AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

HONG KONG'S FUTURE IN THE BALANCE: ERODING AUTONOMY AND CHALLENGES TO HUMAN RIGHTS

HEARING

BEFORE THE

CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

MAY 15, 2019

Printed for the use of the Congressional-Executive Commission on China



Available at www.cecc.gov or www.govinfo.gov

U.S. GOVERNMENT PUBLISHING OFFICE
37–154 PDF WASHINGTON : 2020

CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

LEGISLATIVE BRANCH COMMISSIONERS

House	*Senate*
JAMES P. MCGOVERN, Massachusetts, *Chair*	MARCO RUBIO, Florida, *Cochair*
MARCY KAPTUR, Ohio	JAMES LANKFORD, Oklahoma
THOMAS SUOZZI, New York	TOM COTTON, Arkansas
TOM MALINOWSKI, New Jersey	STEVE DAINES, Montana
BEN MCADAMS, Utah	TODD YOUNG, Indiana
CHRISTOPHER SMITH, New Jersey	DIANNE FEINSTEIN, California
BRIAN MAST, Florida	JEFF MERKLEY, Oregon
VICKY HARTZLER, Missouri	GARY PETERS, Michigan
	ANGUS KING, Maine

EXECUTIVE BRANCH COMMISSIONERS

Not yet appointed

JONATHAN STIVERS, *Staff Director*
PETER MATTIS, *Deputy Staff Director*

CONTENTS

STATEMENTS

	Page
Opening Statement of Hon. James P. McGovern, a U.S. Representative from Massachusetts; Chair, Congressional-Executive Commission on China	1
Statement of Hon. Chris Smith, a U.S. Representative from New Jersey	3
Martin Lee, founding chairman of the Democratic Party of Hong Kong and former member of the Legislative Council of Hong Kong (1985–2008)	5
Nathan Law, founding chairman of Demosistō and former member of the Legislative Council of Honk Kong	6
Mak Yin-ting, journalist and former chair of the Hong Kong Journalists Association	7
Lee Cheuk Yan, general secretary of the Hong Kong Confederation of Trade Unions and member of the Executive Committee of Hong Kong Civil Hub	9

APPENDIX

PREPARED STATEMENTS

Lee, Martin	44
Law, Nathan	45
Mak, Yin-ting	46
Lee, Cheuk Yan	47
McGovern, Hon. James P.	48
Rubio, Hon. Marco	50

SUBMISSIONS FOR THE RECORD

Op-ed from the Washington Post, December 28, 2018 entitled "The World Must Stand Against China's War on Religion" submitted by Congressman Chris Smith	51
Witness Biographies	53

HONG KONG'S FUTURE IN THE BALANCE: ERODING AUTONOMY AND CHALLENGES TO HUMAN RIGHTS

WEDNESDAY, MAY 15, 2019

CONGRESSIONAL-EXECUTIVE
COMMISSION ON CHINA,
Washington, DC.

The hearing was convened, pursuant to notice, at 10:00 a.m., in room 2255, Rayburn House Office Building, Representative James P. McGovern, Chair, presiding.

Also present: Senators King, Rubio, and Daines, and Representatives Suozzi, Smith, Mast, and McAdams.

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

Chair MCGOVERN. The hearing will come to order. Welcome, everybody, to the Congressional-Executive Commission on China for the 116th Congress. The title of today's hearing is "Hong Kong's Future in the Balance: Eroding Autonomy and Challenges to Human Rights."

Cochair Senator Rubio will be here shortly but said that I should start without him and he will come right in when he gets here. And we will yield to him.

In recent years there has been a steady erosion of Hong Kong's autonomy that was enshrined in the "one country, two systems" framework established by the 1984 Sino-British Declaration and Hong Kong's Basic Law. Under "one country, two systems," the Chinese government agreed 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 Chinese government reiterated this commitment as recently as 2007 when the standing committee of the National People's Congress stated in a decision that universal suffrage may apply to the chief executive election in 2017 and the Legislative Council after that. It was the reneging on this commitment to make Hong Kong more democratic that sparked the 2014 Umbrella Movement prodemocracy protests that lasted 79 days in the streets of Hong Kong.

We continue to call upon the Chinese and Hong Kong governments to restart the electoral reform process and work toward genuine universal suffrage in the chief executive and Legislative Council elections in accordance with articles 45 and 68 of the Basic Law

and article 25 of the International Covenant on Civil and Political Rights.

Since the Umbrella Movement protest, Chinese and Hong Kong authorities have ramped up efforts to stifle the pro-democracy movement by removing six legislators from office, banning the Hong Kong National Party, barring presidential candidates from running in elections based on their political views, expelling Financial Times Asia news editor Victor Mallet for hosting an event with pro-independence advocates, arbitrarily detaining and abducting Hong Kong booksellers—we continue to call for the immediate and unconditional release of bookseller Gui Minhai who is still detained in China—prosecuting and sentencing Umbrella Movement leaders and other pro-democracy advocates for peaceful civil disobedience, introducing a National Anthem bill that stifles free expression, and proposing new amendments to Hong Kong's extradition laws, which if passed will allow extradition to mainland China where the criminal justice system is regularly used as a tool of repression against political dissenters and rights advocates.

And just this morning we learned that a Hong Kong court reached a guilty verdict against six pro-democracy advocates involved in the November 2016 peaceful protest of the Chinese government interpretation of the Basic Law concerning oath-taking. Many regarded the interpretation as direct Chinese government involvement in the disqualification of certain legislators, including Nathan Law, who is here with us today. The ruling signals a further chilling effect on political participation, as people are deterred from taking part in demonstrations by the punishments levied against pro-democracy advocates.

I believe it is time for the United States to consider new and innovative policies to support the people of 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.

In the last Congress, Chairman Rubio and then-Cochair Chris Smith introduced the Hong Kong Human Rights and Democracy Act. Among other provisions, the legislation would require the Secretary of State to certify on an annual basis that Hong Kong is sufficiently autonomous in order to justify special economic, financial, and trade treatment for mainland China under U.S. law.

Considering the events of the last year, I am interested in hearing from the witnesses about what actions they believe the U.S. should be taking to support the people of Hong Kong. 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.

It is a city where the people have had the ability to advance new ideas and innovate. The erosion of this unique system threatens not only the people who attempt to speak out, but it threatens 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 policies of the Chinese and Hong Kong governments.

Our focus today is doing right by the people of Hong Kong. Our panel this morning traveled all the way from Hong Kong to provide their testimony.

[The prepared statement of Chair McGovern appears in the Appendix.]

Before I introduce the panel, I want to yield to our distinguished member from New Jersey, Chris Smith, for any opening statement he has.

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

Representative SMITH. Thank you very much, Chairman McGovern, and it is great to be serving with you on the China Commission as well as on the Lantos Commission. And thank you for holding this very important hearing, and I say the same to Cochair Rubio who I believe will be joining us very shortly.

Over the past five years the CECC has shined a bright light on developments in Hong Kong. Senator Rubio and I and other Members of Congress, as you noted a moment ago, introduced the Hong Kong Human Rights and Democracy Act and work to reauthorize the State Department's annual report on Hong Kong until 2024. We plan to offer that bill again in this Congress and dare the American Chamber of Commerce to oppose it.

Beijing's increasingly rough oversight of Hong Kong may not be as brutal as that pursued on the mainland, but it is no less pernicious. The goal is eroding Hong Kong's guaranteed freedoms and the rule of law and intimidating those who try to defend those basic rights.

Chinese President Xi Jinping has concentrated power and suppressed opposition to mainland China like no leader since Mao Zedong. He has turned his attention to Hong Kong and taken steps to stifle political participation and speech through extraordinary intervention in Hong Kong's affairs.

Within the last four years, the Hong Kong government has taken many unprecedented and repressive steps, as you know, Mr. Chairman, including disqualifying elected LegCo members, prohibiting individuals from running for office, banning a political party, jailing pro-democracy protest leaders—including Nathan Law, who is here and will speak shortly—expelling a Financial Times journalist, and did little when Beijing abducted Hong Kong residents.

I agree with my colleagues and the witnesses here today. The U.S. and the international community should be pushing back hard against the proposed extradition amendment. It is both saddening and maddening that the government of Hong Kong, which inherited a rule of law system, may soon be extraditing individuals to China where justice is what is expedient to the Communist Party.

I was glad to see a recent statement from the U.S. State Department saying that it was disappointed by the decision of the Hong Kong government to prosecute and convict several Hong Kong residents for organizing peaceful protests during the Occupy Central movement in 2014. Let me say this—disappointment does not go far enough. In my opinion, Benny Tai and Chan Kin-man and others jailed for organizing peaceful protests should be considered political prisoners. We have some like Martin Lee who for decades

not only has been arrested but has spoken out so bravely on behalf of human rights. I remember meeting with Martin years ago for dinner in Hong Kong. It's like 30 years ago. And he was predicting even then that unless changes were made, he was worried about the trajectory of where mainland China would take Hong Kong.

As part of the Lantos Commission, its project defending freedom, I will adopt those two individuals I mentioned a moment ago as political prisoners until they are released.

In conclusion, let me say that it is in everyone's interest that Hong Kong remain a free and prosperous bridge between China and the West. The city's unique vitality and prosperity are rooted in its guaranteed freedoms and the rule of law. But if Hong Kong is to become just another mainland Chinese city, we will have to reassess whether Hong Kong warrants special status under U.S. law.

The arc of history does not bend toward justice without concerted action from all freedom-loving people. If the United States and the international community do not defend the rights and freedoms of Hong Kong's citizens now, there is little hope that freedom can take root in mainland China in the future.

Thank you, Mr. Chairman. I yield back.

[The prepared statement of Hon. Chris Smith appears in the Appendix.]

Chair MCGOVERN. Thank you very much.

We are also joined by Congressman Tom Suozzi who is a member of this Commission from New York. We are honored to have him on the Commission and look forward to working with him.

Let me introduce the panel. Martin Lee, founding chairman of the Democratic Party of Hong Kong, former member of the drafting committee for the Basic Law, and former member of the Legislative Council of Hong Kong. Mr. Lee will focus his remarks on the general trends of democracy and human rights in Hong Kong and Chinese government interference in the city.

Nathan Law, founding chairman of Demosistō and former member of the Legislative Council. Mr. Law's remarks will shed light on youth perspectives of the democracy movement in Hong Kong and the challenges that they face.

Mak Yin-ting, journalist and former chair of the Hong Kong Journalists Association. Ms. Mak will focus on press freedom and the treatment of journalists in Hong Kong.

And finally, Lee Cheuk Yan, general secretary of the Hong Kong Confederation of Trade Unions and member of the Executive Committee of Hong Kong Civil Hub. Mr. Lee will share his experiences of advocacy for labor rights in Hong Kong and efforts to support democracy in mainland China.

I want to thank you all for being here today. I mean, it really is an honor for us to welcome you to Washington, D.C. and to this hearing.

Before I yield to Mr. Lee to begin, let me just say one of the challenges that we have on this Commission and also on the Lantos Human Rights Commission is trying to figure out ways that we can be helpful and that the actions that we take here are constructive and not counterproductive.

You know what works and what doesn't work, and so we are going to rely on you to give us some guidance as to specific steps that we can take here to complement the work, and indeed the values, that you all represent. So thank you so much.

Mr. Lee, we are going to begin with you.

STATEMENT OF MARTIN LEE, FOUNDER OF THE DEMOCRATIC PARTY OF HONG KONG AND FORMER MEMBER OF THE LEGISLATIVE COUNCIL OF HONG KONG

Mr. MARTIN LEE. Thank you, Mr. Chairman, for your opening remarks and those of Mr. Smith.

I think we are going to push an open door, but still we need to push it. You have invited us very kindly to come here at a crucial time in Hong Kong because if this terrible bill is not stopped—hopefully the government will be pressed to withdraw it—Hong Kong will never be the same again.

Because up to today there are no extradition arrangements between China and this country, and Canada, and Great Britain. But there are such arrangements with Hong Kong because it was thought by everybody, including Beijing, that their judicial and legal systems are not up to international standards. That is why there are no such arrangements with Beijing or mainland China from these countries, but Hong Kong is different. Hence, we have such arrangements.

This has worked very, very well for many, many years both before and after 1997. But suddenly this government under Ms. Carrie Lam wanted to change, and they claim that it's because there is a loophole. But it is not a loophole. It was deliberate. That is why even up to today, before this bill was introduced, there was no threat to Hong Kong citizens and our visitors to Hong Kong.

But the moment it is passed, there will be danger to everybody, and we cannot guarantee your safety anymore, anybody in Hong Kong, including the 85,000 American residents and those people working or living in Hong Kong because all that would be necessary to have anybody extradited back to mainland China is for the government to ask somebody to make an affidavit to say that you or this person has committed a criminal offense in China some many years ago.

The court cannot protect anybody because the court can only act on prima facie evidence, and it is very easy to concoct such a case on prima facie evidence. Hong Kong has already seen a few abductions of people from Hong Kong to China. One of them was from a bookshop. When he finally came back to Hong Kong, he said, "I want to tell the whole world this is not about me. This isn't about the bookstore. This is about everyone." And he is right.

This bill that is before the Legislative Council can be passed into law very quickly. The government's intentions are to have it passed before the early part of July this year, but they could pass it earlier because they control the legislature.

Of course President Xi Jinping wants to rule China by a law-based governance. But to him, judges exist, and the legal system exists, to protect the Party—the Chinese Communist Party. It is our duty to continue to preserve the rule of law. I have entered into

politics because of this. I wanted to preserve the freedom of the people of Hong Kong.

But we can certainly fight with everything we have. Recently you even saw a brawl in the Legislative Council. But we need the help of the international community. And we are very happy that you have invited us.

I think businesses ought to know that once trumped-up charges can be used to bring people back, then large companies like Google will face the consequence that they will be forced to go back to China. Then the Chinese authorities can extract company trade secrets from them.

The AmCham has spoken recently and we are glad that this is happening. But other people must speak up. We must all defend Hong Kong before it is too late. It is far better to defend something that we already have rather than to ask for new things.

So this is not something difficult. It is certainly achievable. We are asking you to help us to preserve what is already given to us and promised to us by both the Joint Declaration and the Basic Law. Thank you.

[The prepared statement of Martin Lee appears in the Appendix.]

Chair MCGOVERN. Thank you very much and we are also joined by Congressman Brian Mast of Florida. We want to welcome him here today.

Mr. Law, welcome.

STATEMENT OF NATHAN LAW, FOUNDING CHAIRMAN OF DEMOSISTŌ AND FORMER MEMBER OF THE LEGISLATIVE COUNCIL OF HONG KONG

Mr. LAW. Good morning, Chairman McGovern and members of the Commission. Thank you for having us to speak here today.

Well, it's been five years since the Umbrella Movement where we witnessed a huge encroachment on our liberty and our human rights. Mr. McGovern has spoken very clearly that our liberty is our strength. We face a lot of political retaliation on the Umbrella youth leaders. I myself am a very vivid example of that. I won election to the Legislative Council in 2016 to become the youngest-ever elected member of our legislature at the age of 23. Subsequently, I was ejected from the Council because of political intervention from Beijing and intervention in our judicial system. So it is a huge shame to our political system.

Subsequently, Joshua and I were both locked in jail because of our peaceful participation in the Umbrella Movement. There are more scholars and professors also locked in jail because of peaceful assembly that they have participated in. So you can see it is a very clear signal that Hong Kong is no longer a place that really protects our human rights and our liberty.

Joshua is also facing a verdict tomorrow. He may go back to jail to serve the sentence or he may not. It really depends on the verdict tomorrow.

These are the examples to show that we've been facing huge difficulties for the past five years. But the extradition law amendment which is upcoming at the Legislative Council would be a huge threat or one of the greatest threats since the handover in 1997.

When that happens, journalists, human rights lawyers, LGBTQ activists, and all these activists who support mainland China human rights activities will no longer be safe. And this goes to the heart of what Hong Kong people truly fear—that those of us who dare speak out to defend the human rights and democracy promised to Hong Kong will risk trumped-up arrest, torture, and unfair trials in mainland China.

