

Congressional-Executive Commission on China

Hearing on “The PRC’s Universal Periodic Review and the Real State of Human Rights in China”

Thursday, February 1, 2024
10am

Written Statement by Benedict Rogers, Co-founder and Chief Executive of Hong Kong Watch

Representative Smith, Senator Merkley, distinguished Commissioners:

It is a privilege to have this opportunity to testify today at this important hearing, just over a week after the People’s Republic of China (PRC)’s Universal Periodic Review at the United Nations (UN) in Geneva. I have been requested to focus my testimony on the situation of freedom of religion or belief in China today, and the situation in Hong Kong.

Brief personal background and examples of harassment, intimidation and threats received

I have been involved with human rights in China, and especially freedom of religion or belief, for over 30 years, and worked in various capacities with the human rights organization Christian Solidarity Worldwide (CSW), which specializes in freedom of religion or belief for all, for much of the past 30 years. I have lived, worked and traveled extensively throughout China and Hong Kong, visiting China regularly and living in Hong Kong for five years from 1997 to 2002. In October 2022, I published a new book, *The China Nexus: Thirty Years In and Around the Chinese Communist Party’s Tyranny* (Optimum Publishing International, 2022), which includes chapters on the persecution of Christians in China, the genocide of the Uyghurs, the atrocities in Tibet, the persecution of Falun Gong and the practice of forced organ harvesting, as well as the crackdown on civil society, human rights defenders, dissidents and journalists across China and the dismantling of Hong Kong’s freedoms.

It is important to note that in October 2017 I was denied entry to Hong Kong on the orders of the regime in Beijing, becoming one of the first Westerners to be refused entry to Hong Kong,¹ and in March 2022, I and the organization I co-founded and lead, Hong Kong Watch, were threatened by the Hong Kong Police Force, accused of violating the National Security Law which Beijing imposed on Hong Kong in 2020.² I received two letters, one from both the Hong

¹ BBC, “UK ‘concerned’ as Hong Kong denies Benedict Rogers entry,” 11 October 2017 -

<https://www.bbc.co.uk/news/uk-politics-41586529>. See also reports in *The Guardian*

<https://www.theguardian.com/world/2017/oct/11/british-conservative-party-activist-benedict-rogers-hong-kong> and the statement by the UK Foreign Secretary at the time -

<https://www.gov.uk/government/news/foreign-secretary-expresses-concern-over-uk-national-denied-entry-to-hong-kong> - and this question in the UK House of Commons:

<https://www.youtube.com/watch?v=njHRQTak8Sg>. Congressman Smith also issued a statement at the time.

² BBC, “Briton accused of jeopardising China’s security,” 14 March 2022 - <https://www.bbc.co.uk/news/uk-60732949>. See also *The Times*, “Hong Kong threatens British human rights activist,” 14 March 2022 -

<https://www.thetimes.co.uk/article/hong-kong-threatens-british-human-rights-activist-3k5zvjdjk> and *The Guardian* report - <https://www.theguardian.com/world/2022/mar/14/hong-kong-watch-rights-group-website->

Kong Police Force and the National Security Department, informing me that the work of Hong Kong Watch, a UK-registered non-governmental organization (NGO), was a threat to China's national security and a violation of Hong Kong's National Security Law. The letters stated that unless we shut down our website and ceased our activities within 72 hours of receipt of these letters, I as the Chief Executive of the organization could face a fine of HK\$100,000 (US\$12,790) and a prison sentence. It is important to note that Hong Kong Watch has never had any presence on the ground in Hong Kong, any personnel, or assets in Hong Kong itself, and these threats were explicitly issued exercising the extraterritoriality clause set out in Article 38 of the National Security Law.

More recently, on January 2nd this year and on several occasions since then, I have been named by the prosecution in the National Security trial of the entrepreneur and pro-democracy campaigner Jimmy Lai (which I will detail later in my testimony) as a "collaborator". Messages from Jimmy Lai to me have been cited as evidence in the prosecution's case against him, including a message in 2019 asking me to request the last British Governor of Hong Kong, Lord (Chris) Patten of Barnes, to provide a comment to journalists from Mr Lai's *Apple Daily* newspaper. It is standard and unquestionably legal for a newspaper to ask a politician for comments.

