



Written Testimony of

**Anna Kwok
Executive Director
Hong Kong Democracy Council**

**Mason L. Wong
Research Fellow
Hong Kong Democracy Council**

**Before the
Congressional-Executive Commission on China**

**Hearing on
Countering China's Global Transnational Repression Campaign**

September 12, 2023

The Hong Kong Government's Escalating Transnational Repression Campaign

Anna Kwok

Executive Director, Hong Kong Democracy Council

Overview

Chairman Smith, Co-Chairman Merkley, Ranking Member Rubio, Vice Ranking Member McGovern, members of the Commission: thank you for inviting me to submit my testimony at this hearing.

The past year has seen an unprecedented rise in transnational repression directed at Hong Konger activists overseas. I myself am a target of this new wave of transnational repression: in the time since I last testified before the Commission in May, a warrant has been issued for my arrest in connection with offenses under Hong Kong's National Security Law (NSL), in part because of my advocacy on Capitol Hill.

As I submit my written testimony, I wish to reaffirm my dedication to fighting for our fundamental rights and freedoms. Hong Kongers will keep working toward attaining our rights and freedoms, and we need all of the support we can get in the fight against China's totalitarianism.

This escalation of the Hong Kong SAR (HKSAR) government's transnational repression campaign demands a swift response from the United States. I urge the United States government to respond across multiple fronts: first, create humanitarian pathways for Hong Kongers to better protect their personal safety; second, hold accountable the actors responsible for this campaign of harassment and intimidation; and third, create new tools to protect those subject to transnational repression.

Arrest warrants and bounties on overseas activists

On the morning of July 3, 2023, I awoke to find that the National Security Department of the Hong Kong Police Force had issued a warrant for my arrest and placed a \$HK 1 million bounty on my head. This is the first time the HKSAR government has issued bounties for overseas political activity under the NSL. The bounty on my head is higher than the bounties issued for suspects in violent crimes, including those who are accused of murder and arson.

I am not the only Hong Kong activist subject to this new wave of transnational repression. These overseas warrants and bounties have targeted a diverse array of people residing all around the world. In total, eight of us, living in the United States, the United Kingdom, and Australia, had warrants issued for our arrest that day: in addition to three activists—myself, Nathan Law, and Finn Lau—police issued warrants against Ted Hui and Dennis Kwok, both former opposition lawmakers; Kevin Yam, a legal expert; Christopher Mung, a trade unionist; and Elmer Yuen, a former businessman. The regime is expanding the scope of its crackdown to include all forms of political opposition abroad. All manner of people – no matter where you live or what you do – can be



Hong Kong Democracy Council

1301 K Street NW, Suite 300W, Washington, DC 20005
hkdc.us | info@hkdc.us | (202) 813-9930

targeted under the unlimited authority of the NSL once the regime deems you a threat to its authoritarian rule.

I want to emphasize the nature of the accusations against me: the warrant for my arrest was not issued in connection with anything I did in Hong Kong. In fact, the allegation that I “collud[ed] with foreign forces”¹ came directly and exclusively from my advocacy for universal values – human rights and fundamental freedoms – while living in America. It is well within my political rights in the United States to meet with members of Congress and to express my opinions of the Chinese and HKSAR governments. Nonetheless, the regime wishes to politically persecute me based on my exercise of basic rights in the United States. These latest NSL warrants show the regime’s intention to intimidate and silence Hong Kongers living outside the city. In another example, Kevin Yam has been charged with “collusion with foreign forces” for exercising his right as an Australian citizen to contact his elected representatives.²

The regime has stripped Hong Kongers of their political rights domestically in the city of Hong Kong, causing Hong Kongers to flee and bid farewell to the home they held to heart, thinking it could be a new beginning to find space for exercising the rights they were born with. But the regime follows. Now, the regime attempts to continue its campaign of heavy-handed repression by threatening our rights internationally, sending the message that once you are a Hong Konger, you do not deserve any political rights, no matter where or when.

Not only are these arrest warrants an absurd overreach on the part of Hong Kong law enforcement, they are also a clear use of the NSL as a tool of transnational repression, and a crystal clear reflection of the regime’s determination to strip people of their human rights and fundamental freedoms.