It is very important for the international community to be alert to what is happening in Hong Kong, our home, which has long been at the forefront of the clash of authoritarian and liberal values.

Our generation is especially concerned about being sent to a place that does not respect human rights. Last year, two very low profile members of our organization, Demosistō, went back to China and were detained, taken to a hotel, and interrogated for hours. Their phones were confiscated, and they were asked to provide names of our members and details of our activities. There was no legitimate reason to detain them. There is a real possibility that this conduct will be normalized soon. We will expect to hear similar stories time and time again, or maybe even not, because they were being forced to confess on camera and they have been put in jail. Hong Kong is no longer safe for them.

Yes, for the upcoming amendment it is an uphill battle. But we can definitely win and reverse the trend in Hong Kong. I think—here is our opinion—we need international support.

This position of, again, saying this amendment should be made very explicit in discussions with the Chinese government to ensure that Beijing understands the potential economic consequences if it doesn't uphold its promise to Hong Kong people—I also hope that more Members of Congress will be willing to place human rights at the center of future American policy on Hong Kong.

I came from Hong Kong to explain the Chinese Communist Party's escalating efforts to undermine our autonomy and our open and free tradition. A victory for the oppressive Beijing government is a victory for authoritarians everywhere in the world. A victory for Hong Kong people is a victory for freedom everywhere in the world.

So it is my hope that the Hong Kong Human Rights and Democracy Act can garner more support in the Congress. This bill will send an unmistakable signal to China and the world that this country remains committed to the universal values that we share. Thank you.

[The prepared statement of Nathan Law appears in the Appendix.]

Chair MCGOVERN. Thank you very much.

Mak Yin-ting, welcome.

STATEMENT OF MAK YIN-TING, JOURNALIST AND FORMER CHAIR OF THE HONG KONG JOURNALISTS ASSOCIATION

Ms. MAK. Thank you, Mr. Chairman and the Commission, for the concern about Hong Kong.

Hong Kong has long been a beacon for press freedom and publishing in Asia, especially in relation to China, where there is no free media.

According to the government, there are 68 dailies, over 600 periodicals, and 6 electronic media. There are nearly 3,000 local and international journalists in Hong Kong. Many international media such as the New York Times, CNN, Wall Street Journal, Reuters, and Bloomberg have Hong Kong as their regional hub.

But as a veteran journalist and long-term freedom advocate, I know that our media freedom is not as healthy as these figures would suggest. Freedom of expression and of the press have taken a sharp downward turn in Hong Kong, with the dive particularly apparent since President Xi Jinping took power in 2012.

Self-censorship is on the rise as China's influence increases—whether it is through the co-option of media workers or the buyout of media outlets. Sometimes mere public statements by Chinese officials are enough to influence the reporting by the Hong Kong media without the need to issue direct instruction.

According to a survey conducted by the Hong Kong Journalists Association early this year, 70 percent of media workers who responded said they felt uneasy when they reported opinions that deviated from the stance of the central government in Beijing. Twenty-two percent of journalists said they had come under pressure from supervisors while reporting on issues related to Hong Kong independence, which have been denounced by the central government.

The figures carry even more weight when we consider that political reporters who will report on these issues make up only a small percentage of the total number of respondents. Adding to these existing pressures, the changes to Hong Kong's extradition law will threaten journalists because it will chill reporting, make reporters and editors vulnerable to pressure from Beijing, and hollow out Hong Kong's status as a global information hub.

With incitement of any crime listed in the schedule of the bill, and therefore an extraditable offense, the media—whose nature is reporting on things that have impact—can easily fall foul of it. What is more, the Chinese government is notorious for making up offenses to stop the media from reporting.

The legal changes will mean Hong Kong can no longer be a safe harbor for reporters covering sensitive news in mainland China because the proposed amendment allows the Chinese government to request the return of their targeted reporters. The natural consequence will be either a decrease in the quantity and quality of news on China, or the exodus of valuable news workers to other places from which China cannot request extradition, or both.

These outcomes will devastate Hong Kong as an information and financial center for the region. It is, therefore, in the interest of Hong Kong, the U.S., and other parts of the world to urge the Hong Kong government to withdraw the bill.

Thank you for your support for press freedom in Hong Kong.

[The prepared statement of Mak Yin-ting appears in the Appendix.]

Chair MCGOVERN. Thank you very much.

Cheuk Yan Lee, welcome.

STATEMENT OF LEE CHEUK YAN, GENERAL SECRETARY OF THE HONG KONG CONFEDERATION OF TRADE UNIONS AND MEMBER OF THE EXECUTIVE COMMITTEE OF HONG KONG CIVIL HUB

Mr. LEE CHEUK YAN. Thank you, Chairman McGovern.

We are here because Hong Kong is not okay. This year is the 30th anniversary of the June 4th massacre. Thirty years ago, I was a young labor democracy activist. It was a hopeful time when we thought that the students, the people of China would rise up to demand democracy from this Communist Party regime. In Hong Kong we had also 1 million people marching to support that. And it was also the aspiration of the people of Hong Kong because, "Oh, we are going to return to China."

Now China is changing. But it was a time of hope and despair when the tanks came rolling into Tiananmen Square, when the army began to shoot, and the people across China—thousands of people died. It was a very despairing time for the people of Hong Kong because we were going to return to this regime in 1997.

Since then, I vowed to myself I will spend my lifetime changing China before China changes Hong Kong, and this has been the case. I was the general secretary of the Free Trade Union for the past three decades, fighting for labor rights in Hong Kong, also supporting Chinese workers, their fight for their independent unions, and their right to freedom of association.

Also, I have been organizing the candlelight vigil and the support work for China democracy over the past 30 years. I think everyone will remember the candlelight vigil when hundreds and thousands of people in Hong Kong lit up a candle to remember the victims.

This is a fight against the Communist Party's effort to wipe out—wipe out—the whole memory of what happened on June 4th because they are the ones that kill their own people. This fight continues. Now all of Hong Kong is under even more threat.

I am very thankful to Chairman McGovern and Congressman Smith for mentioning the political prisoner problem now and mentioning that today six activists are going to be convicted again for their peaceful demonstration. This is now Hong Kong.

And in this tension of the "one country and our Hong Kong system," Carrie Lam came out and said that, "Oh, Hong Kong needs an extradition agreement." This is horrifying because what that means is that people like us, activists supporting China democracy, China free labor movement, teachers, or NGO workers, preachers, anyone that wants to do something in China, Beijing, or Hong Kong is no longer safe. Hong Kong is no longer a safe harbor for businessmen, professionals, NGO workers, activists—safe no more.

And that is exactly the problem that we are now facing with this threat of the extradition agreement, when you can be transferred back to China to be on trial with trumped-up charges or televised confessions. And this is what we are facing.

And in this fight, we are hopeful—I want to show 130,000 people coming out to march on the streets [shows photo] to protest against this extradition agreement. So we are fighting—professionals are speaking out. We need the international community to speak up before it is too late.

I am very glad to hear that the Hong Kong Human Rights and Democracy Act is in the pipeline. I hope that it can be passed as soon as possible to support our fight against the erosion of Hong Kong as a free and international city and also to stop this bill—and we need all the support to stop it because if we win this, then Hong Kong is relatively still under threat but safe to continue our fight. It is very important that we stop this bill. Thank you.

[The prepared statement of Lee Cheuk Yan appears in the Appendix.]

Chair MCGOVERN. Well, thank you very much. And I think I speak for the entire panel here when I say thank you for your very powerful statements. We appreciate your candor, and we appreciate your courage. I have to tell you I think what you have done, and what you continue to do, is extraordinary.

We take a lot for granted in this country: our basic freedoms, our ability to say what we believe. And I think the worst thing that could happen to any Member of Congress is we get a bad news article in the press. But you literally put your lives on the line, and we are very grateful for that.

We've just been joined by Senator Angus King from Maine. But Members of Congress are going to come in and out of this hearing on and off. And some people can only stay briefly.

But I want to yield to my colleague, Congressman Suozzi of New York, because he has another hearing to go to.

Representative SUOZZI. Thank you so much, Mr. Chairman. I want to thank you for convening this hearing today. I want to thank Ranking Member Smith for his great work on human rights for so many years in China and elsewhere, and all of my colleagues.

I want to thank the witnesses. Thank you so much for being here today, not only for testifying, but for—I am sure you had to prepare to come here as well. And we're very grateful that you have done so much work—and probably at great personal risk in many instances—to speak out, and to stand up, and to be here with us today.

I think that in the United States of America and in many places throughout the world, we've all believed for the past 30 years that the more China was exposed to the Western World, the more they were exposed to America and to our way of life, to capitalism, to dealing with democratic countries, that they would over time adopt some of the values that we have in our country and in the Western World. That simply hasn't happened. It is clear from your testimony today that that hasn't happened. It is clear from the way they treat so many different people throughout China—not just in Hong Kong, but from the Uyghurs, to Tibet, to everyone that is a minority that they treat so poorly.

What would you like us to do? What would you like to see the members of this panel do to help you to get the word out that China is not just a threat to America because of our trade dealings—which is a real issue—is not just one of our greatest strategic adversaries in the world, but also threatens human rights of people not only in China and in Hong Kong, but throughout all the places in the world they're trying to gain influence in these days, that they just do not have respect for the individual.

So Martin, you have been doing this for many years now. What would you like to see us do specifically?

Mr. LEE. Holding a session like this is a good beginning. But of course, I think it's important to tell the businesspeople that it is in their interest that human rights for all Hong Kong people and other people living in Hong Kong are preserved under the law. I think the businesspeople are now waking up as a result of this because they now realize that any one of them could be brought back to China for having paid bribes many, many years ago. Then they would be made to confess before TV cameras. They have seen that, and so they are now waking up. But they rather we fight the fight for them. They do not want to stick their necks out. They don't want to offend China because they want to continue to do business in China.

I reckon, therefore, that the businesspeople must be persuaded to come around to our cause and your cause so that they understand that it is really in their interest too that human rights are preserved for everybody.

Of course, I would like to remind you of the famous words of Martin Niemöller who said after the Second World War when the Nazis came, "First they came for the Communists and I did not speak up for them," etc. And finally, of course, they will get to the businesspeople.

So we need their support. Otherwise, your bill can be blocked, our efforts can be blocked, and Beijing will choose to be on their side. And they would have spokesmen for them, both in Hong Kong and here.

So we must win over the support of everybody. Of course, what is good about the Hong Kong issue in the States is that Hong Kong has always been a bipartisan issue. That is why I am happy to see Members of Congress from both sides—and may that continue.

Representative SUOZZI. Thank you, Martin. Thank you very much.

Nathan, do you want to add anything to that or what you would really like—Martin wants to see us try and get the business community more involved in this. What would you like to see us do?

Mr. LAW. Well, thank you for the question. I think Martin's remark on that is very precise, because we are having strategic planning on that because if we have to overturn this extradition amendment, we need support not only from the pro-democracy camp, but also from the pro-business camp to let them stand up for themselves.

I think we have made very explicit, we think that the Hong Kong Human Rights and Democracy Act—which I think will be introduced—yes, I think it needs much more support in the Congress. And I think the human rights situation in Hong Kong and also around China should be put on the table during negotiations with China. We need a thoroughly orientated policy wherein we can defend the values of the liberal world. I think it is very important for us and for people who support democratic values. So I think in the fight for Hong Kong, we need more support and we need to be in negotiation with the Chinese government.

Representative SUOZZI. Thank you.

Ms. Mak.

Ms. MAK. Well, as a journalist, we know very well that freedom of the press and of expression are the twin brothers of democracy. Without one, the other cannot survive. So it is very important to have democracy and freedom in Hong Kong as well as, of course, human rights. They are part of human rights.

So it is important that if the U.S. Government, or any government that will deal with China, can put freedom, democracy, human rights at the heart, then it will not just benefit Hong Kong; it will benefit the media as well. As a matter of fact, it will benefit the whole world because businessmen do business on clever judgment, which relies very much on the free flow of information.

If the free flow of information is stifled, then there will be no clever judgment and even the decisions will be distorted. So that is why it is also in the interest of business to have more freedom and democracy in Hong Kong.

Representative SUOZZI. Thank you so much. Is it okay if I ask Cheuk Yan to continue?

Chair MCGOVERN. Yes, please.

Representative SUOZZI. Continue, please.

Mr. LEE CHEUK YAN. First, I want to tell you all about the urgency of the situation because Carrie Lam is now going to ram the bill through before July. And if they are even more ruthless, they can just go direct to LegCo without going through a bills committee, and pass——

Representative SUOZZI. How will the people of Hong Kong react to that?

Mr. LEE CHEUK YAN. No. We have 130,000 people on the street [shows photo]. And this is not our first march. We then will have the June 4th Canada vigil. We will continue to mobilize people in Hong Kong to oppose this law.

So there is an urgency here. We hope that things can be done as soon as possible, including today's testimony, very important. How about having a congressional delegate to Hong Kong to tell Carrie Lam, "What are you guys doing? You are putting American citizens in Hong Kong at risk of extradition."

It is not just about the people of Hong Kong. It's about any foreign national residing in Hong Kong, working in Hong Kong—teachers, preachers, anyone will be threatened by this law. So you have every legitimate reason to do that. Also the Human Rights and Democracy Act—if they can speed up a bit on introducing, then it is also a very important message to Carrie Lam, so I hope all these can be done. Thank you.

Representative SUOZZI. Well, I want to thank all of you so much. Mr. Chairman, I apologize. I have to go to another hearing. We are going to do whatever we can. We really need to get this to break into the mainstream thought of the country in the United States, quite frankly, because people don't realize what's going on, the fact that six people today are going to be convicted and treated so poorly for trying to express their political rights. I just don't think people realize that is happening.

I want to thank you so much for being here today and I want to thank you, Mr. Chairman. I apologize to my colleagues that I can't stay.

Chair MCGOVERN. Thank you. No. We are thrilled you are here.

Before I yield to Mr. Mast, I just want to build on one observation that Martin Lee raised, and that is the bipartisan nature of this Commission and the people who are sitting up here. I mean, you've got a moderate senator from Maine, and you've got a conservative Member of Congress from Florida, and a conservative-to-moderate Member from New Jersey and——

[Laughter.]

Chair MCGOVERN [continuing].—You've got a liberal, some would say too liberal, congressman from Massachusetts here. But the bottom line is that, you know, there is not a lot we always all agree on. But we agree on the importance of human rights in Hong Kong, and we have a genuine concern that brings us together on this issue.

I think that's really important to note because if you have a coalition like this, you can get almost anything done in this Congress. So I'm happy to now yield to Mr. Mast.

Representative MAST. Thank you, sir. I appreciate it, and I appreciate the bipartisan nature of this Commission. I appreciate you all taking the time to come here and speak to us.

We have an amazing nation that we sit in right now where I daresay not one of us on this dais fears any sort of human rights retaliation for whatever our opinions are, whatever we express up here. Our press, all the press in the room—I daresay none of them fears human rights retaliation, regardless of what they go out there and report. That's not something that exists in every corner of this Earth, as each of you have discussed specifically within China.

So I want to ask for each of you in—because there's a saying, a picture is worth a thousand words. I don't see any photos of this. In the most graphic and vivid explanation that you can give, what have you witnessed, what have family members witnessed, what have coworkers witnessed, people you know—what can you tell us are the human rights abuses that you fear in terms of retaliation?

Mr. MARTIN LEE. They have certainly not tried to—they have not tried to kill people unlawfully for this thing. But they have now done terrible things to the common law system. For example, six legislators, including Nathan Law, were disqualified and thrown out of the legislature by the standing committee of the National People's Congress interpreting an article of the Basic Law. But when they took the oath, even the president considered it to be fine. And then they took office as legislators, but one year later the court threw them out.

You can't really blame the judge because their interpretation would turn something which is lawful into something which is unlawful. And they gave it retrospective effect. Under the common law, you cannot have that. If today I do something which is in accordance with the law, fine. You cannot, by changing the law tomorrow, convict me of an offense which wasn't even there when I did it. And yet they did that.