In addition, I have received numerous attempts at harassment and intimidation in the United Kingdom and elsewhere, including anonymous threatening letters stamped and postmarked from Hong Kong sent to my private home address, to my neighbors in the residential area where I live in London, and to my mother who lives in a different part of the country,³ as well as anonymous email threats, including on one occasion a message when I was traveling in Canada disclosing the name of the hotel in Vancouver where I was due to stay.

For all these reasons, I take additional safety precautions when in the UK and traveling abroad. I have also been unable to visit Hong Kong or China since 2017, and would not even risk transiting in Hong Kong.

Freedom of religion or belief in China

Freedom of religion or belief has always been suppressed and violated by the Chinese Communist Party (CCP) regime, ever since the founding of the PRC in 1949. At various times over the past 75 years the CCP has attempted to eradicate religion, and at other times control and restrict religious practice. Over the past 12 years of Chinese leader Xi Jinping's rule, the crackdown on freedom of religion or belief has intensified significantly. In particular,

[national-security-law-china-benedict-rogers](https://www.gov.uk/government/news/foreign-secretary-statement-on-hong-kong-watch-march-2022), as well as the statement by the UK Foreign Secretary at the time: <https://www.gov.uk/government/news/foreign-secretary-statement-on-hong-kong-watch-march-2022>

³ *South China Morning Post*, "Threatening letters sent from Hong Kong make British human rights activist 'more determined' to speak up for the city," 13 July 2018 - <https://www.scmp.com/news/hong-kong/politics/article/2155147/threatening-letters-sent-hong-kong-make-british-human-rights>. See also: *Hong Kong Free Press* - <https://hongkongfp.com/2018/07/13/rights-activist-benedict-rogers-condemns-menacing-letters-sent-hong-kong-mother-neighbours/> - as well as *The New Statesman* - <https://www.newstatesman.com/politics/2018/09/hong-kong-threatening-letters-mailboxes> - and *The Washington Examiner* - <https://www.washingtonexaminer.com/politics/1250927/chinese-intimidation-comes-to-benedict-rogerss-mailbox/>

responsibility for policy on religious affairs has been centralized. Whereas in the past the situation for religious practice across the country varied, depending on the attitudes of the provincial or municipal governments, today, under Xi Jinping, there has been a new focus on religion at the highest levels of government.

Xi Jinping himself has made several speeches on religion, including in May 2015 to the Central United Front Conference held by the CCP's United Front Work Department (UFWD), in which he introduced the principle of 'Sinicization of religion'. This policy requires religions in Mainland China to be independent of foreign influences and aligned to the CCP's goals and values and under the Party's control. "We must manage religious affairs in accordance with the law and adhere to the principle of independence to run religious groups on our own accord," Xi said. "Active efforts should be made to incorporate religions into socialist society."⁴

In a further speech at the National Conference on Religious Work in April 2016, Xi outlined the CCP's policies regarding religious activities, emphasizing that "religious affairs carry special importance" in the work of the CCP and the government and that the "relationship of national security and the unification of the motherland" has a place within "socialist religious theory with Chinese characteristics".⁵ He added that "religious groups must adhere to the leadership of the Communist Party of China" and that the Party "should guide and educate the religious circle and their followers with the socialist core values".⁶

In his most recent speech about religious affairs, in 2021, according to a Chinese language report on the website of the United Front Work Department of the Party's Central Committee, "Xi emphasized the need to further promote the Sinicization of China's religions, guide and support China's religions to be led by socialist core values and enhance the identification of religious people with believers with the great motherland, the Chinese nation, Chinese culture, the CPC and socialism with Chinese characteristics. Education on patriotism, collectivism and socialism should be carried out in religious circles, and education on the history of the Party, new China, reform and opening-up, and the development of socialism should be strengthened in a targeted manner, so as to guide religious figures and believers in cultivating and practicing socialist core values and promoting Chinese culture. It is necessary to adhere to the overall concept of national security, adhere to the principle of independence and self-management, and promote related work in a coordinated manner. The management of religious affairs on the internet should be strengthened. Outstanding problems affecting the healthy transmission of religion in China should be effectively addressed."⁷

⁴ *The Guardian*, "President Xi Jinping warns against foreign influences on religions in China," 21 May 2015 - <https://www.theguardian.com/world/2015/may/21/president-xi-jinping-warns-against-foreign-influence-on-religions-in-china>

