7yRDOLC https://thestandnews.com/politics/9000 人參與銀髮族靜默遊行-表達長者支持年輕抗爭者/ y4Y 《願榮光歸香港》 Version B MV https://www.youtube.com/watch?v=F4c2NjCYz4E

[29] https://www.youtube.com/watch?v=ySwM0lppiBM.

[30] https://www.youtube.com/watch?v=bTw7RMcc1pI.

[31] https://www.facebook.com/standnewshk/videos/昨晚十時-光復香港口號遍各區/669737560213012/.

[32] https://www.youtube.com/watch?v=62uQEgMPlWQ.

[33] https://news.ltn.com.tw/news/world/breakingnews/2889580.

[34] 香港人製造 https://www.facebook.com/MIHK818.

[35] 香港民主女神像 (Statue of Hong Kong`s Goddess of Democracy): https://news.mingpao.com/pns/要聞/article/20190901/s00001/1567277228764/網民製《香港民主女神像》-暫放中大.

STATEMENT OF HON. JAMES P. MCGOVERN

Good morning and welcome to today's hearing on "Hong Kong's Summer of Discontent and U.S. Policy Reponses."

This is the second China Commission hearing this year on the situation in Hong Kong. During our May hearing, the commission heard compelling testimony from Hong Kong pro-democracy advocates including Martin Lee and Nathan Law, who expressed serious concerns about the extradition bill that was quickly moving towards becoming law at that time. That legislation would have put anyone in Hong Kong—including U.S. citizens—at risk of extradition to mainland China, where lack of due process and custodial abuses have been well documented.

Over the last 16 weeks, millions of people from all walks of life in Hong Kong have taken to the streets in an unprecedented and sustained show of unity. The protesters have inspired the world and have risked their lives, their health, their jobs, and their education to fight for the future of Hong Kong. Thank you for your courage and bravery. We stand in solidarity with you.

As protests continued throughout the summer, Hong Kong police used excessive and unnecessary force to target those engaged in peaceful demonstrations. The U.N. High Commissioner for Human Rights has called for an investigation. The U.K. has suspended export licenses for the sale of tear gas and crowd-control equipment.

In the House of Representatives, Congressman Chris Smith and I have introduced H.R. 4270, the "PROTECT Hong Kong Act" that would prohibit U.S. exports of police equipment to Hong Kong. U.S. companies should not be selling equipment used to violently crack down on pro-democracy protesters. I hope Congress will pass this legislation as soon as possible.

Although consideration of the extradition bill has been suspended, the people of Hong Kong are calling for greater accountability and democratic participation. It's my understanding that the Hong Kong protesters have outlined "Five Demands" of Hong Kong and Chinese authorities.

I look forward to hearing from today's witnesses what those demands are specifically; what progress has been made by the Chinese and Hong Kong governments on achieving them; what remains to be done; and how we in Congress and the international community might be helpful.

The "one country, two systems" framework was enshrined in the 1984 Sino-British Declaration and Hong Kong's Basic Law. This is an international treaty, signed by the Chinese government, to allow Hong Kong a "high degree of autonomy" with the "ultimate aim" of electing its Chief Executive and Legislative Council members by universal suffrage.

The 2014 "Umbrella Movement" protests were sparked by the Chinese government reneging on its commitments to make Hong Kong more democratic. It is the continuing erosion of Hong Kong's autonomy and rule of law that fuel the protests in Hong Kong today.

Over the last five years, the Chinese government has prioritized control over Hong Kong by stifling free expression and restricting the space for democratic participation. We have seen the prosecution and sentencing of pro-democracy leaders, the disqualification and removal of pro-democracy legislators, and the introduction of a new national anthem bill that would restrict free expression.

Anson Chan, the former Hong Kong Chief Secretary and Legislative Council member, recently offered this insight: "If only Beijing would understand what makes Hong Kong tick, what are the values we hold dear, then they can use that energy to benefit both China and Hong Kong. Instead, they have this mentality of control."