So the six legislators lost their seats. This damage to the common law is a terrible thing, and of course, they prosecute people selectively.

The organizers of the Umbrella Movement and the student leaders, they are the best of our people, and they are put into prison.

And I have said that I would light a candle every night and pray for them until the last one of them is free.

Representative MAST. Mr. Law, Ms. Mak, Mr. Lee?

Mr. LAW. Thank you for your question, and it reminds me of a chat with Lam Wing-kee, who was abducted to mainland China. He's one of the five booksellers who were abducted in 2015. He received a month-long interrogation locked in a small room. It was basically mental torture for him. And a lot of——

Representative MAST. Describe that for us. I am familiar with interrogation, enhanced interrogation, and torture. So describe it for us.

Mr. LAW. That is really unimaginable for people living in Hong Kong.

Representative MAST. That is why you need to describe it for us.

Mr. LAW. Yes, he had to live in a very small room and was being questioned, not enough sleep, and being locked in a room that—he suffered from mental illness. So I think it is very important for us to remind ourselves these things have never happened in Hong Kong, never publicly disclosed, and these things will be normalized and legalized after the extradition bill is passed.

I am not the one who was abducted, and it is quite difficult for me to really describe the fear, but you could really look into his eyes when we have talked with him. So I think it is very important for us for the Congress to have a strong statement, a strong bipartisan statement and to call our chief executive Carrie Lam directly to talk about our concerns. Also act immediately in order for us to stop this bill.

I think it is really achievable. It is just a law passing in Hong Kong, but it will destroy Hong Kong as a safe harbor. So I think it's time for prompt action, and I think otherwise these abductions will happen again and Hong Kong will no longer be safe.

Representative MAST. Thank you, sir. If either of you has something to add about what happens when you're locked in a small room, I would be happy to hear. If not, sir, I am happy to yield back.

Ms. MAK. Well, as a reporter, I have not been locked up, but I think having to write a remorse letter when you are caught by the Chinese public security officers—this is quite common among journalists covering news in China. And that's why we feel safe when we're back in Hong Kong because after writing the remorse letter, they will usually let you go free. But that will not be the case after the extradition bill is passed. And the reason I say that the Chinese government is notorious for making up offenses that try to stop the media from reporting, actually they are using—they will not call it retaliation—they call it a tool to train people to get what they want—for instance, people who have not committed any offense in Hong Kong, but who cross the border, will probably be interrogated by the public security officers.

I have seen several cases like this. For example, there is a publisher in Hong Kong publishing magazines which are critical of the Chinese government. He was arrested when he crossed over to the mainland. And they tried to charge him with illegal publishing. One of the printers went over to China and was detained for four months, with them only asking her about the copies, how many

copies were published for this magazine. What was wrong with the printer? She had done nothing wrong, but the Chinese officials wanted to get the figure from her, so she was detained.

So you can see that all these kinds of things will happen if the law is passed in Hong Kong. So it is very important to stop China from instilling fear in Hong Kong people because they know very well that once the bill is passed, no one can escape. You can only escape if you are not targeted.

Mr. LEE CHEUK YAN. Over 30 years ago I was arrested for three days after the Tiananmen Square massacre. And I can always remember the fear that I had when I faced the regime interrogating me in a small room. I am lucky not to have been tortured, because the people in Hong Kong saved me, and I was able to go back to Hong Kong after three days of detention in Beijing.

But I also remember another fighter for democracy in China, Li Wangyang. He was a labor activist who was jailed for 20 years. And after 20 years in jail, he was blind, crippled, and deaf. And then he went to the hospital because of some illness, and he was interviewed on TV in Hong Kong and he said, "For democracy, I will not be fearful, and I would fight even if I am beheaded."

And then, one day after the TV interview, he was found dead, a "suicide," in his hospital ward. But it was obviously a false suicide because I remember the rope was like this [indicating] and supposedly he jumped from his bed. But his sandals, his feet, his foot was just flat on the floor, and not hanging. And we said this must be a false suicide. Someone killed him and then pretended that it was a suicide—after he said that for democracy he will fight on even until his death, and even if he is beheaded.

So you can see this is the regime that we are facing. And imagine we have been listening to all these horror stories in Hong Kong. And what will happen with this extradition agreement? In Chinese, there is a saying, "Send the sheep to the mouth of the tiger." And this is exactly what this extradition agreement is doing.

Representative MAST. Thank you, sir. And welcome to the Senator from Florida.

Chair MCGOVERN. Thank you very much. I am happy to yield now to the distinguished Senator from Maine, Senator King.

Senator KING. Thank you. First, I want to say that I visited Hong Kong, but it was 20 years ago. It was one of the most vital, electric, alive, entrepreneurial places I have ever visited on Earth. And just met people—it was just a wonderful experience.

So that leads me to my first question. Compare Hong Kong in 1997 to today—and I'll give you a scale. Give me a 1 to 10, 1 being pre-handover, and 10 being what the Chinese are doing to the Uyghurs. In other words, a sort of authoritarian scale. Where is Hong Kong today? Give me a number between 1 and 10—1 being pre-handover, 10 being extreme authoritarianism.

Anybody want to take a swing at that?

Mr. LEE CHEUK YAN. I will try to answer that, though it is not easy. But for sure, I think we have the rule of law in Hong Kong, but Xi Jinping—they want to do it by rule by fear. And the fear factor is now really harming Hong Kong as a vibrant international city. But on a scale——

Senator KING. So it is not what it was in 1997?

Mr. LEE CHEUK YAN. In 1997, of course, there was a confidence crisis, but we were able to maintain our way of life, you know, continue to protect the rule of law. But after Xi Jinping, it is erosion. The deterioration is getting very fast. And to make it into a scale, I don't—you know the Uyghur situation is probably—is really far more horrible, of course. You know, with 1 million in the concentration camps. That is horrible.

But I think Hong Kong—I don't know . . . Martin? Maybe we are on the scale of 4. And if the law is passed, we will go to the scale of 6, maybe. I don't know. It depends on the extradition agreement. If that agreement is passed, it would sure put the scale, you know, to a more fearful and more horrid authoritarian state. And we are already in the middle of it, I would say.

Senator KING. What is the role of the Chinese government in the debate over the extradition agreement?

Mr. LEE CHEUK YAN. Carrie Lam tries to say that she is the one that pushed it forward. But then gradually, you know, the Chinese government began to weigh in and say that they also support this law, but not in the way of very strongly backing Carrie Lam. They have made some statements, but not at the highest level like Xi Jinping. So we hope that there can still be room for opposition and room for changes under this law.

Senator KING. What's the timeframe on the extradition law? When is it likely to either happen or not happen?

Mr. MARTIN LEE. The government says certainly at the latest, early July of this year. But since they control the legislature completely, they could actually bring it forward. I think if they really want to do it, they could do it within two weeks. This is the state of affairs.

Senator KING. And what would the reaction of the people of Hong Kong be? Are they attuned to what's happening here? Are they aware of this potential threat?

Mr. MARTIN LEE. They are more and more aware of this, because the starting point is, nobody thinks they are a fugitive offender. If I have not committed any offense, why am I an offender? Why am I a fugitive?

So it takes a bit of explaining to them that all it takes is to get somebody in mainland China to swear an affidavit to say that you committed a certain offense in China many years ago and that is good enough. The court can't save you. So they are awakening.

But of course Hong Kong has always been an international city as you found out yourself. So we should look at Hong Kong with that standard to begin with and see the damage to this international city which has been occurring. And we——

Senator KING. That was my first question. Where are you on the road to authoritarianism?

Mr. MARTIN LEE. To me the most important thing is the rule of law because without it, no freedom is safe. And when it comes to the rule of law, I'm very distressed because not so long ago they did a very terrible thing in the co-location, which is really Hong Kong wanted to join with China in express rail, which will bring Hong Kong through Guangzhou to Beijing. Now that's a good thing.

And they want to make it easier for travelers, so that people coming into Hong Kong, and people leaving Hong Kong could have

their customs and everything checked at the same location. That's fine. I mean, you do it with Canada, and the Euro train in England and France.

But they did it in such a way which is ridiculous. They turned the area in the terminal into an area belonging to the mainland. So the Hong Kong laws no longer apply to that area, just mainland laws. So anybody found there, if you are engaged in the fight, they would bring you back to mainland China for investigation. If they believe you committed an offense, they would try you in a Chinese court according to Chinese law, and if you're convicted, you will be punished according to the laws of China. And if they convict you of murder, this is the death penalty.

They did it in the name of making it easier for everybody. To me Hong Kong was the oasis, in terms of the rule of law, compared with mainland China, which is a desert in terms of rule of law. Hong Kong is a beautiful oasis.

Senator KING. A more elegant way of stating what I tried to get in. Oasis versus desert.

Mr. MARTIN LEE. Right.

Senator KING. Thank you. Thank you, Mr. Chairman.

Chair MCGOVERN. Thank you very much. Happy to yield to the distinguished Cochair, Senator Rubio.

Cochair RUBIO. And I thank you. I profusely apologize for being late. It took me longer than expected to convince my bank that that was not me racking up charges in Los Angeles last night.

[Laughter.]

Cochair RUBIO. So I apologize. Only I could do that. But first of all, I want to thank the Chairman for convening this important hearing.

As we've observed over the last five years, Hong Kong's autonomy and freedoms that are guaranteed by the Joint Declaration and their Basic Law are just eroding rapidly due to the interference of the Chinese Communist Party's government in the affairs of Hong Kong.

I want to thank the witnesses. You're all true champions of freedom and democracy. And you appear today, as we know, under both threats and risk to yourself and to those you care about.

The last year has been particularly troubling. Since the last time this Commission had a hearing on this issue, the Hong Kong government banned the National Party, disqualified political candidates from office for their political views, they expelled the Financial Times news editor, and they sentenced the 2014 Occupy Central organizers and other pro-democracy leaders to prison terms of between 8 and 16 months.

We just learned this morning that the Hong Kong court has issued guilty verdicts for six pro-democracy advocates who participated in the 2016 demonstration against the Chinese government's interpretation of oath-taking that led to the disqualification of the pro-democracy legislators.

Most recently, and equally concerning, are amendments to the extradition laws that are being—at this moment—debated in the Legislative Council and protested in the streets. Mr. Martin Lee's apt description of the proposed amendment is that it will "legalize kidnapping." Legalized kidnapping—that should be something that

should concern everyone. That includes, by the way, 85,000 U.S. citizens who are living in Hong Kong.

It's one of the reasons why I will be reintroducing the Hong Kong Human Rights and Democracy Act which updates our Hong Kong policy and establishes punitive measures against government officials responsible for suppressing fundamental freedoms in Hong Kong.

I want to make this point. We have important challenges in our relationship with China. We have a variety of issues that I hope we can find agreement on, but the future of Hong Kong and human rights in general cannot be sidelined as part of those conversations. And I continue to encourage the administration and others involved in these talks to make that point.

I want to ask a question for the panel, in general. You may or may not be aware that the CBS television network recently censored eight minutes out of a show, "The Good Fight," because it contained a cartoon that criticized American corporations that are bowing to Chinese censorship. CBS claimed that it feared for the welfare of its journalists in Beijing if a critical cartoon were broadcast on an entertainment show in the United States.

So think about that. A major American network censored a television show. It was afraid to offend China and as a result put our journalists at risk operating within China.

I think it's a good opportunity to talk a little about self-censorship and how it manifests itself in Hong Kong. Can you give us examples of how the media and news have self-censored content to avoid upsetting the Chinese Communist Party?

Ms. MAK. Okay, first I would like to respond to Mr. King. You're asking about the Index. Perhaps I can give you some figures about press freedom. I am not talking about authoritarianism, but you know the more freedom, the less authoritarian. And according to the Reporters Without Borders survey, I think in year—around the handover, the ranking of Hong Kong among the world was 20-something. If my memory is right, it was 28. But then in 2012, it dropped to 54 already. I mentioned 2012 because that is the year that President Xi Jinping took power. Now only 6 years later, in 2019, we dropped to 73 around the world out of about 180 countries in the survey.

So that should tell you how bad the situation is. In the survey conducted by the Hong Kong journalists themselves, the press freedom marks have never got past—that is, it's always lower than 50. So you can imagine the whole situation.

Back to the self-censorship one. As I just said, in the survey we conducted earlier this year, 22 percent of journalists responded that they are under pressure from the supervisor when they report on the Hong Kong independence issue. There is no direct instruction saying that you cannot report on that. It is a non-story, but the Chinese government officials always think that people should not talk about the independence of Hong Kong. Blah, blah, blah.

And 22 percent say that they get pressure from the supervisors—and take into consideration that there is—when we say 22 percent, it means that the absolute figure is around 112 respondents from the media circle divided into 30 outlets. That means three to four journalists in each media outlet are saying that they feel pressure.

So it is almost all political reporters who cover this kind of news who are under pressure, and you're talking about self-censorship. Seventy percent of the respondents say that they feel unrest, uneasy when they report things that are critical of the Chinese government officials in Beijing. Basically, the "one country, two systems" . . . they feel uneasy when they report comments from other people.

I know that some academics who poll democratic, or who would at least be regarded as more independent, and not kowtowing to the Chinese government, were blacklisted by some media outlets. And this kind of self-censorship is not just by, you know, apart from public statements from government officials; sometimes the pressure by Chinese officials is imminent too. I know that in the past, the Chinese official might just talk to the ownership of media outlets about, you know, "Oh, you guys are saying something that does not coincide with the Chinese government's stance."

But now the call will be made directly to the newsroom—to individuals, to news reporters, or probably more often to middle management. So you can see that this will add up to self-censorship.

And more cases have been seen. I mean, especially news about the independence or the effect will be cut out even though you have done it. Or something that you are exposing. The IT maneuver of China will be cut. That has happened.

Cochair RUBIO. But let me just ask. If this extradition amendment passes, theoretically a journalist could be extradited to the mainland for reporting that the Chinese Communist Party doesn't like. Is that an accurate or realistic threat?

Mr. LEE CHEUK YAN. Yes. I think the most important part—one of the crimes is aiding and abetting. And when you write, you are aiding and abetting, inciting. This is a dangerous part of the whole amendment—aiding and abetting. If you write something in Hong Kong or America, and you come to Hong Kong and they charge you with aiding and abetting, they can extradite you back to China.

So CBS's concern about their journalists is a very genuine one, of course. But then they have to be more concerned not just about journalists inside China, and also about their editor in Hong Kong, or you know, anyone that is working for CBS or any other media outlet in Hong Kong. So the aiding and abetting part will threaten, even more, the whole media reporting. And that will make Hong Kong even more in the self-censorship mode.

Cochair RUBIO. I have one more question.

Mr. MARTIN LEE. Okay. Can I answer?

Cochair RUBIO. All right. I'm sorry.

Mr. MARTIN LEE. Advertisements are actually pulled from free media, to the extent that telephone calls will be made by the Chinese apparatchiks in Hong Kong to the advertisers. They'll say, "Do not advertise with this newspaper, you know. Your competitors already don't. So you don't have to worry about them." And even banks would pull those advertisements. It is as bad as that.

Cochair RUBIO. Well, my final question in general is, I can tell you—writ large on the issue of China, and now, in particular, with Hong Kong—there are people and there are corporations that are making a lot of money operating there. Certainly access to the Chinese marketplace, and maybe headquartered. And for many years,

that is what Hong Kong was known for, a very vibrant free enterprise place. And oftentimes, to be frank, the pushback we get—I am just going to sort of put it in the simplest terms, and that is, "Don't keep talking about this other stuff because you are messing up our chance to make money and be profitable. Focus on the business part."

Embedded in that argument is the notion that as long as the economy is moving forward and the private sector is successful, that takes care of these other issues in the long term. I don't think they are right. I actually find it offensive, and frankly, it points to one of the challenges we have in dealing with human rights. We have a corporate class that oftentimes wants us to ignore human rights because it messes up a good deal for them.