⁵ The Sasakawa Peace Foundation, SPF China Observer, "Why Does the Xi Jinping Administration Advocate the 'Sinicization' of Religion," No.8 2018/08/11 - <https://www.spf.org/spf-china-observer/en/document-detail008.html>

⁶ *Hong Kong Free Press*, "Religious groups must 'adhere to the leadership of the Communist Party' – Pres. Xi Jinping," 24 April 2016 - <https://hongkongfp.com/2016/04/24/religious-groups-must-adhere-to-the-leadership-of-the-communist-party-pres-xi-jinping/>

⁷ United Front Work Department of the CPC Central Committee, 6 December 2021 - https://www.zyztb.gov.cn/zyztb/2022-10/27/article_2022102720260292972.shtml

Xi Jinping's campaign of the Sinicization of religion has nothing to do with healthy inculturation, adapting a religion to Chinese culture, but rather its objective is the total co-option of religion to the CCP's agenda, aimed at absorbing religious communities into the United Front to further the CCP's indoctrination, propaganda, surveillance and control. Any religious teachings that are not in conformity with the CCP's teachings must be discarded. As a consequence, religious leaders are restricted in what they can preach in their sermons, and – moreover – they are required to actively support and promote the CCP in their sermons.

A range of new regulations regarding religious affairs have been introduced in recent years, notably the revised Regulations on Religious Affairs which took effect on February 1, 2018. These regulations, according to CSW, strengthen state control over religious activities in mainland China, closing down the gray area in which unregistered churches had until then been tolerated by some local authorities. Unregistered 'house' churches and other independent religious groups are under increasing pressure to either register or disband. According to the China Aid Association, "non-government churches, called 'house churches', have been outlawed completely. Many of them are ordered to join the official church system and submit to government censorship."⁸

Many Protestant pastors and Catholic priests have been arrested and imprisoned in recent years. A notable example is Pastor Wang Yi of Early Rain Church in Chengdu, Sichuan province, who was arrested in December 2018 along with his wife and 100 members of his congregation, and sentenced on December 26, 2019 to nine years in prison. Pastor John Cao, a missionary working in Burma/Myanmar's Wa State, along the border with China, was arrested by authorities in Yunnan province in 2017 and sentenced to seven years in prison in March 2018.

More recently, in July last year CSW reported that three leaders of Linfen Covenant House Church (*Shengyue Jiayuan*)⁹ in Shanxi province have been accused of forming a "criminal clique" and obtaining "illegal income", and of establishing an "illegal organization". In recent years there has been a notable increase in the number of religious leaders prosecuted with alleged fraud charges, which could carry a prison sentence of more than ten years.¹⁰

On January 2nd this year, the Catholic bishop of Wenzhou, Bishop Peter Shao Zhumin, was arrested again and his whereabouts are unknown. He has been repeatedly arrested and detained multiple times in recent years.¹¹ According to Aid to the Church in Need, at least 20 Catholic priests were arrested in mainland China in 2023.¹²

⁸ Evidence submitted by CSW and China Aid Association to the UK Conservative Party Human Rights Commission's China inquiry and cited in the report *The Darkness Deepens: The Crackdown on Human Rights in China 2016-2020* - <https://conservativepartyhumanrightscommission.co.uk/wp-content/uploads/2021/01/CPHRC-China-Report.pdf>

⁹ Church members have established this blog in Chinese - <https://jiayuan.homes/>

¹⁰ CSW, "House church leaders prosecuted as 'criminal clique'," 5 July 2023 - <https://www.csw.org.uk/2023/07/05/press/6034/article.htm>

¹¹ UCANews, "Arrested dissident Chinese bishop remains untraced," 8 January 2024 - <https://www.ucanews.com/news/arrested-dissident-chinese-bishop-remains-untraced/103748>

¹² Aid to the Church in Need, "Record number of priests arrested, kidnapped or murdered in 2023," 17 January 2024 - <https://acnuk.org/news/international-record-number-of-priests-arrested-kidnapped-or-murdered-in-2023/>

Furthermore, hundreds of churches have been destroyed, crosses dismantled, and in State-controlled churches portraits of Xi Jinping and CCP propaganda banners are displayed alongside or sometimes instead of religious imagery. Surveillance cameras are installed to monitor the congregation, and minors under the age of 18 are prohibited from going to places of worship.