Harassment of overseas activists’ associates and family members

The HKSAR government’s campaign of transnational repression is also carried out through psychological intimidation. HKSAR law enforcement authorities have begun to interrogate and harass the family, friends, and former colleagues of overseas activists. My own family has been subject to interrogation and harassment by national security agents in Hong Kong.

On August 8, 2023, one month after the issuing of the warrant and bounty for my arrest, my parents were taken from my family home to a police station in what I believe was an attempt to intimidate me into silence. Police claimed, without evidence, that my parents were “suspected of assisting persons wanted by Police to continue to commit acts and engage in activities that endanger national

¹ Soo, Zen. “Hong Kong police offer rewards for arrests of 8 overseas pro-democracy activists,” ABC News, July 3, 2023. <https://abcnews.go.com/International/wireStory/hong-kong-police-offer-rewards-arrests-8-overseas-100606081>

² Handley, Erin. “Australian-based activists Ted Hui and Kevin Yam slam Hong Kong arrest warrants,” Australian Broadcasting Corporation, July 4, 2023. <https://www.abc.net.au/news/2023-07-04/hong-kong-activists-ted-hui-kevin-yam-slam-arrest-warrants/102558222>



security,” a baseless and false allegation.³ Two weeks later, my eldest brother was taken away from his home, and my second brother ‘invited’ to an interrogation session with national security authorities. They were all released after hours of interrogation, but the possibility that they will be taken away, interrogated, and harassed in the future remains.

Other wanted activists living overseas have seen their families and friends interrogated and harassed as well. In the time since warrants were issued for their arrest, Dennis Kwok, Christopher Mung, Nathan Law, and Elmer Yuen have seen their families’ homes searched by police and their family members questioned by national security agents. Seven former associates of Nathan Law have also been arrested in connection to his case, with two more subject to police interrogation. At the time of this hearing, 37 family members and former associates of the eight of us wanted overseas activists have been taken away for questioning or arrested by Hong Kong police, with 12 more arrested since last month on similar charges of foreign collusion.⁴

This harassment of overseas activists’ family members and former associates represents a new level of escalation on the part of the HKSAR government. While the targeting of dissidents’ family members is a tactic commonly used by mainland Chinese law enforcement and intelligence authorities, these methods had not been widely used against Hong Kong dissidents until two months ago. The Chinese government is trying to rapidly swallow up Hong Kong – once a relatively free society compared to mainland China – into the maw of China’s notorious law enforcement system. The international community and businesses should seriously think twice if they are still under any illusions that Hong Kong remains a buffer zone between mainland China and the free world.

Intimidation of overseas activists & activist networks

While the arrest warrants and bounties target only the eight of us on paper, the regime’s intention is to intimidate the entire overseas Hong Konger network – which has been vibrant and successful in campaigning against the HKSAR government – into silence.

From the example of the eight of us and our families, overseas activists are now aware that they may be targeted indiscriminately with arrest warrants based on spurious national security charges. They

³ Leung, Hillary, “Parents of wanted overseas Hong Kong activist Anna Kwok questioned by national security police – reports,” Hong Kong Free Press, August 8, 2023. <https://hongkongfp.com/2023/08/08/breaking-parents-of-wanted-overseas-hong-kong-activist-anna-kwok-questioned-by-national-security-police-reports/>

⁴ This includes the July 5 arrest of four former members of Nathan Law’s defunct former party, the July 6 arrest of one former member of Nathan Law’s former party at the airport, the July 11 questioning of Nathan Law’s mother, father, and brother, the July 13 questioning of one former member of Nathan Law’s defunct former party and two other unknown individuals, the July 18 questioning of Christopher Mung’s brother, sister-in-law, and niece, the July 20 questioning of Dennis Kwok’s mother, father, brother, and sister-in-law, the July 24 questioning of the son, daughter, and daughter-in-law of Elmer Yuen, the July 27 arrest of two former members of Nathan Law’s defunct former party, the August 3 questioning of Elmer Yuen’s ex-wife, son, and daughter, the August 8 questioning of my parents, the August 10 arrest of ten unknown individuals on suspicion of “conspiracy to collude with foreign forces” for allegedly conspiring with the defunct 612 Humanitarian Relief Fund to receive donations from Overseas organizations to support overseas activism, the August 18 questioning of a former associate of Nathan Law’s defunct former party, the August 19 questioning of Nathan Law’s sister-in-law, the August 22 questioning of my two brothers, and the August 22 arrest of two more individuals in connection with their work for the defunct 612 Humanitarian Relief Fund.



know that bounties may be issued for their arrest. They are concerned that their families and friends may even be arrested or taken away for questioning by HKSAR national security agents.