But if you could—if they were here today, is there any way—what's the best way to explain to someone that what they are saying is not true, that ultimately these grotesque violations of freedom and human rights are not good for business. And in fact, the point they make is that as long as the economy is growing and doing well, these other things take care of themselves. You can have authoritarianism and make money.

How would you answer that if they were here saying that to you?

Mr. LAW. Well, I think the problem of this extradition case is quite different from the other human rights violations because the business sector in Hong Kong has spoken already. The American Chamber of Commerce in Hong Kong has issued a statement concerning the implementation of the extradition amendment, and this is unprecedented. They have never spoken on any other issue in terms of Hong Kong's affairs.

So you see that the local businesses, including some other local chambers of commerce, have spoken out, and they are worried about it. And they all think that it is detrimental to their business environment. But why don't they just stand up and tell their representative in the Chamber to vote no. Because it is a direct order, a political order from the central government. They are ruining Hong Kong's business environment in order to get greater control over Hong Kong.

So I think it is a good point that we have to make. It is not only about human rights. It is also about our city's future, our vibrant culture of business, and it's about rule of law and freedom of information. These are all being threatened when the law is passed.

Mr. MARTIN LEE. May I add to that? Just imagine if a senior executive of say, Google, would be extradited back to China. Then he would be subjected to a lot of pressure to disclose trade secrets. And once you are there, you are completely in their hands.

Mr. LEE CHEUK YAN. First, I think that, of course, for economic interests and business activities, rule of law is very important, freedom of information is very important. And if Hong Kong loses that, then there will no longer be a fair playing field.

And second, I think with the extradition agreement, the way of doing business in China, sometimes this is the experience of Hong Kong businessmen also, you know, you may be threatened by the law in China. And then you have to do business according to the wishes of the business partner in China. And that is not fair. You are subject to threat.

And so I think this extradition agreement should be a wake-up call for those who say that, you know, Hong Kong continues to play the role of economic freedom. And that's it, and that is okay. It is no longer okay. We are losing the rule of law. And also, when you have a conflict with your business partner in China, they can use the extradition law to get you back in China and twist your arm. And when your arm is being twisted, how can there be a good business deal? And you will sacrifice economic interest.

So the way of doing business, we need the rule of law. And I think definitely it's a wake-up call for the business community both in Hong Kong and America.

Ms. MAK. Yes, as a matter of fact, we all know that Hong Kong is a safe harbor for a lot of people, including the businessmen. We all know that in China we have cases wherein financial analysts are being detained or even sentenced, and no independent or much less independent report can be made, and some companies actually collapse after a few years without these kinds of reports.

And we also know that accountants or lawyers have been almost forced to sign some IPO documents so that it can go public. But they are the ones who will be liable for criminality afterwards. I mean, especially after this bill is passed.

So it is important to keep Hong Kong a safe harbor as we are now. I mean, we are free and open. At least they can have a certain sense of safety in Hong Kong.

With this bill I can imagine independent investigations and independent financial information will be over with. Then it will be the end of a fair game of the business cycle.

Chair MCGOVERN. Thank you. We have been joined by Congressman Ben McAdams of Utah. Thank you for coming, but I am going to yield now to our colleague, Congressman Chris Smith of New Jersey.

Representative SMITH. Thank you very much, Mr. Chairman. And again, thank you to our distinguished witnesses for your extraordinary leadership in Hong Kong, for the risks that you take. I hope and pray that there's no retaliation for your appearance here today. And I think that's—we will follow it very closely, but we know that that's an ever-present problem. So know that our prayers, and our hopes, and our voices are with you.

You know, Martin Lee, I think in your ominous warning in your opening comments that it will never be the same in Hong Kong should this extradition treaty go forward—thank you for putting a very, very strong—I mean that is a warning that needs to be heard around the world, in Washington and everywhere else.

I'm not sure it has been heard the way it ought to be. I'm concerned—and you might want to speak to this—the danger of some superficial language that might be attached to the—or exceptions that businessmen might say, "Oh, we got our exception. We're okay." So you might want to speak to that.

I think everyone has to realize that you know it. You know it better than anybody, and members of these commissions know it as well. When you're arrested in China, you are interrogated, you are tortured, it's endemic in what they do. They extract a coerced confession, and very often you are called upon to give up other people.

I would say not as a point of humor, but if Google's top CEO were to be sent to mainland China, they've already given everything to China in terms of intellectual property. I held the hearings back in 2006. We had Google sit in room 2172, right nearby. I swore everybody in Yahoo in as witnesses. And they were collaborating with the Chinese government like no one else could collaborate in terms of surveillance and keeping out information, like about Tibet, or the Dalai Lama, or a whole lot of other things in their censorship campaign. So I think they probably would give the head of Google a medal. But they have already taken everything from them intellectual propertywise, so he might be free and not get extradited.

But again, I think there's this underappreciation of what happens in mainland China. There is no—despite the efforts by the American Bar Association and many others, there's no rule of law. They want to get you, they get you. Once you are accused, you're convicted, period. And your right of appeal is nil and none.

So I hope everyone understands that this extradition treaty is—again, Martin Lee said it so eloquently—it will never be the same if this goes forward. But please, first speak to this issue of some amendments, or changes, exceptions that could be superficial but very dangerous.

Second, on religion—last December the Washington Post carried a piece that I submitted to them called "The World Must Stand Against China's War on Religion." And it focused on sinicization, a word that ought to become a household word, certainly in the House and the Senate.

Xi Jinping tries to make every faith, every denomination from Falun Gong, to Christians, to Uyghurs, comport with Communist ideology or else. You comport yourself or you go to prison. You allow all the surveillance cameras into your church, which is what they're doing. And, of course, there is a very, very vital faith community in Hong Kong. If you would speak to the dangers it poses to the faith community with this extradition move.

I would ask unanimous consent, Mr. Chairman, that the op-ed be included in the record because I do think it highlights that no one's excluded. All faiths, even the Patriotic Church and the Three-Self Church fall under this new grotesque effort by Xi on sinicization.

Chair MCGOVERN. Without objection.

[The op-ed appears in the Appendix.]

Representative SMITH. I thank you. If you could speak to that, I'd appreciate it. Third, on the reporters, and Ms. Mak, thank you for your comments. I was wondering, and just to follow up on Senator Rubio, self-censorship—you pointed to that. But I am just wondering, when the Hong Kong Journalists Association does their survey, is it done anonymously? How sacrosanct—if I were called by them, and I were in Hong Kong, I am not sure I would give them an interview even though they might be great people. How do they guard their information? Is it done anonymously? Are you given a number?

Ms. MAK. Yes. You are right. It is done anonymously.

Representative SMITH. It is done—okay. Thank you for that clarification.

You mentioned buyouts, and Martin Lee talked about how on the ads, you know, if they just get the corporations not to buy an ad, maybe elaborate on that. But the buyouts—how aggressive is that?

Fourth, if I could, the U.K., Senator Rubio had Christopher Patten testify in the past because he was governor, of course, there. In 1997, he saw the transfer. All of us were worried then. I met with him in Hong Kong when I was there on occasion. He was very strong in his statement.

What is the U.K. doing? What's the EU doing? Because, again, they are financial partners with Hong Kong like few others. Is the UN—are they playing any role in all of this as well? If you could speak to those issues, I would appreciate it.

Mr. MARTIN LEE. In fact the print media in Hong Kong, there is really only one Chinese newspaper which dares to criticize Beijing, and that's the Apple Daily, and it is targeted, of course. And so it suffers most. It used to be that thick [indicating] the newspaper—one and a half inches. Now, it is about that thick [indicating]—because the advertisements are gone. They have pulled out.

So it's really that serious. And that is the only one which dares to criticize Beijing. All the rest of the print media already decided not to do that anymore. The formerly independent ones, they grow in size [indicating]. The formerly independent, after a change of ownership, then of course they——

Representative SMITH. You know, as you answer that, on the internet too? Have they taken over the internet like they have on the mainland?

Ms. MAK. The internet environment there is not good enough to support healthy media outlets.

Mr. Lee was just talking about the Apple Daily losing advertising revenue. Actually, I think five to six years ago the owner, Jimmy Lai, said that they lost 2 billion Hong Kong dollars in advertisements in one year.

And more and more big international companies with an eye on the China market—they buy advertisements, but under pressure from the Chinese government officials, sometimes they withdraw their advertisements suddenly. That tells you the fact.

For other media who criticize this withdrawal, they also face advertisement withdrawals. So you can see the situation is really bad.

You were talking about buyouts. Yes, according to the HKJA's survey, around 30 percent of the mainstream media has been bought out by Chinese enterprises or is directly funded by the Chinese government. And for the others, they are facing, you know, advertisement threats. So that's why we say, more and more, self-censorship will arise because you face commercial pressure. And even the co-opting of the media workers as well as their owners, because some owners of media outlets have been rewarded for opting in to the establishment of the Chinese government, as well as given a medal by the Hong Kong government. So the situation is getting worse.

Mr. LEE CHEUK YAN. And I think one more thing is that 85 percent of the bookstores in Hong Kong are owned by China, Chinese enterprises. And imagine after the abduction of the booksellers in Hong Kong, who dares to open a bookstore?

And then those books that are seen to be unwelcome by China, of course, all those bookstores—85 percent will not put them on the shelf. The other 15 percent will also be afraid.

So the whole publishing business is now under threat. No one dares to publish anything that offends Xi Jinping. And so where is our freedom of the press and freedom of information now in Hong Kong?

Ms. MAK. As a matter of fact, not just the publishers. I mean selling books has been controlled by Chinese enterprises. Actually, the printing house—well, basically they should not be afraid of printing things—they are just true, right? But as a matter of fact, more and more publishing houses decline to publish articles for pro-democracy publishers. And some have taken the books to Taiwan to print.

Representative SMITH. Would any of you like to speak to the ugliness of sinicization coming to Hong Kong, the war on religion by Xi Jinping?

Mr. MARTIN LEE. Yes. We still have religious freedom. No doubt about it in Hong Kong. But we are concerned because things are happening in mainland China. Under the Basic Law our religious freedom is certainly guaranteed. But we have seen so many encroachments on other promises which are also contained in the Basic Law that it is certainly reasonable for the religious people in Hong Kong to be fearful. What happens in China? When is it coming to Hong Kong? There is always a question mark in our minds.

Representative SMITH. U.K., UN, EU?

Mr. MARTIN LEE. Unfortunately, the U.K. government is too much concerned about China trade. And for years, they actually kept quiet. When the central government published a white paper in June 2014 claiming that the central government has comprehensive jurisdiction over Hong Kong, they didn't say anything because the Chinese premier just then went to London and signed many, many contracts, something like 30 billion dollars'—U.S. dollars' worth of contracts.

And that, of course, is terrible. Beijing has rewritten the Sino-British Joint Declaration. Instead of a high degree of autonomy promised to us and already given to us, they now claim to have comprehensive jurisdiction over Hong Kong.

And hence all these things, including this extradition thing, are a clear sign that they really want to implement the new policy on Hong Kong so that they can control Hong Kong.

Now at the moment, of course, Hong Kong is still not just another Chinese city. But how long can that last? And so far, we have been fighting very hard. We resist every encroachment on any of our freedoms.

And so far, we have enjoyed, certainly, support from your Congress. That's why we are here. We are very happy to be here. And we will certainly continue with our fight in Hong Kong after we go home. The Hong Kong people will still take to the streets, I am sure, to defend freedom. But with your support, hopefully, we can turn the tide.

Mr. LEE CHEUK YAN. And also Anson Chan was in Germany. And after speaking to the German—I think it was the Speaker there—there was a report by the press that Germany would recon-

sider the extradition agreement with Hong Kong. Of course countries like the U.K., Germany, and many European countries, American, Canadian governments all had extradition agreements with Hong Kong because we trust each other, the rule of law.

But now with the extradition agreement, the question is, can the Hong Kong rule of law still be trusted by the international community? And, therefore, there are reviews of the extradition agreement. And I don't know whether that is something that will be taken up by the U.S. Government on this extradition agreement.

Representative SMITH. Thank you.

Chair MCGOVERN. Mr. McAdams.

Mr.MCADAMS. Thank you, Mr. Chair. And thank you for the testimony. Apologies for being here a little bit late. I am not entirely sure what was covered but clearly some very interesting things.

I wanted to note maybe first a couple of things. Earlier this month we celebrated World Press Freedom Day. In the last 10 years Hong Kong's ranking in the World Press Freedom Index has fallen 25 places to 73rd out of 180 territories.

In your view, how has press freedom in Hong Kong changed over the last 20 years? And describe any interference by the Chinese government with press freedom in Hong Kong and some of the challenges that journalists are facing. Ms. Mak.

Ms. MAK. Yes, as you said, the ranking of Hong Kong in press freedom has dropped dramatically. Especially, as I said, during the regime of Xi Jinping, because he would like to have—you know he has a more high-handed and more controlling manner.

And the buyouts of the Hong Kong media by China entrepreneurs actually started from Xi Jinping's era. And whenever we fought for a way to deal with the control, the Chinese government would have more resources on it.

For example, internet—we say the internet is the self-censoring media. Well, it's a new battlefield to compensate for the self-censorship of the mainstream media. And we did have several set up, around four to five, with the Citizen News which was set up by me and some other colleagues. It is independent online media.

But at the same time, during the same timeframe, around 10 online media were set up by—at least supported by Chinese resources, as far as I know. And they have more people, more money, while the independents online have to get public funding and have to get in line—quite difficult. But we still fight on.

And so you can see lots of pressure being put on press freedom because according to the Chinese regime, control of the media is very important. There are two tools. One is the weapon, the other one is the pen—they have to control the media. And that is what they are doing.

But I mean the fight is going on even though we face lots of pressure . . . but the readers are very clever. According to some international organizations who monitor the readership, the page view of media, we found that more than half the news pages are for international media and the independent media outlets in Hong Kong, and the pro-Beijing mouthpieces only get a small share.

So I must stress that we face pressure, difficulties lie ahead, but we have the support of the people. And we hope very much that more support from the international community, as well as the

locals in Hong Kong, will keep Hong Kong press freedom alive so that our vibrant media in Hong Kong will keep Hong Kong a free and open space—good for Hong Kong and good for the world.

Mr. MCADAMS. I guess my next question would be for any of the panelists who feel inclined to weigh in, but—maybe a little bit open-ended. What is the one thing that you would like us to take back to our colleagues in the United States Congress? And what can Congress do to help with the situation, whether it's extradition, freedom of the press, other topics?

Mr. MARTIN LEE. We would suggest, if you think it possible to have a strong statement on this issue, and I would——

Mr. MCADAMS. Is that extradition specifically, or——

Mr. MARTIN LEE. Yes, on the extradition thing. And I would suggest that the two cochairmen perhaps can actually have a word with your Consul General in Hong Kong, Kurt Tong, so that he could be directed to speak to our chief executive, Ms. Carrie Lam, on this issue. And that is more immediate.

And Hong Kong is the key to China, and we must be able to keep what we still have. And we need your support, and I am glad that we always have your bipartisan support—and may that continue, because we share the same core values: freedom of religion, freedom of the press, the rule of law. And these are the ideals which we would like China finally to have.

But if we cannot even keep it in Hong Kong, then the Great China Dream can never be realized. And the Great China Dream for me is that everybody in China would have their human rights respected by the leaders and under the protection of law.

Mr. LAW. Regarding this suggestion, I think this issue is in a very short timeframe. The government, it's possible that they may push it through in the next week, and maybe before July. So I think we need an urgent reply, and I think a delegation from the Congress is needed because we need that presence, and we need the support from the international community.

And directly talk to Carrie Lam to tell her that it is harmful to local business, to the international and business hub reputation of Hong Kong, and also to U.S. interests. So I think it has to be clearly spoken out, written, and have a direct conversation with the Hong Kong government. I think it is very important to do it very promptly and loudly.

Ms. MAK. I think it is important for the Congress and for the Parliament to take the issue to Hong Kong in an urgent manner, like making phone calls, a strong statement which is important to tell the world that China must keep and honor their promise. You know, it is a breaking of "one country, two systems" and the Joint Declaration. If China breaks their promises so easily, how can the world, especially the business world, believe in China who signed lots of contracts, and especially with their Belt and Road, a list of lots of contracts and agreements. What is the Chinese government telling the world if they break their promise in Hong Kong?

