

Supporting Hong Kong's Pro-Democracy Movement Through U.S. Refugee Policy SUBCOMMITTEE HEARING

Subcommittee on Border Security and Immigration

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10mins

Nathan:

Thank you Chairman Cornyn and Ranking Member Durbin. It's my honour to be able to testify in front of the Subcommittee on Border Security and Immigration. The title of today's hearing is "Supporting Hong Kong's Pro-Democracy Movement Through U.S. Refugee Policy", I think this is exactly the stance that we should take.

As we all are aware, the Hong Kong we used to know is gone now. After one year of protests and the dreadful responses from the authority, the popularity of the HK government has dropped to historical low and the confidence of Hong Kong people towards the "one country, two system" ruling framework has basically vanished.

While the situation looks grim for Hong Kong, the Beijing authority made it worse by circumventing all of our consultation and legislative processes to impose the notorious National Security Law, which was, to us a de facto final nail in the coffin of the "one country, two systems" framework.

With the draconian National Security Law, Beijing has the arbitrary power to detain, arrest and prosecute any political activists or dissidents that they don't like. The sole purpose of the law is to quash our freedom of expression, any desires for political change, and the right to protest. It has created widespread psychological terror and fear across the city.

With the latest arrest of Jimmy Lai, we can see how absurd the law is being used. He was charged under the national security law, for "colluding with foreign forces" and denied bail. He is kept in custody until next April when he can finally appear on court. The police draw evidence on a wide basis that everyone could have crossed the lines. These evidence include: 53 follows on Twitter, including Taiwan's president Tsai Ing-Wen, US secretary of states Mike Pompeo, human right activist Ben Rogers etc. Interviews with Wall Street Journal, CNN, FOX, Bloomberg, The New York Times, BBC News are also seen as evidence of him "colluding with foreign forces." This is a trump up charge and many others including Agnes Chow are submitted to these threats.

Beijing is also subtly blurring the boundary of the national security law as national security judges can now oversee non-NSL cases, even though suspects have not

been charged under the legislation, as the recent ruling on activist Tam Tak-chi shows. The move has set a bad precedent, since it implies dissents, expats and foreign companies would have higher risk of falling into the trap. The Hong Kong government now has more leverage to retaliate against the city's freedom fighters by transferring cases to national security courts, where open trials and bail could be denied. The move also undermines the city's judiciary independence as local courts have de facto become secondary to the national security courts.

Clearly, political persecution is a puzzle in a bigger picture. Beijing's Liaison office in Hong Kong has publicly urged a complete shakeup of the city's judiciary, education and social service sectors. Within weeks after the announcement, liberal studies were replaced by courses promoting patriotism, with sections on separation of powers, civil disobedience, Tiananmen Square Massacre, human rights crackdowns in China trimmed and censored.

Legislative council has also lost its power to maintain effective checks and balances on the government's policies, after Beijing adopted a new decision that grants the city leader the power to disqualify all elected representatives that are believed to pursue "activities that endanger national security." At the same time, the city's professional civil servants, some of them had once publicly opposed the controversial law last year, are now required to pledge allegiance to Beijing. Otherwise, they could be dismissed or face national security charges. Once dissenting voices in both legislative and administrative branches are removed, the Hong Kong government can now impose all Beijing's political agenda without resistance.

The deterioration in Hong Kong has pushed more political figures and young professionals to leave the city. Therefore, it is much needed for the democratic communities to provide safe exit to these politically persecuted protestors in Hong Kong. The UK and Canada have adopted measures that allow millions of people a path to citizenship. This is a signal showing how severe the situation in Hong Kong is. The US should take reference from their experience and implement measures to help the people in Hong Kong.

Hong Kong People's Freedom and Choice Act is an answer to provide these provisions and necessary channels. Thousands of young people can be saved from political persecutions and live free from the threat of the Chinese Communist Party. The policy recommendations enlisted in the bill can also be achieved by the administration. Even if the bill is unable to be passed in this term due to time constraints, I would hope that the administration takes up these recommendations and applies them accordingly.

It's important that the global communities continuously vow their support to the freedom-loving people in Hong Kong. 2020 is a tough year for everyone living under

the pandemic, especially those in Hong Kong who have also been facing constant intimidation from the Chinese regime. While there is a light of hope in ending the pandemic because of the emergence of the vaccines, there aren't much good news on working towards stopping the totalitarian rulings in China. This is the time that we should be determined to safeguard our shared democratic values. Alliances should be formed and actions should be coordinated. Meanwhile, Hong Kong people will not give up and we will fight to the end. Thanks.