The persecution of Falun Gong continues. According to *Bitter Winter*, Falun Gong practitioners claim to have verified 209 cases of persecution to death in 2023, bringing the total documented number of victims killed to over 5,000 since 1999. On January 18, 2024, the European Parliament adopted a resolution on “the ongoing persecution of Falun Gong in Mainland China, notably the case of Mr Ding Yuande”.¹³ The practice of forced organ harvesting, primarily from Falun Gong practitioners, continues. In 2019 an independent tribunal chaired by the British barrister Sir Geoffrey Nice, KC, who prosecuted former President of Serbia Slobodan Milosevic, concluded “beyond reasonable doubt” that this practice is continuing and that it constitutes a “crime against humanity”, describing the PRC as “a criminal state”.¹⁴

The Church of Almighty God (CAG), a new religious movement established in 1991, also continues to face brutal suppression and persecution. Categorized as an “evil cult” or “heterodox teaching” (*xie jiao*) by the CCP, along with Falun Gong and other groups, it claims that since 2011 at least 400,000 of its members have been arrested and over 159 killed.¹⁵

In regard to the ‘*xie jiao*’ regulations, CSW stated in a January 2024 briefing that: “The Supreme People’s Court and the Supreme People’s Procuratorate interpreted ‘*xie jiao*’ as ‘illegal organisations, which, through fraudulent use of religion, qi gong, or any other name, by defying and promoting their ringleaders, or by fabricating and spreading superstitious fallacies to confuse and deceive others, grow membership and control group members, and harm society’. Such a vague definition gives the authorities power to target legitimate religious activities. A lawyer recalled a case where a house church pastor was accused for their ‘unbiblical teaching’ on suspicion of ‘spreading superstition’. Much to his amusement, the evidence produced was a doctrine document provided by a pastor affiliated with the government-approved Three Self Patriotic Movement (TPSM).”¹⁶

According to CSW, “in July 2022, China’s Anti-Xie-Jiao Association published an article listing 25 groups which the author claims have been designated ‘*xie jiao*’ by ‘relevant national departments’ since the 1980s. This is not an official document, and there are no official government or legal documents defining any particular group as ‘*xie jiao*’ that are accessible

¹³ *Bitter Winter*, “The European Parliament Condemns China for Persecuting Falun Gong, Mentions Organ Harvesting Again,” 22 January 2024 - <https://bitterwinter.org/the-european-parliament-condemns-china-for-persecuting-falun-gong-mentions-organ-harvesting-again/>

¹⁴ The China Tribunal judgment - <https://chinatribunal.com/>

¹⁵ Evidence submitted to the UK Conservative Party Human Rights Commission’s China inquiry and cited in the report *The Darkness Deepens: The Crackdown on Human Rights in China 2016-2020* - <https://conservativepartyhumanrightscommission.co.uk/wp-content/uploads/2021/01/CPHRC-China-Report.pdf>

¹⁶ CSW, Briefing: ‘Socialist rule of law’ in China, 16 January 2024 - <https://www.csw.org.uk/2024/01/16/report/6149/article.htm>

to the public. The process by which public security, procuratorate and courts identify ‘xie jiao’ appears to be completely arbitrary. Some groups are frequently targeted while others in the same region are largely left alone. Some house church leaders receive a fine while others are arrested and handed harsh prison sentences with a ‘xie jiao’ label.”

In Tibet, atrocities continue, with Tibetan Buddhists’ religious practice tightly controlled. There are ongoing reports of Tibetan Buddhist monasteries and other institutions being intrusively monitored, disrupted or closed, property confiscated and monks arrested and detained. One of the most egregious practices which has recently gained some international attention is the use of colonial-style boarding schools in which almost a million Tibetan children, almost 80 percent of the population, have been coercively separated from their families and indoctrinated into Han Chinese language and culture and CCP ideology, cut off from their Buddhist religion, Tibetan culture and their families and communities in a form of cultural genocide.¹⁷ In February 2023, UN experts expressed their concerns about this large-scale program of forced assimilation.¹⁸ The CCP is actively pursuing a campaign to rename Tibet as “Xizang”, the Chinese name for the region, in an attempt to eradicate Tibet’s identity.¹⁹