While the protests were sparked by concerns about the extradition bill, the heart of the discontent is that Hong Kong's political leaders do not represent and are not accountable to the people. Instead, Hong Kong's leaders are beholden to the Chinese government. Millions of people would not have to protest in the streets if they could freely choose their political leaders.

I hope the Chinese government would understand that stability and prosperity can be achieved if Hong Kong's autonomy is respected and if the Chief Executive and Legislative Council members were elected without Chinese influence over candidate selection.

In light of the continuing erosion of Hong Kong's autonomy and the recent violence against peaceful protesters, I believe it is time for the United States to reconsider its policies toward Hong Kong. U.S.-Hong Kong relations are governed by the U.S.-Hong Kong Policy Act of 1992 that commits the United States to treating Hong Kong as a separate customs territory from the rest of China, so long as Hong Kong remains "sufficiently autonomous."

I am proud to support H.R. 3289, the "Hong Kong Human Rights and Democracy Act," sponsored by Senator Rubio and Congressman Smith. The legislation would require the Secretary of State to certify on an annual basis that Hong Kong is "sufficiently autonomous" to justify special economic, financial, and trade treatment different from mainland China under U.S. law.

It is time we put the Chinese government on annual notice that further erosion of autonomy or a crackdown in Hong Kong will cause the city, and by extension mainland China, to lose its special economic and trade arrangement with the U.S.

Over the years, Hong Kong has prospered and become the financial center of Asia because of its strong commitment to the rule of law, good governance, human rights, and an open economic system. The erosion of this unique system threatens not only the people who attempt to speak out, but the economic vitality of the city itself.

To be clear, we stand together with the people of Hong Kong, and indeed all the people of China, when we express our concerns about the human rights violations of the Hong Kong and Chinese governments. Our focus today is doing right by the people of Hong Kong as they seek a democratic future that protects Hong Kong's autonomy and rule of law.

STATEMENT OF HON. MARCO RUBIO

I want to thank all of our witnesses, especially those who are on the front lines and have even been jailed multiple times, and we'll hear from them today about the things that have been done against them and your commitment to freedom and democracy. It is inspiring. It really is inspiring for those of us who live in this republic. It reminds us of why so many of us serve here and what we seek to preserve around the world, and that's why we want to stand with you. Your fight, and the fight of your fellow Hong Kongers, is the fight of every human who yearns for liberty and dignity, and who demands that their fundamental rights be respected and upheld. Let me say at the outset to the people of Hong Kong: We stand with you. And by we, I mean that this is a bicameral, bipartisan commitment, as you will see today and have seen in the past few days, on these efforts, across both political parties and every major figure. Not only that, but many Americans stand with you in your fight to keep your long-cherished freedoms.

It was only a few months ago, in May, that we held a hearing on Hong Kong. It was titled "Hong Kong's Future in the Balance: Eroding Autonomy and Challenges to Human Rights." At that hearing, and even before, it was highlighted on the fact that the Chinese Communist Party has been eroding Hong Kong's autonomy and freedoms guaranteed by the Joint Declaration and by the Basic Law. The May hearing discussed the extradition bill, that, had it passed, would have exposed everyone in Hong Kong—and that includes, by the way, 80,000 Americans who reside there—to the justice system or the so-called justice system of the Chinese Communist Party. The same justice system that routinely tortures those in its custody, that denies critically needed medical care, that arrests lawyers for serving their clients, and that places the desires of the Communist Party above every and any demand for justice. The proposed bill exposed the very real and increasing threat to Hong Kong's autonomy. But few of us could have anticipated the events that would follow.

Since June, the people of Hong Kong have bravely taken to the streets for 15 straight weeks in more than 400 separate demonstrations involving more than 8 million people of every age and every background. Recently, there have been very credible reports that have emerged of the police's brutal treatment of demonstrators while in their custody. This weekend, for example, we saw images of the police holding down a protester whose head was bleeding, and spraying pepper spray into the wound, which is an act of total cruelty. We watched the police throw tear gas grenades at journalists, many of whom were well far away from the demonstrators. Since the 21st of July, pro-Beijing thugs—thugs associated with organized crime and the party's United Front activities—have violently confronted demonstrators

and journalists and innocent passersby. And the police just looked on, looked the other way, and in some cases, even cooperated. And while detained demonstrators have been beaten, or their faces smashed into the concrete, journalists have photographed these same thugs in "detention," smoking and playing on their cell phones after attacking journalists and demonstrators.