And I would like the gentlemen here to bring this issue up to the world and tell them, "Beware." Whether the Chinese government will keep their promises is very important in doing business with China.

Mr. MARTIN LEE. Can I just end by saying that all this is doable. This bill is terrible, and it can be stopped.

Mr. MCADAMS. Thank you.

Chair MCGOVERN. Thank you very much. I just had a few questions and I know Senator Rubio has some additional questions.

I know our Consulate General has issued a strong statement against the extradition agreement. Was it sufficiently strong in your opinion? I mean, do you think it was clear enough?

Mr. LEE CHEUK YAN. It can be stronger always, and also, I think it would be good not just from the Consul General. It would be good for the White House, for all the CECC, and maybe a co-signature from all Senators and Congressmen to co-sign a letter to make it very clear—weigh in against the bill. So a higher level of intervention would be good from the White House and also from the Congress.

Chair MCGOVERN. Well, I think we on this Commission can work together to try to put together something relatively quickly, because as Mr. Lee pointed out, something could be imminent, right? So we're not talking about July. It could be in a couple of weeks even that we see something like that. I think we can work on something that's a bipartisan statement that is even stronger than our Consul General's statement to make it clear that we think this is a really awful idea.

But it seems to me that the constituency here is key—and Senator Rubio kind of alluded to it in his opening remarks—is the business community, right? So we appreciate that the American Chamber of Commerce issued a statement. But it seems to me that the business community, the American business community and even the Chinese business community needs to do more. I mean, the Chinese business community can lose an awful lot if this goes through and has a chilling impact on Hong Kong.

So the question is, how do we persuade, how do we better persuade the American business community to take an even stronger stand? And how do we persuade the Chinese business community that it is in their interest not to see this thing go through?

Mr. MARTIN LEE. I think this is the most difficult question because when these people care about their own good relations with China so that they can earn more money and put it into their own pockets, they don't want to stick their necks out. As I said earlier, they want us to do the fighting for them. We don't mind doing that, but I always think that those who join themselves into chambers of commerce, they—really the members clearly rely on their spokespeople, the chairmen of these chambers, to speak up for them. Yet even that is difficult.

I mean for years, we have not given up and will continue to see them, even during our visit. But it's very difficult to get them to speak up. And I'm sure you encounter the same problem.

Chair MCGOVERN. I think Senator Rubio was right. For a lot of businesses it's about profits and making money and not to rock the boat, if you will.

Mr. MARTIN LEE. Exactly.

Chair MCGOVERN. But on the other hand, it seems to me that based on all that you have said here that if this goes forward, it

could have a chilling impact in terms of whether or not Hong Kong is a friendly place to do business.

Mr. MARTIN LEE. Indeed.

Chair MCGOVERN. And so lots of people who are concerned about money and making money could lose money.

Mr. MARTIN LEE. Indeed.

Mr. LAW. Yes, that's true. And I think the business community is actually very clever. They are good at protecting themselves.

Chair MCGOVERN. Right.

Mr. LAW. And they clearly understand the risk and the potential danger posed to the business environment of Hong Kong when this bill is passed. But I think what they need is an excuse or some other external sources to let them leverage with the government. Because if there is no international worry, if there is no international pressure, then it may sound like this leverage comes from themselves.

So they are very afraid of sticking their heads out and saying that it is from their own concern. If we could have some more pressure, some statement globally, that they could utilize, and they could talk with the government saying that this is not from them but from the global community. If it is harmful to their own interests and the interests of Hong Kong, then they may have more leverage.

So, I mean, we are talking about a very strategic way of helping them, basically—even though they have a lot of other issues and give inconsistent responses.

Chair MCGOVERN. I think it is a fair statement to say that whether you are a U.S. business interest or a Chinese business interest, you will lose money if this extradition agreement were to move forward. This would be bad for business on the American side, the international side, and the Chinese side.

Mr. LAW. Yes. That is true.

Mr. MARTIN LEE. Not only losing money, losing one's freedom.

Chair MCGOVERN. Right, and losing one's freedom I think is very, very important. But I think we are trying to move people who are consumed with profits that there's a cost here, and that it is urgent, and that we are at a crossroads.

I have a couple other questions, but I know Senator Rubio has to leave, so I want to yield to him.

Cochair RUBIO. And I just want to take off from that point and say, yes, in the long term, absolutely right. I mean it is a tough thing to do business when people are afraid to go there because they might be extradited for aiding and abetting, so absolutely.

But beginning around the 1970s in this country we grew more and more obsessed at the corporate level, particularly the large multinational level, with immediate maximized returns to shareholders. So these shareholders are pushing you every single day to return profits to them. And losing access to a market is a very difficult thing to explain, particularly to large shareholders who are banging on the door every day: Why aren't we making money?

Ten years from now maybe the company is out of business. Look at the technology transfers. Some of these companies are committing suicide by going over there and turning it over, but the person

running it doesn't care. They'll be gone in four years. And their board is very happy.

So that's what we are running into here; you've got companies who are afraid that they're going to not just lose access in Hong Kong but lose access in the mainland if they speak out too loudly about things.

But that's their issue. We are policy makers. We are interested in what is in the national interest of the United States. And it is not in the interest of the United States, or for that matter the free world, to have this steady erosion of rights.

And by the way, this is the template—what we see now in Hong Kong is the template the Chinese will eventually use in Taiwan. At some point they'll go to the world and say we want to have the same thing. Don't worry, we'll let you operate independently. And they will break that deal as well.

The Chinese Communist Party doesn't keep any deals. It's all about getting the deal in place, and then later on eroding it, each time changing the facts on the ground slowly but steadily, at an irreversible pace, which leads me to a question I wanted to ask.

I think I will just focus this one on you, Mr. Lee. What are some of the fundamental freedoms that we would have found in Hong Kong, say, a decade ago, that are now gone or being rapidly eroded? Some that people would look at and say, I didn't realize that's the way it used to be. Look how it is now.

Mr. MARTIN LEE. With the freedom of the press you have heard enough, I think, maybe never enough. But the rule of law, I have said, that is being eroded. And of course, Xi Jinping when he was only the vice president visited Hong Kong about ten years ago and spoke in public that our judges should cooperate with the Hong Kong government.

So when you have judges cooperating with the government—I don't think he understands what the rule of law really is. That is trouble. So we are concerned about these constant erosions of the rule of law and our freedoms.

Cochair RUBIO. I do think they have a fundamental interpretation of rule of law that's different than yours or mine. Our interpretation of rule of law is designed to provide justice, fairness, and equity. His interpretation of rule of law is it is designed to maintain control of society, the economy in a country. That's the difference.

The rule of law for them is a tool. Rule of law means having the power to stay in power and to enforce whatever it is the government wants. For you and me rule of law means we have a contract. Someone needs to decide the fair outcome of it if there is a dispute, or if someone is charged with a crime—did they do it or not?

Mr. MARTIN LEE. Indeed.

Cochair RUBIO. That is a very different interpretation. They understand rule of law. It is just not your or my understanding of it.

Mr. MARTIN LEE. I think theirs is only the rule by law—the rule by law.

Cochair RUBIO. That's the exact way to put it.

Mr. MARTIN LEE. But I would rather that they put me in prison without a trial, rather than have me tried according to their law which doesn't give me any freedom at all.

So as to when a statement made by your government, perhaps, is strong enough, I would say it depends on the consequence. When the result of a statement leads to the withdrawal of the bill, then I know it's strong enough.

Cochair RUBIO. Could I just make one more point? Because a lot of times people will say, well, you have these hearings, and you make these statements, and you offer and pass these laws. But in the end, if they want to do this, they are going to do it anyway.

It is fair to say—you have all observed the Chinese Communist Party. You have seen its operations. They do care. They do not like this hearing. I assure you we will get the obligatory letter criticizing us. Or we will get the printup in their influenced media or the like. They do not like this.

They don't like public attention to the religious persecution that occurs in the country, the lack of freedom, the erosion of previously . . . they don't like the fact that this hearing is taking place today. And it is—in fact, one of the few things they have ever responded to is international criticism and international attention being paid to their abuses because they think it harms them in terms of the world's view and their ability to operate in other parts of the world. Is that not accurate?

Mr. LEE CHEUK YAN. Yes, I think it's very accurate. They listen to power, actually. They don't listen to reason. We are talking reason, but they don't listen. When 130,000 people are on the street, they say numbers don't count because they only listen to Xi Jinping and the government of Hong Kong.

But I want to go back to your question about the freedom part. Of course you have already mentioned that the freedom to protest has already been eroded because of the political prisoners. But I want to point out—one point is very saddening for us in Hong Kong. They are trying to suppress the whole younger generation. They are trying to get the whole younger generation—like Nathan Law—he was disqualified. But the danger is not just being disqualified as a legislator, many of them are disqualified as candidates. So they cannot run for office. And the whole younger generation is denied their political participation rights—because they want to destroy all hope for the future and to put despair in the people of Hong Kong. Fear and despair is how they try to control Hong Kong. And this is what we are trying to fight back with hope and continuous mobilization protests to show the world that we still care about Hong Kong and we want to stick our heads out. And even though our own freedom is at stake, we will continue to fight.

And I think this is the crash of two world values. And we are in the forefront of the battleground. And we need support.

Mr. MARTIN LEE. If I may, I entirely agree, Mr. Cochairman, with your observation. China does care about this hearing. It does care about statements from this body. They pretend not to, but they certainly hate us much more for coming before you than ever before. And that is why it works. That is why a strong public statement or a visit by your delegation—one from each party will do, but it must be——

Cochair RUBIO. Just blame it on McGovern and Smith. Tell them——

[Laughter.]

Mr. MARTIN LEE. And China always says that she honors international agreements. Hong Kong should be the litmus test. This is an international agreement over Hong Kong.

Chair MCGOVERN. Mr. Smith has an additional question.

Representative SMITH. Just really quick, if I could.

Again, on the religious freedom issue, as far back as 2005, Cardinal Zen had raised questions about the education law and the ability of the Catholic Church to run schools. I wonder if you could update us on where that is, and are there any faith-based-entity schools? What is their potential fate now, especially with Xi Jinping's sinicization?

And secondly, right now the big focus with the White House is on trade talks with China. Many of us have argued, I've argued it repeatedly, that we need to focus on human rights, and we need to focus on Hong Kong. But I am concerned that all of the talk about trade crowds out the necessary dialogue and concern being expressed by Secretary Pompeo and the rest of our White House efforts to raise these issues in a—it's great to have a good statement. I mean, this Commission did a good statement. But it seems to me if it comes from the very top and from the Secretary of State in a very clear way, it could have a profound impact. But my question is, do you think the trade talks are crowding out that necessary—and this is like slipping in all of this extradition initiative under the cover of the trade talks because that gets all the attention?

Mr. LAW. Yes, I think—well, for now the trade talks, trade negotiations between the U.S. and China are not just about trade. It's about a battle of two values. It is about a battle of two beliefs. And it's about how the world order should be viewed.

So I think it is very important for us to offer our hand to Hong Kong, a place that is an ally of the free world, and say that the battle between these two values, we definitely support the ones—we support democratic values——

Representative SMITH. But what I am saying, in terms of crowding out, the diplomatic dialogue only has so many avenues of contact. And if everything is trade, trade, trade, and human rights falls to the backseat and Hong Kong, including human rights in Hong Kong, falls to the backseat, are you concerned about that? Because I am——

Mr. LEE CHEUK YAN. No, as the unions say, as we always say, trade and workers' rights and human rights should be linked. Trade is about people. And people's rights are at stake.

Representative SMITH. I agree 1,000 percent. But what I am concerned about—now there isn't that much time. The issue of the extradition treaty could get obscured by the focus on trade to the exclusion of all else. That's what I am concerned about.

Mr. LEE CHEUK YAN. Yes, and I hope this is not the case, then. The extradition agreement should be part of the discussion. When business interests or businesses' personal safety are at stake, how can you trade when you are threatened? And I think that will be—we are hopeful they will——

Representative SMITH. Have you seen evidence that—in the trade talks—the issue of the extradition treaty has been——

Mr. LEE CHEUK YAN. No, we did not see anything on that. And we do not know where the extradition agreement, you know, sort of—as you said—it was crowded out.

Representative SMITH. Mr. Lee, are we good on the schools?

Mr. MARTIN LEE. Yes, on the education ordinance there were the amendments, and I was final counsel for the Catholic Church before the court of final appeal. Unfortunately, I didn't win the case for them.

It requires a lot of extra work on the part of the churches to get the right people onto the committees. Every school has a committee. And that is why it is more difficult to get good people onto these committees. But actually it's working, but with difficulty.

The trade talks—of course, at the end of the day there will be a deal of some kind. But what good is a deal if it is not honored? And the Hong Kong agreement is not honored. So one has to keep that in mind.

Representative SMITH. Good point. Thank you.

Chair MCGOVERN. Thank you very much. I have a few more questions, but I am going to—don't leave until we finish. I want to ask those questions.

But we are joined by Senator Daines from Montana who is a valued member of this Commission, and I want to yield to him for any remarks or questions he has.

Senator DAINES. Chairman McGovern, thank you, much appreciated. And I want to thank you for coming before this Commission, providing your perspective and your expertise on a very important topic.

Some of you might know I spent over five years living in Guangzhou. In fact, during that time, we had two children born in Hong Kong. So we went over with two children and we came back with four.

[Laughter.]

Mr. MARTIN LEE. Come back to Hong Kong again and have more.

Senator DAINES. Yes, well exactly. Well, we have great memories of our time there as expats. I was working for Procter & Gamble then, as we were working to launch businesses to take American brands and develop them and sell them across China, Hong Kong, and frankly across all of Asia.

So I have had a chance to live it, to breathe it, experience it in a very profound way. It was formative for our family and for my years in business before I got into public service. I've witnessed both very positive developments over the years, as well as very concerning developments as somebody who is actively engaged in these issues in China and Hong Kong. When we were there in the early 90s, and in fact, I was in Hong Kong when they had the handover on June 30, 1997 when I saw Chris Patten and Prince Charles hand the keys over.

And since then I have led codels to China and Hong Kong. And I think it's very important. I have said the only thing more dangerous than a U.S. Senator who's never been to China is one who was there 15 years ago. And I've changed my thinking there and said one who was there five years ago because of the rate of change that's going on—again, both positive and negative.

When we were first launching business there, China was a $500 billion economy. Today it is somewhere north of probably $13 trillion.

I bring Senators to the region. We spend time in Hong Kong. We spend time in China. And from these visits and the feedback I receive from officials in Hong Kong, it's apparent that human rights in Hong Kong are eroding and the influence of mainland China is continuing to grow. This is an important issue that we need to address. I want to thank this Commission for being active on these topics.

Mr. Cheuk Yan Lee, I have a question for you. Before the 1997 handover you supported defending Hong Kong's autonomy under "one country, two systems." In light of the recent steps taken by Hong Kong authorities to hinder political participation and infringe on human rights, do you believe that model is still sustainable?

Mr. LEE CHEUK YAN. It was definitely under threat and eroding. And before 1997, we believed that maybe after 10 years of the handover we would have universal suffrage, because that was the promise. And we tried to fight for that.

But the promise led to every cycle of political reform debate. It was a disappointment. It was delayed and delayed, and then with the Umbrella Movement, when they used the National People's Congress decision on August 31st, 2014 to crush or to destroy all of our hope for true universal suffrage on that round, and then the Umbrella Movement erupted to continue to fight.

So we have been fighting for so many years. And it is a disappointment. And I have said it's also very much a suppression of the aspirations of the younger generations that is worrying me, because we have to pass the torch on, of course, to fight on. And they are trying to do that by disqualifying legislators and candidates from the younger generation.

And this is very, very much part of the scheme, I would say, of the Communist Party regime—to suppress all hope for democracy in Hong Kong, erode our freedom, and now further frightening us with the extradition agreement. And then tell Hong Kong people that they are no longer Hong Kong. They will be the Greater Bay Area. And you will be part of the nice city called the Greater Bay Area.