Finally, the most egregious of the litany of violations of freedom of religion or belief and the many atrocity crimes which are being perpetrated by the CCP is the genocide of the predominantly Muslim Uyghurs and other Turkic ethnic groups in Mainland China’s western region of Xinjiang, which is also known as East Turkestan. This has been recognized as a genocide by both the previous and current US Secretary of State, several Parliaments around the world and in December 2021 by the independent Uyghur Tribunal, chaired by British barrister Sir Geoffrey Nice, KC.²⁰

In addition to the well-documented use of forced abortions, forced sterilization, forced labor, torture, sexual violence and the incarceration of at least a million Uyghurs in prison camps in Xinjiang, the Uyghurs are subjected to widespread violations of freedom of religion or belief. Uyghur Muslim men may be arrested if they have a beard beyond a certain length and women could be targeted if they wear a headscarf. Basic religious practices such as praying, fasting, going to the mosque, reading the Quran, abstaining from pork or alcohol can result in arrest and imprisonment. Many mosques have been either closed, desecrated or destroyed.

The crackdown on Muslims now extends beyond Xinjiang. In November 2023, Human Rights Watch reported that “the Chinese government is significantly reducing the number of mosques in Ningxia and Gansu provinces under its ‘mosque consolidation’ policy, in violation of the right to freedom of religion.” According to Human Rights Watch, “Chinese authorities have decommissioned, closed down, demolished, and converted mosques for secular use as

¹⁷ *Foreign Affairs*, “Erasing Tibet”, by Tenzin Dorjee and Gyal Lo, 28 November 2023 - <https://www.foreignaffairs.com/south-asia/erasing-tibet#:~:text=>

¹⁸ United Nations, “UN experts alarmed by separation of 1 million Tibetan children from families and forced assimilation at residential schools,” 6 February 2023 - <https://www.ohchr.org/en/press-releases/2023/02/china-un-experts-alarmed-separation-1-million-tibetan-children-families-and>

¹⁹ *Newsweek*, “China is slowly erasing Tibet’s name,” 14 November 2023 - <https://www.newsweek.com/china-changing-tibet-english-name-1843391>

²⁰ Uyghur Tribunal judgment - <https://uyghurtribunal.com/>

part of the government's efforts to restrict the practice of Islam. The authorities have removed Islamic architectural features, such as domes and minarets, from many other mosques."²¹

Whether you are a Christian, a Muslim, a Buddhist, a Falun Gong practitioner, or practice another religion or belief, in mainland China today it is increasingly difficult and dangerous to practice your faith. In March 2019, the then US Ambassador-at-Large for International Religious Freedom, Ambassador Sam Brownback, said in a speech in the Foreign Correspondents Club in Hong Kong that "the Chinese government is at war with faith. It's a war they will not win. The Chinese Communist Party must hear the cry of its people for religious freedom."²²

Hong Kong

In the UN Universal Periodic Review (UPR) of China on January 23rd this year, 18 UN Member States raised recommendations on Hong Kong at the UN, including the United States and the United Kingdom, principally calling for the repeal of the National Security Law. This is a welcome step.²³

The US urged Beijing to "cease harassment, surveillance, and threats against individuals abroad and in China including Xinjiang, Tibet, and Hong Kong... repeal vague national security, counter-espionage, counter-terrorism, and sedition laws, including the National Security Law in Hong Kong... end repressive measures against women, LGBTQI+ persons, laborers, and migrant workers, including in Hong Kong and Macau." The US also condemned the ongoing genocide and crimes against humanity in Xinjiang, as well as the CCP's transnational repression aimed to silence Hong Kongers, Uyghur Muslims, Tibetans and other Chinese dissidents abroad.²⁴

In 2022, the UN Human Rights Committee Recommended the repeal of the Hong Kong National Security Law and found the Hong Kong government in violation of its international legal obligations. Similarly, in 2023, the UN Committee on Economic, Social, and Cultural Rights and the UN Committee on the Elimination of Discrimination Against Women also raised concerns regarding the Hong Kong National Security Law's violations of human rights, among other violations of rights and freedoms in Hong Kong.