Although Hong Kong's Chief Executive may have promised to withdraw the extradition bill when the Legislative Council reconvenes in October, the government's violent response to the demonstrations demands accountability. And yet, Lam and the Hong Kong government refuse to press for any accountability for the violence that was committed and continues to be committed by Hong Kong's security forces against peaceful protesters. The Chief Executive did not listen to the outcry against the bill in Hong Kong since its introduction, but rather tried to ram it through the legislature.

So what's at stake? The Hong Kong government's stubbornness in the face of public outcry has launched one of the greatest people power movements we have witnessed in recent memory. The actions of the government and of the people demonstrate that there are two Hong Kongs. The Hong Kong of the government, totally leveraged by the Chinese government, has proven that it's not committed to a free and autonomous future for Hong Kong, nor is it one of the rule of law or of justice. The other Hong Kong, the real one, is the one of its people—the students and youth activists, artists, journalists, doctors and nurses, lawyers, accountants, business people—from every walk of life, the city's people of all ages who have shown us a Hong Kong with a vibrant civic life prepared to stand up for its own autonomy, democracy, and liberty. It is clear that these two very different Hong Kongs are colliding, and therefore the city is at a crossroads. The fact of the matter is that maintaining autonomy is critical to U.S. interests, and it also has real implications for the rest of the world. Hong Kong's status as an international trade and investment hub is threatened as long as the long-cherished freedoms of the Hong Kong people are being threatened—threatened, by the way, not by us but by the Communist Party of China.

So it is my belief that it's long overdue for the United States and the free world to respond. I hope we quickly pass the Hong Kong Human Rights and Democracy Act, which I hope will be heard next week in committee, so that we can provide this and future administrations with updated tools to respond robustly and flexibly to the Chinese Communist Party and its proxies who are undermining Hong Kong's autonomy. The U.S. Government and other democracies need to hold Chinese and Hong Kong officials accountable for their failure to uphold their commitments. The United States and other nations have options precisely because Beijing benefits from Hong Kong's special status—a special status which has made Hong Kong an international financial center built on the promises that China made to the world with regard to Hong Kong, which they seek to break. China's leaders must either respect Hong Kong's autonomy or know that their escalating aggression will lead them to face real consequences—not just from the United States but from the free world. And I issue one final warning in this regard: I anticipate fully that they'll continue their work to turn the system of government in Hong Kong into something resembling the one that exists in Macao—one that allows them to intervene in the legal system as they wish.

So we're here today to examine what has happened and look forward to Hong Kong's future. There are many challenges in our relationship with China, but Hong Kong must remain a priority. Hong Kong is not a Chinese internal affair, and the world has a responsibility to help the people of Hong Kong move towards a future that protects their individual freedoms and provides for civic well-being. I look forward to hearing your views in today's discussion. I thank you for your courage and commitment.

STATEMENT OF HON. CHRISTOPHER SMITH

The people of Hong Kong have shown us this summer—in often creative and inspiring ways—that a free people will not accept the boot of repression without protest. The protests roiling the streets of Hong Kong for the past three months are a daily reminder of the stark differences between free and authoritarian societies.

I believe that the Hong Kong people have done the world a great service. Before a global television audience, they have exposed Beijing's plans to erode the freedoms guaranteed to Hong Kong by international treaty—in the process laying bare the perniciously repressive tactics used to keep the Chinese Communist Party in power.

And have no doubt about it, the Chinese Communist government is both uniquely repressive and incredibly paranoid about maintaining its grip on power. There are

now over a million Uyghurs interned in Orwellian political education camps. Human rights lawyers have disappeared and been horribly tortured in detention. Christians, Tibetans, labor activists, and journalists face unacceptable abuses and the most intrusive system of surveillance operating in the world today. Why would anyone want their political fate determined by Beijing? If given a choice, no one would.