And where is Hong Kong? Submerged in what they call the Greater Bay Area business model? And then everything will be under control. So the control part from China will be there and we are only allowed to do some business under the control of the Communist Party.

Senator DAINES. It really is remarkable how quickly time passes. I remember being there on June 30, 1997 and watching the Union Jack come down for the last time. And here we are nearly at the halfway mark of the 50-year SAR. As you look now, as we are virtually reaching halftime now in that 50-year period, where do you see human rights in Hong Kong, looking at the next 20-plus years?

Mr. LEE CHEUK YAN. I think firstly, you know, of course it is under threat and deterioration. And looking forward to the future, it very much depends on the development of China . . . inside China.

So our belief is that the people-to-people connection is very important. We are not fighting alone in Hong Kong. People in China are fighting. They are fighting for their rights. Uyghurs are fighting for their right to exist. And then China human rights defenders are fighting for the rule of law inside China. And there are workers' rights activists also fighting for workers' rights.

So we believe that Hong Kong as a base to support that and our own fight together is the same fight. And we want to change China, as I have said, before China tries to change us. And we are losing time. We are, as you said, at halftime now. And we are under threat.

So it may go down the drain, but we will try to reverse the drain by continuing our struggle for true democracy in Hong Kong, and also to support our Chinese brothers and sisters inside of China to fight for their rights. So we hope that by this combination of forces that we can resist the Communist Party's further erosion in our rule of law.

Senator DAINES. Thank you. I am going to go to Mr. Martin Lee.

Mr. MARTIN LEE. May I answer that question? Because you asked whether "one country, two systems" is still sustainable.

Senator DAINES. Sure. Yes.

Mr. MARTIN LEE. Now, right from the start, when Deng Xiaoping announced it before 1984, I already said it is possible for it to work, but it will be very difficult. And there are two conditions; otherwise, it is not workable.

The first is that China must learn to respect Hong Kong's system. And I use this example of a game which we all played when we were young, the seesaw game. Now China is the much bigger system. It is like a grown man sitting at one end. And the little boy would be going up unless the grown man moves towards the center until an equilibrium is struck. Then you've got a game.

So the mainland authorities must do everything possible to help Hong Kong maintain our different system. But the Hong Kong government must stay at the end to exert maximum weight to our system to protect it.

The other one is, there must be democracy so that those in power in Hong Kong would be answerable to the people through the ballot box. And if they are not seen to be standing on the outside whenever there is any conflict of interest arising, they would not be reelected.

So that these two conditions—now democracy?—nowhere in sight. Now Carrie Lam, our chief executive, said last year, it will be unrealistic to now push for democracy. She said it is like knocking your head against a wall. But that's her job to do that.

And we don't have this equilibrium either, because the central government keeps on interfering in Hong Kong's internal affairs. But what other option is there? That is a problem.

So we must insist, we must insist that China, on these obligations and the promises made in the Sino-British Declaration and now embodied in the Basic Law, we must push them back to Deng Xiaoping's blueprint for Hong Kong.

Senator DAINES. Thank you for those comments. And I want to shift direction here and talk about some of the concerns raised related to a recently proposed extradition bill.

I can tell you I was extremely disturbed to read about a murder in 2018, where a Hong Kong resident was accused of murdering his girlfriend in Taiwan, fled back to Hong Kong to avoid persecution and extradition. Why could the Hong Kong government not use the existing legal authorities that permit case-by-case extraditions instead of creating an overarching extradition bill that could jeopardize human rights? Mr. Martin Lee.

Mr. MARTIN LEE. At the moment, there is no such law in Hong Kong even on a case-by-case basis unless we negotiate with Taiwan. So we must change the law. But the bar association in Hong Kong actually said there is another easy way and that is to amend our existing law to allow Hong Kong courts to assume extraterritorial jurisdiction over the serious offenses committed by Hong Kong residents outside Hong Kong. And that would be a very simple amendment to enable that to be done.

Or we can actually sit down with Taiwan and enter into a case-by-case arrangement. But at the moment, the Hong Kong government uses this as a pretext. You are quite right. It is a pretext. And they say because of this, we must hurriedly change the entire system, the entire extradition system of law in Hong Kong to enable even Hong Kong people to be sent back to China for trial.

Senator DAINES. So what was Beijing's response to this bill?

Mr. MARTIN LEE. At the moment, there is not much evidence that Beijing was behind it. But I cannot believe that such an important bill would not have the express blessing of Beijing on this initiative.

Senator DAINES. So the follow-up to—there is concern that this new extradition bill would violate several key provisions in the U.S.-Hong Kong Policy Act, including the continuation of the U.S.-Hong Kong Extradition Treaty and the encouragement of U.S. businesses to operate in Hong Kong.

How would you respond to U.S. legislators who are concerned about this law and how it might impact the U.S.-Hong Kong Extradition Treaty?

Mr. MARTIN LEE. I think businesspeople working and living in Hong Kong—in fact, even priests there, ministers and teachers from this country work in Hong Kong to help our students and so on. Now all these people would be at risk because all it takes is an affidavit from someone in China to say that whoever this person is that they want to punish has committed a criminal offense many years ago in Shanghai or wherever. And then that person can be transferred if the law is changed.

And once you're in China, you are liable to make confessions before a television camera. So no American resident in Hong Kong is safe once this bill is passed.

Senator DAINES. Thank you. Chairman McGovern, you have been more than gracious on time. Thank you.

Chair MCGOVERN. Thank you for being here.

Senator DAINES. I very much appreciate it. You bet. Thank you.

Chair MCGOVERN. Thank you.

Ms. MAK. Mr. Daines, I would like to supplement a bit when you are asking about the Chinese government attitude toward the bill.

Just a few days ago, the vice chairman of the Hong Kong Basic Law Committee, which is a subsidiary of the National People's

Congress in China, said that he supports the bill. And he said the bill should be done earlier.

And more will come so that original legal structure can be set out. So you can see that the introduction of the amendment to change the extradition law now is an opening up to the change of the Hong Kong legal system so as to adopt or to incorporate Hong Kong into the Greater Bay Area.

Senator DAINES. Thank you. Thanks for your comments. I have many fond memories of riding the Star Ferry back and forth. My wife and I enjoyed our years there. I always enjoyed visiting Hong Kong. Thank you.

Chair MCGOVERN. Thank you, Senator.

Mr. MARTIN LEE. Join the delegation coming to Hong Kong.

Chair MCGOVERN. We are. We have a tour guide now.

[Laughter.]

Chair MCGOVERN. So to be honest with you, I think the Chinese government should be concerned about this hearing, and not only by the testimony that's being given here today, but again, by the group that assembled here to listen to your testimony and ask questions. I mean, this is a very diverse political array of Members of Congress who probably cannot come to agreement on what to have for lunch; right? But we are in agreement that it is important to uphold a high standard of human rights in Hong Kong.

And with regard to the extradition treaty, from a human rights perspective, this is a problem. So if you care about human rights, we all ought to be advocating against it. If all you care about is profits, you ought to be against this because it creates an atmosphere in Hong Kong, quite frankly, that will be hostile to business, and not just U.S. and international businesses, but if you are a Chinese business leader as well, you should not want this.

So for a whole range of reasons this is not only a bad idea, but a horrible idea. Senator Rubio and I issued a statement as cochairs of this Commission against this a few weeks ago. We will regroup and figure out how we can get everybody to issue an even stronger statement as a reminder to the powers that be that this is a terrible, terrible idea.

We will work also to persuade the administration that these issues must be brought up in the course of these trade negotiations. Look, I will be honest with you. I am disappointed that human rights—and I will be fair to be bipartisan, not just in this administration but in other administrations—human rights when it comes to trade deals tends to be sidelined. And I think that is really unfortunate, because if you ignore human rights, you encourage turmoil and more instability in places that you're dealing with, and it becomes, again, a hostile climate for business and for the kind of freedoms that are important to be able to pursue business.

So we need to do better. Our government, the United States Government, if we stand for anything, we need to stand out loud and foursquare for human rights. We need to be more vocal on this. We need to make sure that our—that it is crystal clear that this is a big deal. And we also need to be thinking imaginatively and out of the box on ways that we can help move that message forward.

You know China's human rights record is getting worse. I mean we know about what is happening to the Uyghurs. We know about

what is happening to the Tibetans. And we have raised these issues over and over and over . . . and yet the situation deteriorates.

So we, thinking imaginatively, passed the Reciprocal Access to Tibet Act so that there's a consequence for those who are actually designing and implementing these oppressive policies against Tibetans. I passed the Magnitsky Act with regard to human rights abusers and corrupt officials in Russia. Working with Congressman Chris Smith, we now have the Global Magnitsky Act.

So there is a tool there. And there needs to be a consequence that is real and that is constructive in terms of making it clear that this stuff is important to us. So we have heard you loud and clear about the need to ramp up our voices on this extradition law, and we need to do it now.

But just a couple of other questions if I can. Less than two weeks ago pro-Beijing lawmakers in the Legislative Council tried to remove lawmaker James To, who by the way was originally supposed to be a witness at today's hearing but couldn't come because of Legislative Council business. But they have tried removing him from chairing the bills committee that is responsible for vetting the extradition bill and replacing him with a pro-Beijing lawmaker.

What are the developments since then? How are pro-Beijing legislators abusing procedures to bypass the concerns of pro-democracy advocates regarding this extradition bill, and quite frankly, a lot of other legislation that's important?

Mr. MARTIN LEE. In fact, interestingly, there are now two bills committees, one chaired by James To, and the other one chaired by a pro-Beijing guy. It happened this way. After two attempts, two meetings chaired by James To because he was the most senior member. So by tradition, he chairs the meeting for the election of a chairman and deputy chairman. But because a number of questions were asked of him, and he had to answer them, and some people were filibustering, no decision was made after the first meeting. Nor was a decision made after the second meeting.

Then the pro-Beijing people got fed up and they decided to get rid of him. But instead of even meeting to do that, they did it by circulation of papers, which is unheard of, because you cannot do that. If there is only one guy objecting, you cannot do it by circulation of papers.

Anyway, they did it in this stupid way and succeeded, they thought, in electing another chairman, Mr. Shek, for their bills committee. And then they did not attend the original one under James To.

So when James To conducted a third meeting, the pro-Beijing people were not there because they decided to cancel it. But they had no authority. James To was still the chair.

Chair MCGOVERN. Right.

Mr. MARTIN LEE. So they elected James To as a chairman of the bills committee. So they, themselves, then—the other people also elected this Mr. Shek of their bills committee.

Now there are two, and I do not know how they are going to sort it out. So that is the state of affairs. It's interesting. This is unheard of. This is new territory.

Chair MCGOVERN. Right.

Mr. LAW. But let me supplement what Martin just said, that there is an imminent threat that is posed by these kinds of ruthless acts from the pro-Beijing camp. And they are actually violating the tradition of our Legislative Council by bypassing the bills committee and getting the bill directly to our general meeting, which means that they could get rid of all this detailed scrutiny in the bills committee that we used to have, and then get the government's version of the bill directly to the general meeting.

So it means that if they are determined to do so, it could be put in the meeting next week. So this is a very urgent case, and it could happen within a month's time.

So I think it is very important for us to say that the Hong Kong issue is very urgent. Attention to this bill is very urgent. And the trade war . . . maybe in a more long-term perspective. But this thing we have to focus on is where to put attention and put pressure now.

Chair MCGOVERN. Clearly, they are trying to rig the system. And that's—I just have a couple more questions, then I'll let everybody close with whatever we forgot to ask.

Mr. MARTIN LEE. Don't worry, Mr. Chairman. We are going to waive our lunch.

Chair MCGOVERN. I want you to come back if we need you.

The transshipment of dual-use and sensitive technology and the effective enforcement of U.S. sanctions has been a priority of U.S.-Hong Kong relations, particularly over the past year. There have also been reports of sanctions evasions by Huawei executive Meng Wanzhou through a Hong Kong-based company.

What is your assessment of Hong Kong as a transshipment point for restricted dual-use items—especially given the egregious human rights abuses in Xinjiang? Do you see Hong Kong as a potential transfer point for technologies that the Chinese government is using to suppress the Uyghur people?

Mr. LAW. Well, I think the evidence of the Hong Kong government being used as a "white glove" for the Chinese government, bypassing all the trade restrictions, importing dual-use technology goods into Hong Kong, is quite clear. And for us, we have to consider the economic situation in Hong Kong, and we try not to harm the general economic trade conditions in Hong Kong.

We as an international city, as a free trade center, do not want to be accused of being a "white glove" for any regime to bypass any restriction. So I think restoring the reputation of Hong Kong is very important.

Mr. LEE CHEUK YAN. I think it's the responsibility of Carrie Lam to make sure that this does not happen. And imagine in Hong Kong, we have the economic trade office here. And they should assure the American public and Congress that this is not happening because these are the values of Hong Kong as an international city.

So I think Carrie Lam has to be responsible if any of this happens. And we hope—of course nothing of this sort has happened. But this is an administrative measure to make sure that Hong Kong remains as it is, a fair playing field for all.

Mr. MARTIN LEE. In the words of your Consul General in Hong Kong, Kurt Tong, the Hong Kong government is but a proxy of the Beijing government.

Chair MCGOVERN. Right.

Mr. MARTIN LEE. That is a problem.

Chair MCGOVERN. I have one final question. Mr. Lee, this is for you. And then I will ask everybody here to sum up any last thoughts you have. This year is the 30th anniversary of the violent suppression of the 1989 Tiananmen protests. And as the secretary of the Hong Kong Alliance in support of patriotic democratic movements in China, you have helped to organize the annual Candlelight Memorial for Tiananmen Square in Hong Kong.

My question is, what is the legacy of the Tiananmen protests in Hong Kong? How do the people of Hong Kong remember this event? What kind of impact does it have on their views about the Chinese government?

Mr. MARTIN LEE. Mr. Chairman, it should be the other Mr. Lee.

Chair MCGOVERN. Oh, I'm sorry.

Mr. LEE CHEUK YAN. Yes, thank you for the question.

Chair MCGOVERN. My apologies.

Mr. LEE CHEUK YAN. You know, my generation is the 89 generation where we started our fight. And I think it is the same with Mak Yin-ting. We were on the same flight that tried to come back to Hong Kong on June 5th. She got back to Hong Kong, but I was forced off the plane and arrested, only getting back to Hong Kong three days later on the 8th.

So we are this generation that wants to change China, wants to fight for democracy in China. And because we believe it's not about China. It is also about Hong Kong. It is the aspiration for democracy. Our values, our way of life in Hong Kong is also threatened if China—as it is now a totalitarian regime. And so it's very important that we continue the fight.

This year coming will be the June 4th candlelight vigil. I hope that, as we have suggested, there can be a congressional delegation to Hong Kong. It's quite easy to fly to Hong Kong, and to make it before June 4th even for our candlelight vigil, when 100,000 people will light candles to preserve their memory and also pass it on to the younger generation.

But recently, we have harassment. We have harassment. We tried to set up a June 4th Museum. The June 4th Museum is an effort to educate the Hong Kong younger generation and the public, and also, mainland visitors to Hong Kong can go to our museum to see what happened 30 years ago when all of China cannot mention the word June 4th.

There were activists that brewed a wine that sold for 89.64 renminbi that says "Remember June 4th" as a label. They were arrested and jailed for three years just for that wine. And that is the extent the regime will go to, to wipe out the whole memory.

And so in Hong Kong we are very strategic in that sense that we preserve their memory. And it's very important to fight forgetfulness or wiping out memory with memory. We are trying to preserve that.

But our June 4th Museum is being constantly harassed. There are protests downstairs. There are people sitting outside our June 4th Museum. There are people that storm into our museum and then pour saltwater on our electric sockets trying to delay our opening.

So there is a lot of harassment of our freedom to commemorate. But we will try to preserve that, and we will continue to fight. Thank you.