The UPR and previous UN Committee recommendations exemplify how over the past decade and especially since the imposition of the draconian National Security Law in Hong Kong, the CCP has dismantled Hong Kong's freedoms, the rule of law and autonomy in total breach of

²¹ Human Rights Watch, "China: Mosques Shattered, Razed, Altered in Muslim Areas," 22 November 2023 - <https://www.hrw.org/news/2023/11/22/china-mosques-shattered-razed-altered-muslim-areas#:~:text=>

²² International Christian Concern, "Ambassador Brownback: China is At War With Faith", 10 March 2019 - <https://www.persecution.org/2019/03/10/ambassador-brownback-china-war-faith/>

²³ Hong Kong Watch, "Hong Kong Watch welcomes Recommendations on Hong Kong at the UN Universal Periodic Review," 23 January 2024 - <https://www.hongkongwatch.org/all-posts/2024/1/23/hong-kong-watch-welcomes-recommendations-on-hong-kong-at-the-un-universal-periodic-review>

²⁴ Hong Kong Watch, "Hong Kong Watch welcomes Recommendations on Hong Kong at the UN Universal Periodic Review", 23 January 2024 - <https://www.hongkongwatch.org/all-posts/2024/1/23/hong-kong-watch-welcomes-recommendations-on-hong-kong-at-the-un-universal-periodic-review>

its promises under the 1984 Sino-British Joint Declaration which paved the way for Hong Kong's handover to Beijing in 1997. The CCP has also continued to be in complete violation of Hong Kong's obligations as a party to the ICCPR, as well as Hong Kong's own mini-constitution, the Basic Law, and the 'one country, two systems' principle. Freedom of expression, particularly media freedom, freedom of assembly and association and the right to democratic participation in politics have all been almost completely destroyed. There are over 1,000 political prisoners in Hong Kong, and over 68 civil society organizations have been forced to close. In Hong Kong today, it is almost impossible to operate openly as a civil society organization if you are engaged in any activity that might be regarded as 'political'. In addition, as Hong Kong Watch documents in its November 2023 report *"Sell Out My Soul': The Impending Threats to Freedom of Religion or Belief in Hong Kong,"* freedom of religion or belief in Hong Kong is now being undermined.²⁵

In Hong Kong today it is fair to say that freedom of worship, narrowly defined, remains intact. People are still free to go to church, to the mosque, to the synagogue or temple. Religious believers can still access the Bible, the Quran or other religious scriptures and educational materials. Unlike in mainland China, persecution of religion, including the dismantling of crosses, closure, destruction or desecration of places of worship and the arrest and imprisonment of religious leaders and practitioners because of their religious practice is not occurring. However, there are clear signs of violations of freedom of religion or belief and early warning signs of worse to come.

There are four main indicators of threats to freedom of religion or belief in Hong Kong:

- The impact of the National Security Law and potential new restrictive, repressive laws to come, such as Article 23;
- Self-censorship;
- The impact on the education sector, and particularly church-run schools;
- Beijing's campaign of Sinicization of religion and the "patriotism" test.

The undermining of freedom of religion or belief in Hong Kong is subtle, slow and insidious. It involves the creation of a "chill" factor which results in religious leaders themselves making compromises. Christian clergy will now avoid certain topics in their sermons, and will certainly not touch on anything that hints of human rights, justice or freedom. In August 2020, Cardinal John Tong – Apostolic Administrator of the Hong Kong Catholic Diocese at the time – instructed all Catholic priests to "watch your language" when preaching, and avoid "political" issues. Since 2022, the Catholic Church in Hong Kong has stopped the annual commemorative masses which used to be held in parishes to mark the 1989 Tiananmen Square massacre. One Protestant pastor who has left Hong Kong claims his church removed all his sermons from the past 30 years from its website, and that many churches no longer share sermons online.

At least three prominent pastors, including Hong Kong's 91-year-old Bishop Emeritus, Cardinal Joseph Zen, have been arrested. One, Pastor Garry Pang, was convicted of sedition

²⁵ Hong Kong Watch, *"Sell Out My Soul': The Impending Threats to Freedom of Religion or Belief in Hong Kong,"* 7 November 2023 - <https://www.hongkongwatch.org/all-posts/2023/11/7/hong-kong-watch-launches-groundbreaking-new-report-on-threats-to-freedom-of-religion-or-belief-in-hong-kong>

and sentenced to one year in jail. Another, Roy Chan, went into exile but his church, which had provided pastoral support and sanctuary to pro-democracy protesters in 2019, was raided by the police and HSBC froze his and the church's bank accounts. Of course these cases relate to what may be regarded as "political" rather than "religious" activities, but the individuals concerned were acting according to their consciences informed and inspired by their religious beliefs. The ability of anyone in Hong Kong today to follow their conscience is now severely curtailed.