As inspiring as the protests have been, they have also raised serious concerns about the actions of the Hong Kong and Chinese Communist governments. The violence and use of force perpetrated against the protesters by thugs and police is extremely alarming.

Representative McGovern and I were the first members of Congress to call on the Trump Administration to suspend the sale of tear gas, rubber bullets, pepper spray and other crowd-control equipment to the Hong Kong Police. I join now in Representative McGovern's call to quickly pass the PROTECT Hong Kong Act, which would end sales of such equipment to the Hong Kong Police.

Also alarming are the repeated and irresponsible threats of intervention made by Chinese officials, particularly so given that this year marks the 30th anniversary of the Tiananmen massacre.

The Hong Kong and Chinese Communist governments are alone responsible for the grievances expressed by the protesters and they alone can peacefully address their demands for universal suffrage and investigation of police tactics. Blaming the U.S. Government—and this Congress—for the protests is cowardly propaganda and not befitting a nation with aspirations of global leadership.

Beijing's long-term plan is to undermine Hong Kong's autonomy and U.S. interests there. It is time that U.S. policy actively counters this plan. The first step is to pass the Hong Kong Human Rights and Democracy Act.

Five years ago, in the midst of the Umbrella Movement, I introduced the Hong Kong Human Rights and Democracy Act with my then-CECC Cochair Senator Sherrod Brown. The bill allows for more flexible and robust U.S. responses to the steady erosion of Hong Kong's autonomy and human rights.

Over the years, Senator Rubio and I upgraded the bill to reflect the kidnapping of booksellers, the disqualification of elected lawmakers, and the political prosecutions of Joshua Wong, Nathan Law, Benny Tai and others. However, every time we pushed for passage there was opposition from diplomats, experts, committee chairs, and the American Chamber of Commerce in Hong Kong.

We were told not to upset the status quo. We were told our bill would cost U.S. businesses. We were told that upgrading U.S. policy would undermine diplomatic efforts to work with Beijing and its hand-selected political leaders in Hong Kong. It is the same bad advice that we have been hearing on China since the 1990s. It is clear by now that China experts have failed the American people and their advice helped gut parts of our economy. Listening to their advice this time will fail the people of Hong Kong as well.

It is time to pass this legislation in Congress. We have wide agreement for passage of this bipartisan and bicameral legislation. Specifically, the Hong Kong Human Rights and Democracy Act would:

- Direct the Secretary of State to certify to Congress annually whether Hong Kong continues to deserve special treatment under U.S. law different from mainland China in such matters as trade, customs, sanctions enforcement, law enforcement cooperation, and protection of human rights and the rule of law.
- Direct the State Department not to deny entry visas based on the applicant's arrest or detention for participating in nonviolent protest activities in Hong Kong.
- Require an annual report from the Commerce Department on whether the Hong Kong government adequately enforces U.S. export controls and sanctions laws.
- Require the Secretary of State to submit a strategy to Congress to protect U.S. citizens and businesses in Hong Kong from the erosion of autonomy and the rule of law because of actions taken by the Chinese Communist government.
- Require the President to identify and sanction persons in Hong Kong or in mainland China responsible for the erosion of Hong Kong's autonomy and serious abuses of human rights.

I've heard it said that the business of Hong Kong is business, but it is clear to me now that the business of Hong Kong is freedom. It is freedom that undergirds the city's prosperity and its unique vitality. The U.S. and the international community have a clear interest in protecting the rights and rule of law promised to the Hong Kong people.

I stand united with the people of Hong Kong and will not be silent in the face of threats to their guaranteed liberties and way of life. The U.S. and the inter-

national community also cannot be silent. The whole world has a stake in a peaceful and just resolution in Hong Kong and the survival of the "one country, two systems" model.