Ms. MAK. The media are also working to fight against the wipeout of memory. A group of 64 reporters writing books about it—you know, a factual account of the brutal suppression of the opposition democratic movement in China in 1989. And we periodically update the books so that people will not forget, because the Chinese government will not allow room for people to tell the factual account of this.

And this year, we also published box videos so that the new generation will know what is happening. So that kind of war against the wiping out of memory needs all of us on it.

Chair MCGOVERN. I think that that is incredibly important because I think this is one of the weapons the Chinese government is using now not only with regard to the uprisings in 1989, but to a whole bunch of other histories to try to erase the history. A few years ago, I was with then-leader Pelosi. And we were allowed to go to Lhasa. And we went to the museum, and I was just amazed that there was a whole bunch missing.

[Laughter.]

Chair MCGOVERN. There's no mention of the Dalai Lama. There's no—you can't buy—I mean not only the museum—you can't buy a book. So they choose to basically try to erase that memory and believe that in a couple of generations people will forget.

What they don't count on is that people don't forget. And you can ban books, and you can ban pictures in museums and exhibits, but people tell their children, and their children tell their children, and they tell their children. And it just doesn't go away. In fact, in many respects, these memories become even stronger. So we appreciate your efforts there.

And I am going to ask you guys . . . any final comments that you would like to make? This is your opportunity; have we missed anything or any last thing you want to say for the record?

Mr. MARTIN LEE. Mr. Chairman, we are of course eternally grateful to you and your members for conducting this hearing in a timely manner because time is not on our side. And whereas people will be concerned about the trade war between the U.S. and China, of course, it will take a generation to sort that out.

But this particular one is much more narrow and is completely achievable. So we would urge you and your colleagues to do the sorts of things, consider the things we have suggested to you at this hearing. And we thank you very much indeed.

Chair MCGOVERN. Anybody else?

[No response.]

Chair MCGOVERN. Well let me just say—let me also thank the members of this Commission who showed up here today, my cochair Senator Rubio. And I want to thank the staff of the Commission—Director Jon Stivers, Sabrina Tsai, who did the bulk of the work preparing for this hearing, and so we are grateful to her. I want to thank Judy Wright and Scott Flipse, who also helped out. And I want to thank everybody for being here.

I'll just close by saying that I thought today's testimony was incredibly powerful. I think that you have made clear for us the ur-

gency of this situation, and we are on the side of the people of Hong Kong. And we are on your side on this, and we will certainly take your suggestions seriously and do the necessary follow-up.

I look forward to our meeting again very soon. Thank you very much. The hearing is adjourned.

[Whereupon, at 12:22 p.m. the hearing was concluded.]

APPENDIX

PREPARED STATEMENTS

STATEMENT OF MARTIN LEE

"NO MORE SAFE HARBOR IN HONG KONG"

Thank you for the invitation to this hearing at a moment of genuine crisis for Hong Kong and our free society.

Until today, there have been no extradition arrangements between mainland China and many countries with the rule of law, such as Britain, Canada, and the United States. There is a good reason for this; namely, that the standards of the legal and judicial systems of mainland China are not, as acknowledged even by Chinese leaders, up to international standards.

The heart of this crisis is that Beijing views extradition as a political tool—not as a legal matter.

Before and after the 1997 handover of Hong Kong from the U.K. to China, we have fought to preserve our rule of law under the principle of "one country, two systems" guaranteed by the Sino-British Joint Declaration which was entered into by the British and Chinese governments in December 1984.

For generations, Hong Kong has been a safe harbor from the chaos of Communist China. Yet in February 2017, Chinese-Canadian billionaire businessman Xiao Jianhua was abducted in Hong Kong at the Four Seasons Hotel by mainland agents and spirited off to China and not seen since.

In 2015, five Hong Kong publishers vanished. One of them, Lam Wing-kee, recalled how he was kidnapped and forced to make a televised confession. "I want to tell the whole world," Lam said after escaping. "This isn't about me, this isn't about a bookstore, this is about everyone."

The reason these people were abducted is that there is no extradition law between Hong Kong and China. If the U.S. and other governments around the world don't act immediately to pressure Beijing and Hong Kong to withdraw the changes, the Hong Kong government will ram through by early July an extradition law that will legalize kidnapping and threaten to destroy Hong Kong's free society. The law will allow Hong Kong's Chief Executive Carrie Lam, who has shown no independence from Beijing, to transfer anyone at China's request, requiring only a simple affidavit that a "crime" of some kind has happened.

If, in the future, the Chinese government wishes to have someone brought to the mainland, will the Hong Kong government really be in a position to reject any such request? On the contrary, once a request is made, such an application will very likely be approved, as the Hong Kong government will not dare to act against the Chinese government's wishes. And there is little that the judges in the Hong Kong courts can do since all that is required is proof of a prima facie case.

As reported, President Xi Jinping said in a closed-door meeting last year that China will follow "law-based governance" and develop its legal system in a way that best corresponds to its needs, but it will never embrace the judicial independence of the West. For Hong Kong people, it is a sign that we need to fortify our legal system as the last barrier against Beijing's political intrusions.

In April, 130,000 Hong Kong citizens turned out in our city's narrow streets to oppose extradition to China. But public opinion can't stop this law.

Over the past five years, Beijing disqualified six elected Hong Kong pro-democracy legislators—including youth leader Nathan Law, who you will hear from today. Control of the Legislative Council is assured. Despite efforts by democratically elected legislators, including unprecedented fisticuffs in the Legislative Council last Saturday, the Hong Kong government has the votes to rubberstamp the extradition law quickly.

The U.S. has a special interest in blocking this law—and indeed may be Beijing's special target of the law. There are 85,000 U.S. citizens living or working in Hong Kong, which for decades has been a safe harbor for those operating in greater China—teachers and preachers, as well as executives of 1,300 U.S. companies in Hong Kong, including financial services firms and technology giants like Google.

Beijing could extradite Americans in Hong Kong on trumped-up charges as a way to extract company trade secrets, software, and other intellectual property. The U.S. has no extradition law with China, but it does with Hong Kong. This means Americans either resident in Hong Kong or visiting Hong Kong could end up jailed in China.

The American Chamber of Commerce in Hong Kong strongly objected to the proposed extradition law, citing "grave concerns" about the absence of the rule of law in China. The U.S.-China Economic and Security Review Commission, a group that

advises Congress, says the change in extradition law "could pose significant risk to U.S. national security and economic interests in the territory," allowing "Beijing to pressure the Hong Kong government to extradite U.S. citizens under false pretenses." The commission noted that U.S. Navy personnel could be at risk during routine port calls in Hong Kong's deep harbor. In the case of Canada's arrest of the chief financial officer of mainland telecommunications giant Huawei, Beijing objects to Canada extraditing the accused to the U.S. to face charges, treating it as a matter of international politics, not extradition law.

The Hong Kong government claims it is rushing through changes in extradition to close a so-called legal "loophole"—but this supposed loophole has existed for more than two decades. The loophole is no threat to Hong Kong citizens' freedom, whereas the proposed amendments to the extradition law certainly are.

By demanding this law, Beijing violates the spirit of the Joint Declaration, with its "one country, two systems" pledge that Hong Kong would not be forced to adopt Communist laws and systems and could remain an international city safeguarded by the rule of law.

Hong Kong became a world-class city in part because of the trade that flows through our harbor. The legal protections for its residents from the U.S. and around the world are an equally important safe harbor.

If this extradition law is passed, Americans and many other nationalities could become potential hostages to extradition claims driven by the political agenda of Beijing.

The time to protect Hong Kong's free society and legal system is now—not when our rule of law is compromised and Hong Kong people and others are taken to be jailed in China.

STATEMENT OF NATHAN LAW

Chairman McGovern, Cochairman Rubio, and Members of the Committee, thank you for inviting us to speak here today.

When this committee last held a hearing on Hong Kong two years ago, my good friend and colleague Joshua Wong presented on the threats to Hong Kong. Shortly after that, both he and I were imprisoned for our roles in the Umbrella Movement of 2014—the largest pro-democracy demonstrations on Chinese soil since the 1989 Tiananmen massacre.

We both served jail sentences before ultimately winning an appeal. But Joshua Wong has since faced a separate charge related to the same protests. For the past 17 months, he has been entangled in the legal process as he waits for yet another appeal.

This legal nightmare that we youth leaders have endured is part of a larger strategy by Beijing and the Hong Kong government to silence critics and threaten Hong Kongers not to participate in peaceful protest.

I was elected in September 2016 to Hong Kong's Legislative Council as the youngest legislator in Hong Kong's history. It was a victory for the Hong Kong people and our aspirations. But after serving for almost a year, I and five other legislators were unjustly ejected from the legislature under Beijing's political suppression. It is seen as retaliation by the government toward the Umbrella Generation and to stifle our demand for democracy.

Lam Wing-kee, the former owner of Causeway Bay Books and one of five publishers who disappeared from Hong Kong in 2015, also testified at this committee's previous hearing on Hong Kong. Last month, he left Hong Kong for Taiwan, saying that the proposed extradition arrangements between Hong Kong and China in the future threaten his freedom.

If the extradition changes are passed, then people like Mr. Lam will not even have to be illegally abducted to the mainland because, by that point, the legal mechanism to do so will be in place.

Indeed, in mainland China, journalists, human rights lawyers, women's rights activists, internet critics, and others who have irked the Communist Party have routinely faced a range of nonpolitical-related crimes. One of them is Gui Minhai, another Causeway Bay bookseller, who was forced to confess on television three years ago to his involvement in a supposed fatal traffic accident. As of today, he remains detained in China.

This goes to the heart of what Hong Kong people truly fear: that those of us who dare speak out to defend human rights and demand the democracy promised to Hong Kong will risk trumped-up arrest. It imposes a chilling effect on everyone who has a different opinion from the Chinese Communist Party.

It is very important that the international community is alerted to what is happening in Hong Kong, our home, which has long been at the forefront of the clash of authoritarian and liberal values.

Since the Umbrella Movement ended five years ago without achieving universal suffrage for Hong Kong, the situation there has further deteriorated. Today, our struggle continues in the face of these proposed extradition arrangements, which will be detrimental to Hong Kong's free society, our status as a global financial center, and our "high degree of autonomy" as guaranteed by the Sino-British Joint Declaration of 1984.

The extradition laws will threaten not only ordinary Hong Kong citizens but also any foreigner, including American citizens, visiting, studying, and working in the territory.

Our generation is especially concerned about being sent to a place that does not respect human rights or fair judicial procedure. Last year, two members of Demosistō, our youth political group, were separately detained in China, taken to a hotel, and interrogated by authorities for hours. Their phones were confiscated. They were asked to provide names of more members. Our friends were also asked many questions, including about protest activities in Hong Kong and views on Tibetan independence.

There was no legitimate reason to detain our colleagues. There is a real possibility that this conduct will be normalized soon, and we will expect to hear similar stories time and again. Or maybe we won't hear the stories—because my colleagues will simply make a forced confession and be sent to jail. Hong Kong will no longer be safe.

The fear of losing the rule of law is not an abstraction for us. Two weeks ago, the largest demonstration since 2014 occurred when 130,000 Hong Kong people took to the streets to demand the revocation of these extradition arrangements.

Yes, it is an uphill battle, but we can win and reverse the downward trend in Hong Kong. We need to restore hope and encourage more people to continue fighting for their liberty. I am still fighting and confident that Hong Kong is China's best hope for democracy.

Backing from the international community will be crucial to achieving this goal. Therefore, I urge the U.S. to continue voicing concern and pointing out how American interests in Hong Kong will be harmed by the extradition arrangements.

This position should be made explicit in all discussions with the Chinese government to ensure that Beijing understands the potential economic consequences if it does not uphold its promises to Hong Kongers. I also hope that more members of Congress will be willing to place human rights at the center of future American policy on Hong Kong.

I came from Hong Kong to explain the Chinese Communist Party's escalating efforts to undermine our autonomy, open and free traditions, and way of life. A victory for the oppressive Beijing government would be a victory for authoritarianism anywhere in the world; a victory for the Hong Kong people is a victory for freedom everywhere in the world.

It is my hope that the Hong Kong Human Rights and Democracy Act can garner more support. The bill will send an unmistakable signal to China and the world that this country remains committed to the universal values we all share.

STATEMENT OF MAK YIN-TING

"HOLLOWING OUT HONG KONG AS A GLOBAL INFORMATION HUB"

Thank you, Mr. Chairman and the Commission, for your concern about Hong Kong.

Hong Kong has long been a beacon of press freedom and publishing in Asia, and especially in relation to China, where there is no free media and the state controls all journalists.

I have been a working journalist for thirty-five years and have headed the Hong Kong Journalists Association for nine different terms. I am the co-author of the annual report on freedom of expression in Hong Kong for the last two decades. I initiated the annual Press Freedom Index in Hong Kong as well.

According to the government, there are 68 daily newspapers, 607 periodicals, and six electronic media—television, radio, and cable. There are nearly 3,000 local and international journalists. Many international media such as the New York Times, CNN, the Wall Street Journal, Reuters, and Bloomberg make Hong Kong their regional hub.

But our media freedom is not as healthy as those numbers would suggest. Freedom of expression and of the press have taken a sharp downward turn in Hong Kong, with the dive particularly apparent since President Xi Jinping took power in 2012. An annual press freedom survey conducted by Reporters Without Borders shows that Hong Kong has dropped from being ranked 54th in 2012 to 73rd this year, out of 180 countries.

Self-censorship is on the rise as China's influence increases—whether it is through the co-option of media workers or the buyout of media outlets. Sometimes, mere public statements by Chinese officials are enough to influence reporting by the Hong Kong media, without the need to issue direct instructions.

According to a survey conducted by the Hong Kong Journalists Association earlier this year, 70 percent of media workers who responded said they felt uneasy when they reported opinions that deviated from the stance of central government in Beijing. And 22 percent of journalists said they had come under pressure from supervisors while reporting on issues related to Hong Kong independence. The figures carry even more weight when we consider that political reporters—who would report on these issues—make up only a small percentage of the total number of respondents.

Adding to these existing pressures, the changes to Hong Kong's extradition law will threaten journalists because it will chill reporting, make reporters and editors vulnerable to pressure from Beijing, and hollow out Hong Kong's status as a global information hub.

With "incitement of any crime" listed in the schedule of the bill, and therefore an extraditable offense, the media—whose nature it is to report on things that have impact—can easily fall foul of it. What's more, Chinese government officials are notorious for making up offenses to stop media from reporting.

The legal changes will mean Hong Kong can no longer be a "safe harbor" for reporters covering sensitive news in mainland China because the proposed amendment allows the Chinese government to request the return of the targeted reporters. The natural consequence will be either a decrease in the quantity and quality of news on China—or the exodus of valuable news workers to other places where China cannot request extradition. Or both.

These outcomes will devastate Hong Kong as an information and financial center for the region. It is therefore in the interest of Hong Kong and the U.S., as well as other parts of the world, to urge the Hong Kong Government to withdraw the bill.

Thank you for your support of press freedom in Hong Kong.

STATEMENT OF LEE CHEUK YAN

Thank you for the invitation to this hearing on the state of Hong Kong and "one country, two systems."

This year is the 30th anniversary of the June 4th massacre in Tiananmen Square and cities across China.

In 1989, I was then a hopeful young labor and democracy activist who went to Beijing to support the democracy movement. I will never forget the day when one million Hong Kong people marched the narrow streets to show their support for democracy in China—which we all understood to mean that Hong Kong, too, could realize our aspirations for democracy.

Our hopes for democracy both in China and in Hong Kong were crushed when the tanks rolled into Tiananmen Square on June 4th, 1989. The brutality of the Chinese Communist regime was on display then, as now. This June 4th will mark thirty years since that terrible crackdown.

Freedom of protest and expression are what distinguish Hong Kong from China. There cannot be even one candle lit in Tiananmen Square without immediate arrest.

Although democratic dreams were denied in China, the roots of freedom took hold in Hong Kong, and despite constant pressure from Beijing, have grown. Our civil society has been under constant threat but has proven resilient.