Perhaps as many as 60 percent of government-funded schools in Hong Kong are church-run, whether by Catholic, Anglican, Lutheran or other denominations. Like all schools in the city, faith-based schools are required to introduce National Security Law education and promote Beijing's propaganda in the curriculum. According to one Protestant pastor, faith-based schools are now "diluting their religious education". School boards are believed to be infiltrated by CCP sympathizers, eroding their faith-based ethos. Many of these church-run schools are associated with parishes, and that spells a potential threat to the churches themselves – parishes could be held responsible if the school does not comply with the National Security Law, and could then be shut down as a result.

Xi's campaign of Sinicization of religion is now creeping into Hong Kong, with at least three conferences between Hong Kong's religious leaders and representatives of Beijing's religious affairs apparatus. Even Hong Kong's new Cardinal, Stephen Chow, has called on Hong Kong Catholics to be "patriotic", which is a euphemism for surrender to and co-option into the CCP.

In some respects, this is inevitable. Once Beijing exerted direct control of Hong Kong, the death knell for religious freedom was sounded. Firstly, freedom itself is indivisible. When freedom of expression, assembly and association are dismantled, freedom of religion – which is interlinked and interdependent on other basic freedoms – is unsustainable. Secondly, because the regime in Beijing has always been hostile to religion, and at various times since 1949 has sought either to eradicate, repress, control, coerce or co-opt religion. Beijing's hostility to religion in Hong Kong is likely exacerbated by the fact that many of the city's pro-democracy activists are people of faith. From the father of the democracy movement Martin Lee to the founder of the now closed *Apple Daily* newspaper Jimmy Lai, who faces the rest of his life in jail, and from the organizer of the 2014 Occupy Central demonstrations Benny Tai, who also initiated the 2020 pro-democracy primaries to choose candidates for the Hong Kong Legislative Council and is now serving a long prison sentence, to the teenage activist Joshua Wong and the Reverend Chu Yiu-ming, people of faith were at the forefront of the city's fight for freedom. Let us not forget, in 2019 for a time one of the anthems of the protesters was "Sing Hallelujah to the Lord".

Where will all this lead? Strangulation of religious freedom by stealth. Pro-Beijing media in Hong Kong has already sounded the warnings, publishing articles last year attacking religion from various angles and calling for new regulations to restrict religious practice and establish a government department to vet, license and monitor religious groups.

Beijing is unlikely to use headline-grabbing physical repression against religious groups in Hong Kong because, despite the dismantling of its freedoms and autonomy, it is still an

international financial center with a degree of global scrutiny and foreign presence. Instead, it is opting for coercion, co-option and forcible compromise of conscience.

As one religious scholar from Hong Kong puts it, “the most violent form of attack on religious freedom is not necessarily the burning of churches and the killing of believers, for the persecutors kill the bodies but not the souls. Rather, the more dangerous and insidious attack on a religion could be its corruption from within, so that its believers can only practice the faith in name rather than in essence. In this regard, the CCP is about to use the latter strategy to attack religious freedom in Hong Kong.” Beijing can restrict religious freedom in Hong Kong by “exerting total control on churches without closing them.”

For this reason, the international community must monitor the situation closely. New repressive laws in Hong Kong – likely to be introduced in the coming months – should be analyzed for their impact on freedom of religion or belief. Diplomats in Hong Kong should engage with religious communities in the city, and people of conscience should speak out for people of faith in Hong Kong, when they are no longer able to speak for themselves.

As a leader in championing freedom of religion or belief worldwide, the US should pay close attention to the practice of freedom of religion or belief in Hong Kong, and continue to pressure the CCP and the Hong Kong authorities to abide by international human rights law. In its *2022 Country Reports on Human Rights Practices: China (Includes Hong Kong, Macau, and Tibet) – Hong Kong*, the US Department of State noted, “For the first time in 33 years, Hong Kong Catholic churches did not hold memorial masses on June 4 for the victims of the 1989 massacre, out of concern the masses would be deemed a violation of the National Security Law (NSL).”