Witness Biographies

Joshua Wong, Secretary-General of Demosistō, pro-democracy activist, and Umbrella Movement leader

Joshua Wong is a pro-democracy activist and the secretary-general of Demosistō. At the age of 15, as the convenor of Scholarism in 2012, he organized protests against the government's plan to introduce patriotic education in Hong Kong. Subsequently, he rose to prominence as a core leader of the 2014 Umbrella Movement. He was nominated by Time as Person of the Year in 2014, listed as one of the "world's greatest leaders" by Fortune magazine in 2015, and nominated by members of the U.S. Congress for the Nobel Peace Prize in 2017. He was also one of Hong Kong's first three political prisoners since 1997, sentenced in 2018 with Nathan Law and Alex Chow for leadership roles in the Umbrella Movement. Most recently, Wong was arrested in August 2019 for his role in a peaceful protest outside police headquarters during the anti-extradition bill movement.

Denise Ho, pro-democracy activist and award-winning Cantopop singer and actress

Denise Ho is a pro-democracy and LGBTQ rights activist and an award-winning Hong Kong-based singer, producer, and actress with 12 studio albums and many film credits to her name. Ho is a prominent supporter of the anti-extradition bill protests in Hong Kong and a leading figure in Hong Kong's pro-democracy movement. She was arrested during the 2014 Umbrella Movement for taking part in nonviolent protests and named as one of BBC's "100 Women" in 2016. The Chinese government has banned her from performing in China. Ho has been invited to speak at the Oslo Freedom Forum in Norway, the Global Summit in the United States, and Antidote in Australia. In July 2019, Ho addressed the UN Human Rights Council in Geneva on Hong Kong, during which she was repeatedly interrupted by the Chinese delegation.

Sunny Cheung, spokesperson for the Hong Kong Higher Institutions International Affairs Delegation (HKIAD) and student at the University of Hong Kong

Sunny Cheung is a spokesperson for the Hong Kong Higher Institutions International Affairs Delegation (HKIAD) and an activist from the student union of the University of Hong Kong. Established in July 2019, HKIAD includes all student unions of universities in Hong Kong in the primary mission of raising global awareness and support for Hong Kong's anti-extradition bill protesters and the pro-democracy movement. Cheung has participated in and organized exchange events and conferences in Hong Kong, Taiwan, South Korea, the United States, and the United Nations. He recently gave a speech in the U.K. House of Commons and met parliamentarians from Taiwan, Australia, Germany, and the United Kingdom to advocate for Hong Kong's struggle against Chinese authoritarian rule.

Sharon Hom, Executive Director of Human Rights in China and professor of law emerita at City University of New York School of Law

Sharon K. Hom is the executive director of Human Rights in China (HRIC), where she leads its international advocacy and strategic policy engagement with NGOs, governments, and multi-stakeholder initiatives. HRIC has covered human rights and democracy developments in Hong Kong extensively, including the 2014 Umbrella Movement. Hom has presented at numerous hearings on a wide range of human rights issues before key European, U.S., and international policymakers. Hom is a professor of law emerita at the City University of New York School of Law and has taught law for 18 years, including training judges, lawyers, and law teachers at eight law schools in China. She also teaches human rights seminars at New York University School of Law and the University of Hong Kong Faculty of Law. In 2007, she was named by the Wall Street Journal as one of the "50 Women to Watch."

Daniel Garrett, Ph.D., political scientist and author of "Counter-Hegemonic Resistance in China's Hong Kong: Visualizing Protest in the City" (2014)

Daniel Garrett, Ph.D., is an author, photographer and political scientist focusing on Chinese security politics and securitization of Hong Kong. Since 2011 he has documented over 600 demonstrations, marches, and rallies and several elections in

Hong Kong—including, most recently, the anti-extradition bill demonstrations. Garrett is a doctoral graduate of City University of Hong Kong with approximately 20 years of engagement with Hong Kong and has completed his dissertation on "One Country, Two Systems" under China's national security framework. His first book, "Counter-Hegemonic Resistance in China's Hong Kong: Visualizing Protest in the City" (2014), examined Hong Kong's protest culture. Prior to academia, Garrett was a career national security professional providing strategic counterintelligence threat analysis and served at the Defense Intelligence Agency, National Security Agency, and in the United States Air Force.

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