I have now worked in the free trade union movement in Hong Kong for more than three decades. From our base in Hong Kong, we have been able to support trade unionists and workers who are risking their lives and jail to expose dangerous abuses, wage cheating, and labor crackdowns in China. I have also been a leader of the group that annually organizes the moving candlelight vigil in Hong Kong's Victoria Park to remember the victims of the June 4th massacre.

Hong Kong people's June 4th vigil is coming up next month. It is still the only place on Chinese soil where the truth can be heard and where we can counter the

efforts by China's communist leaders to wipe away the memory with lies and technology.

For Hong Kong people the vigil is about our own aspirations for democracy. It is a night when parents bring their children to pass on their dreams for a democratic future.

The proposal by the Hong Kong Chief Executive to enter into an extradition agreement with China will deliver a further severe blow to Hong Kong's high degree of autonomy and will have dire effects on our freedom, the rule of law, and our economic foundation as an international city.

Unfortunately, as a labor and democracy leader and longstanding critic, I represent the type of Hong Kong citizen who is threatened by the extradition law changes. Aside from the human rights activists who make their base in Hong Kong, this proposal has already caused widespread fear among the business and professional sectors and political and civil society.

Hong Kong people have experienced firsthand the infamous Chinese judicial system when they work in and visit China. We know it is a captive of the Communist Party and notorious for trumped-up charges and forced televised confessions. If the extradition law passes, any person in Hong Kong, including foreign nationals, can be at risk to be sent back to China for trial.

We have fought very hard to preserve freedom and our way of life in Hong Kong since the handover 22 years ago this July. But since Xi Jinping came to power, our rule of law and way of life is deteriorating very fast.

Over the last five years, we have already seen big changes; we now have political prisoners jailed for leading the peaceful Umbrella Movement.

In April, nine Umbrella leaders were convicted, and some were jailed. These bogus prosecutions show the willingness of the Hong Kong government to deploy the legal system for political ends and are designed to have a chilling effect on our whole population.

The extradition law will replace Hong Kong's rule of law with rule by fear—as it is practiced in China. But we are always hopeful because the people of Hong Kong are fighting back. Recently more than 130,000 citizens took to the streets protesting against this proposal, and many business and professional groups are forcefully voicing their opposition.

Now we ask the international community to speak up—before it is too late. The battleground of the clash of two sets of values is now laid out in Hong Kong. We hope the American people stand with us in this fight.

STATEMENT OF HON. JAMES P. MCGOVERN

Good morning, and welcome to the first hearing of the Congressional-Executive Commission on China for the 116th Congress. The title of today's hearing is "Hong Kong's Future in the Balance: Eroding Autonomy and Challenges to Human Rights."

In recent years, there has been a steady erosion of Hong Kong's autonomy that was enshrined in the "one country, two systems" framework established by the 1984 Sino-British Declaration and Hong Kong's Basic Law.

Under "one country, two systems," the Chinese government agreed 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 Chinese government reiterated this commitment as recently as 2007 when the Standing Committee of the National People's Congress stated in a decision that universal suffrage may apply to the Chief Executive election in 2017 and the Legislative Council after that.

It was the reneging on the commitment to make Hong Kong more democratic that sparked the 2014 Umbrella Movement pro-democracy protests that lasted 79 days in the streets of Hong Kong.

We continue to call upon the Chinese and Hong Kong governments to restart the electoral reform process and work toward genuine universal suffrage in the Chief Executive and Legislative Council elections, in accordance with articles 45 and 68 of the Basic Law and article 25 of the International Covenant on Civil and Political Rights.

Since the Umbrella Movement protests, Chinese and Hong Kong authorities have ramped up efforts to stifle the pro-democracy movement by:

- Removing six legislators from office;
- Banning the Hong Kong National Party and barring potential candidates from running in elections based on their political views;

• Expelling Financial Times Asia news editor Victor Mallet for hosting an event with a pro-independence advocate;

• Arbitrarily detaining and abducting Hong Kong booksellers. We continue to call for the immediate and unconditional release of bookseller Gui Minhai who is still detained in China;

• Prosecuting and sentencing Umbrella Movement leaders and other pro-democracy advocates for peaceful civil disobedience;

• Introducing a National Anthem Bill that stifles free expression;

• Proposing new amendments to Hong Kong's extradition laws which, if passed, will allow extradition to mainland China, where the criminal justice system is regularly used as a tool of repression against political dissenters and rights advocates.

And just this morning we learned that a Hong Kong court reached a guilty verdict against six pro-democracy advocates involved in the November 2016 peaceful protests on the Chinese government interpretation of the Basic Law concerning oath-taking. Many regarded the interpretation as direct Chinese government involvement in the disqualification of certain legislators—including Nathan Law, who is here with us today.

The ruling signals a further chilling effect on political participation, as people are deterred from taking part in demonstrations by the punishment levied against pro-democracy advocates.

I believe it is time for the United States to consider new and innovative policies to support the people of 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."

In the last Congress, then-Chairman Rubio and then-Cochairman Chris Smith introduced the "Hong Kong Human Rights and Democracy Act." Among other provisions, 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 under U.S. law that is not extended to mainland China.

Considering the events of the last year, I am interested in hearing from the witnesses about what actions they believe the U.S. should be taking to support the people of Hong Kong.

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 open economic system.

It is a city where the people have had the ability to advance new ideas and innovate. 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 concern about the policies of the Chinese and Hong Kong governments.

Our focus today is doing right by the people of Hong Kong, and our panel this morning traveled all the way from Hong Kong to provide their testimony. The panel includes:

• Martin Lee, founding chairman of the Democratic Party of Hong Kong, former member of the Drafting Committee for the Basic Law, and former member of the Legislative Council of Hong Kong. Mr. Lee will focus his remarks on the general trends of democracy and human rights in Hong Kong and Chinese government interference in the city.

• Nathan Law, founding chairman of Demosistō and former member of the Legislative Council. Mr. Law's remarks will shed light on youth perspectives of the democracy movement in Hong Kong and the challenges they face.

• Mak Yin-ting, journalist and former chair of the Hong Kong Journalists Association. Ms. Mak will focus on press freedom and the treatment of journalists in Hong Kong.

• Lee Cheuk Yan, general secretary of the Hong Kong Confederation of Trade Unions and member of the Executive Committee of Hong Kong Civil Hub. Mr. Lee will share his experiences of advocacy for labor rights in Hong Kong and efforts to support democracy in mainland China.

Thank you all for being here today and we look forward to hearing your testimony and recommendations.

STATEMENT OF HON. MARCO RUBIO

I want to thank the Chairman for convening this important hearing. As we have observed over the last five years, Hong Kong's autonomy and freedoms that are guaranteed by the Joint Declaration and their Basic Law are eroding rapidly due to the interference of the Chinese Communist Party's government in the affairs of Hong Kong.

I want to thank the witnesses. You are all true champions of freedom and democracy and you appear today, as we know, under both threat and risk to yourself and to those you care about.

The last year has been particularly troubling since the last time this Commission had a hearing on this issue. The Hong Kong government banned the National Party, disqualified political candidates for office for their political views, expelled the Financial Times news editor, and sentenced the 2014 Occupy Central organizers and other pro-democracy leaders to prison terms of between eight and sixteen months.

We just learned this morning that the Hong Kong Court has issued guilty verdicts for six pro-democracy advocates who participated in the 2016 demonstration against the Chinese government's interpretation of oath-taking that led to the disqualification of the pro-democracy legislators. Most recently, and equally concerning, are amendments to the extradition laws that are being, at this moment, debated in the Legislative Council and protested in the streets.

Mr. Martin Lee's apt description of the proposed amendment . . . that it will "legalize kidnapping"—legalized kidnapping—that should be something that should concern everyone. That includes, by the way, 85,000 U.S. citizens who are living in Hong Kong. It is one of the reasons why I'll be reintroducing the Hong Kong Human Rights and Democracy Act which updates our Hong Kong policy and establishes punitive measures against government officials responsible for suppressing fundamental freedoms in Hong Kong.

I want to make this point. We have important challenges in our relationship with China. We have a variety of issues that I hope we can find agreement on, but the future of Hong Kong and human rights in general cannot be sidelined as part of those conversations, and I continue to encourage the administration and others involved in these talks to make that point.

Recently, you may or may not be aware, CBS network television censored eight minutes out of the show "The Good Fight" because it contained a cartoon that criticized American corporations that are bowing to Chinese censorship. CBS claimed that it feared for the welfare of its journalists in Beijing if a critical cartoon were broadcast on an entertainment show in the United States.

So think about that—a major American network censored a television show; it was afraid to offend China and as a result put our journalists at risk operating within China. I think it's a good opportunity to talk a little bit about censorship and how it manifests itself in Hong Kong.

SUBMISSIONS FOR THE RECORD

SUBMISSION OF HON. CHRIS SMITH

[From the Washington Post, Dec. 28, 2018]

"THE WORLD MUST STAND AGAINST CHINA'S WAR ON RELIGION"

(By U.S. Congressman Chris Smith)

Mihrigul Tursun said she pleaded with God to end her life as her Chinese jailers increased the electrical currents coursing through her body. Tursun, a Muslim Uighur whose escape led her to the United States in September, broke down weeping at a Nov. 28 congressional hearing as she recounted her experience in one of China's infamous political "re-education centers."

It is an appalling story but one that is all too familiar as existential threats to religious freedom rise in President Xi Jinping's China. The world can't ignore what's happening there. We must all stand up and oppose these human rights violations.

The ruling Chinese Communist Party has undertaken the most comprehensive attempt to manipulate and control—or destroy—religious communities since Chairman Mao Zedong made the eradication of religion a goal of his disastrous Cultural Revolution half a century ago. Now Xi, apparently fearing the power of independent religious belief as a challenge to the Communist Party's legitimacy, is trying to radically transform religion into the party's servant, employing a draconian policy known as sinicization.

Under sinicization, all religions and believers must comport with and aggressively promote Communist ideology—or else.

To drive home the point, religious believers of every persuasion are harassed, arrested, jailed or tortured. Only the compliant are left relatively unscathed.

Bibles are burned, churches destroyed, crosses set ablaze atop church steeples and now, under Xi, religious leaders are required to install facial-recognition cameras in their places of worship. New regulations expand restrictions on religious expression online and prohibit those under age 18 from attending services.

Government officials are also reportedly rewriting religious texts—including the Bible—that remove content unwanted by the atheist Communist Party, and have launched a five-year sinicization plan for Chinese Protestant Christians.

These efforts have taken a staggering human toll. In recent months, more than 1 million Uighurs and other Muslims in the Xinjiang Uighur Autonomous Region have been detained, tortured and forced to renounce their faith. The U.S. government is investigating recent reports that ethnic minorities in internment camps are being forced to produce goods bound for the United States.

Yet, despite the anti-religion campaign, the Vatican has shown a disturbing lack of alarm concerning these threats and, instead, appears to be seeking a form of accommodation. In September, Vatican officials signed a "provisional agreement" that essentially ceded to the Chinese government the power to choose—subject to papal review—every candidate for bishop in China, which has an estimated 10 million to 12 million Catholics.

Cardinal Joseph Zen Ze-kiun, a retired bishop of Hong Kong, in September called the deal "a complete surrender" by the Vatican and an "incredible betrayal" of the faith.

At a congressional hearing I chaired in September, Tom Farr, president of the Religious Freedom Institute, testified that the government-controlled body charged with carrying out the policy, the Catholic Patriotic Association, had drafted an implementation document containing the following passage: "The Church will regard promotion and education on core values of socialism as a basic requirement for adhering to the Sinicization of Catholicism. It will guide clerics and Catholics to foster and maintain correct views on history and the nation."

One can hope that Beijing has made concessions to the church that have yet to be revealed. Initial reports are less than promising. Since the agreement was reached, underground priests have been detained, Marian shrines destroyed, pilgrimage sites closed, youth programs shuttered, and priests required to attend re-education sessions in at least one province.

The Vatican should reconsider its arrangement with the Chinese government. But what can be done more generally in response to Xi's war on religion? The United States and several European countries have condemned it, but any nation that values freedom of religion should unite in denouncing China's treatment of Muslim Uighurs, Christians, Tibetan Buddhists and Falun Gong practitioners. In particular, Muslim-majority countries, strangely muted regarding the persecution of Muslim

Uighurs, must protest these abuses even at the risk of endangering the benefits from China's "Belt and Road" infrastructure projects.

Sen. Marco Rubio (R–FL) and I have urged the Trump administration to use Global Magnitsky Act sanctions to target Chinese officials responsible for egregious human rights abuses. We have sought expanded export controls for police surveillance products and sanctions against businesses profiting from the forced labor or detention of Uighurs. We have also introduced the bipartisan Uyghur Human Rights Policy Act of 2018 to provide the administration with new tools to comprehensively address the abuse.

The United States must lead the way in letting the Chinese Communist Party know that taking a hammer and sickle to the cross and enslaving more than 1 million Uighurs in an effort to erase their religion and culture are destructive, shameful acts that will not be tolerated by the community of nations.

Witness Biographies

Martin Lee, founder of the Democratic Party of Hong Kong and former member of the Legislative Council

Martin Lee is a veteran political leader and rule of law advocate in Hong Kong. He is the founding chairman of the Democratic Party, one of the largest and most popular political parties in Hong Kong. He was an elected member of the Legislative Council from 1985 to 2008. He served as chairman of the Hong Kong Bar Association from 1980 to 1983 and took part in the discussions over Hong Kong's 1997 handover from the United Kingdom to China, joining the Basic Law Drafting Committee in 1985. He continues to fight for democratic protections and is the territory's top barrister and Senior Counsel taking on significant cases to protect the rule of law and the rights of political activists in Hong Kong. The European People's Party and European Democrats in the European Parliament named Mr. Lee the first non-European recipient of the Schuman Medal in 2000. In 1997, the National Endowment for Democracy presented Mr. Lee its annual Democracy Leadership Award. In 1996, Liberal International awarded Mr. Lee the Prize for Freedom.

Nathan Law, founding chairman of Demosistō and former member of the Legislative Council

Nathan Law, Demosistō's founding chairman, was the former secretary general of the Hong Kong Federation of Students. In 2016, he became Asia's youngest democratically elected lawmaker when, at age 23, he won a seat in the Hong Kong Legislative Council—before Beijing intervened and removed him from office. He was also one of Hong Kong's first three political prisoners since 1997, sentenced in 2018 with Joshua Wong and Alex Chow for leadership roles in the peaceful pro-democracy protest "Umbrella Movement" in 2014. Law recently graduated from Lingnan University in Hong Kong and will be pursuing a Master's degree in Asian Studies at Yale University in autumn 2019.

Mak Yin-ting, journalist and former chair of the Hong Kong Journalists Association

Mak Yin-ting has been a journalist in both print and electronic media for over 30 years. She is the former Chair of the Hong Kong Journalists Association and a co-author of the organization's important Annual Report on Freedom of Expression in Hong Kong since the 90's. Mak began her career at the Hong Kong Daily News in 1984 as a reporter. Mak joined the Press Freedom Subcommittee at the Hong Kong Journalists Association in 1995. She has testified and spoken globally about the need to preserve press freedom in Hong Kong and was honored in 2007 as a Champion of Freedom of Speech by the Visual Artists Guild.

Lee Cheuk Yan, General Secretary of the Hong Kong Confederation of Trade Unions and member of the Executive Committee of Hong Kong Civil Hub

Lee Cheuk Yan is a veteran labor leader and is on the Executive Committee of Hong Kong Civil Hub. He was a former member of the Legislative Council of Hong Kong since 1995, representing the New Territories West constituency for more than two decades. Lee worked for the Hong Kong Christian Industrial Committee since 1980, and in 1990 helped found the Hong Kong Confederation of Trade Unions, the independent Union Center in Hong Kong, and is its general secretary. He co-founded and is Vice Chair of the Labour Party. He is Secretary of the Hong Kong Alliance in Support of Patriotic Democratic Movements in China, which organizes the annual candlelight memorial for Tiananmen Square—the only place the June 4, 1989 tragedy is recognized on Chinese soil.

○