The US Department of State also raised concern following credible evidence of “arbitrary arrest and detention; political prisoners or detainees; cruel or degrading treatment or punishment by government agents; transnational repression against individuals outside of Hong Kong; serious problems regarding the independence of the judiciary; arbitrary interference with privacy; serious restrictions on freedom of expression and media, including unjustified arrests or prosecutions of journalists and censorship; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental organizations and civil society organizations; restrictions on freedom of movement and on the right to leave the territory; the inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government restrictions on domestic and international human rights organizations; and significant restrictions on workers’ freedom of association, including coercive actions against independent trade unions and arrests of labor union activists.” The US should continue to observe the practice of these freedoms in Hong Kong, especially given the increasing threat to the freedom of religion or belief in the city.²⁶

²⁶ US Department of State, “2022 Country Reports on Human Rights Practices: China (Includes Hong Kong, Macau, and Tibet) – Hong Kong”, 20 March 2023 - https://www.state.gov/wp-content/uploads/2023/03/415610_HONG-KONG-2022-HUMAN-RIGHTS-REPORT.pdf

Finally, let me end with some brief words on the trial of Jimmy Lai which began on December 18th last year and is underway as we speak.

Hong Kong's plight is illustrated most starkly with the trial of Jimmy Lai, the 76-year-old Hong Kong entrepreneur, media tycoon and pro-democracy activist who has spent the past three years of his life in prison and may well remain there until he dies. He is accused of conspiring to collude with foreign forces, a crime under the National Security Law, and publishing allegedly seditious materials. In reality he is charged, as the head of his international legal team Caoilfhionn Gallagher, KC puts it so brilliantly, with the crimes of conspiracy to commit journalism, for daring to publish stories and opinions which Beijing dislikes, conspiracy to talk about politics to politicians, and conspiracy to raise human rights concerns with human rights organizations.

As mentioned, on January 2nd and on several occasions during the court proceedings since, I have been named as one of a number of foreigners with whom Mr Lai had communicated or collaborated with. According to media reports, in court the prosecution displayed a chart labeled "Lai Chee-ying's external political connections", showing headshots of me, several other British citizens, and several US officials, including the former US Consul General to Hong Kong Ambassador James Cunningham, former US Army General Jack Keane, and former US Deputy Defense Secretary Paul Wolfowitz. Several foreign "co-conspirators" have also been named, including the US-born financier and campaigner Bill Browder, who leads the Global Magnitsky Justice Campaign, and US citizen Mark Simon, Mr Lai's closest aide.

On January 22nd, the day before the UPR, four UN experts – including the UN Special Rapporteurs on torture and other cruel, inhuman or degrading treatment of punishment; on the protection and promotion of freedom of opinion and expression; on the Independence of Judges and Lawyers; on the rights of freedom of peaceful assembly and of association – called for all charges against Jimmy Lai to be dropped and for his immediate release.²⁷ In its recommendations to the UPR, the United Kingdom made the same call.

The outrageous imprisonment and prosecution of Jimmy Lai is emblematic of the CCP's all-out assault on human rights, including freedom of expression and freedom of religion or belief. Jimmy Lai is a devout Catholic who, while not specifically in prison for his faith, certainly was motivated and inspired by his faith to campaign for freedom and democracy.

At the start of the trial of Jimmy Lai in December 2023, the US Department of State released a statement condemning Mr Lai's trial and calling for his release and the release of "all others imprisoned for defending their rights". Responding to the deteriorating situation in Hong Kong more generally, the statement also says, "We urge Beijing and Hong Kong authorities to respect press freedom in Hong Kong. Actions that stifle press freedom and restrict the free flow of information – as well as Beijing and local authorities' changes to Hong Kong's electoral system that reduce direct voting and preclude independent and pro-democracy party candidates from participating – have undermined Hong Kong's democratic institutions and

²⁷ Hong Kong Watch, "Hong Kong Watch welcomes UN experts' call for immediate release of Jimmy Lai ahead of UPR," 22 January 2024 - <https://www.hongkongwatch.org/all-posts/2024/1/22/hong-kong-watch-welcomes-un-experts-call-for-immediate-release-of-jimmy-lai-ahead-of-upr>

harmed Hong Kong's reputation as an international business and financial hub."²⁸ The United States should continue to speak out for him, monitor his trial closely, and demand an end to the prosecution and his immediate and unconditional release.

Thank you again for this opportunity and for your continued leadership on these issues.

²⁸ US Department of State, "Trial of Jimmy Lai Under the Hong Kong National Security Law", 17 December 2023 - <https://www.state.gov/trial-of-jimmy-lai-under-the-hong-kong-national-security-law/>