This latest escalation by the HKSAR government significantly increases the risks for Hong Kongers engaged in activism abroad, forcing every Hong Konger committed to the cause of freedom to reassess the danger not just to themselves, but also to their family and friends who remain in Hong Kong. When risks extend to people we care about, the hesitation we feel is inevitably stronger.

Though I remain confident in the determination of every Hong Kong freedom fighter to continue on our path to freedom and democracy, I am acutely aware that this escalated campaign of transnational repression will make our work more difficult, closing off lines of communication and forcing activists to adopt new security measures to protect themselves and their identities. The psychological burden on each individual will also sow mistrust and fear in the community, which may impact the open communication that keeps our community tight and coherent.

I am distinctly worried about the chilling effect that this newest wave of transnational repression is designed to produce. It is clear to me that the HKSAR government wants to use these latest intimidation tactics to discourage Hong Kongers from participating in any kind of political activity. In effect, the ramping up of transnational repression on the part of the HKSAR authorities seeks to criminalize almost all forms of political expression overseas related to democracy in Hong Kong. This certainly threatens the safety of the highest-profile activists, but it also serves to intimidate those who have relatives in Hong Kong or plan to return to the city, demonstrating that there is no place they can safely express their beliefs without endangering themselves or their loved ones.

Policy recommendations

It is within the power of the United States government to respond – with actions – to this growing crisis. A robust response to the HKSAR government’s campaign of transnational repression is in line with the United States government’s expressed commitment to dealing decisively with attempts by foreign autocrats to repress people living in America. This is an area where the United States can clearly demonstrate its leadership on the global stage in a way that will lessen the harm to individuals when the Chinese and HKSAR governments conduct transnational repression, and potentially deter them from doing so.

First, I urge the members of the committee before me to exercise their power as legislators to offer humanitarian pathways for Hong Kongers. Chief among the options available is the use of the Priority Two (P-2) refugee program, which would allow Hong Kongers to travel to a third country, where they can be vetted for security concerns before resettling in the United States. Such a program would be of substantial benefit to Hong Kongers who remain in danger in the city, and it will send a strong message to the world that America stands with people subject to repression everywhere.

Furthermore, I implore the Biden administration to upgrade the existing Deferred Enforced Departure (DED) program, which protects Hong Kongers who overstay their visas from deportation,



to Temporary Protected Status (TPS), which would help create greater security for Hong Kongers facing transnational repression in the United States by giving them a legal status and basis to stay in the United States. Without humanitarian pathways that allow them to live safely and securely in the United States, many activists do not feel that they can take on the risk of continuing their advocacy in the face of this latest wave of transnational repression.

Additionally, sanction NSL prosecutors and judges. The politically motivated charges used to intimidate overseas activists and harass their friends and family would be impossible to enforce without the complicity of NSL prosecutors and judges. I urge the United States government to move quickly, following the recommendations of this commission, to sanction judges and prosecutors who work on NSL cases. It is important not only that the United States substantively signal its opposition to these politically motivated prosecutions, but also that the U.S. proactively move to hold accountable the people carrying out transnational repression.

Congress must also move against another key element of the Hong Kong government's influence in the United States: the Hong Kong Economic and Trade Offices, which, as my colleague Mason Wong will explain, engage in a wide range of tactics to further transnational repression against individuals in the U.S. and abroad. I strongly support the passage of the HKETO Certification Act (H.R.1103/S.490), which would allow for the revocation of the unwarranted legal privileges enjoyed by these offices in the United States.

Finally, I want to note that current legal tools may not be enough to protect Hong Kongers subject to transnational repression. Successful extraterritorial application of the NSL would require international cooperation from members of the International Criminal Police Organization (INTERPOL). I urge all INTERPOL member countries, especially the countries hosting Hong Konger activists targeted by the NSL and any countries to which such activists might travel, to protect people subject to transnational repression.

The Chinese government has a long history of abusing INTERPOL to target political enemies abroad, and I suspect that the Hong Kong police may follow suit by issuing requests for INTERPOL member countries to arrest or seize the assets of activists living abroad. In order to combat abuses of INTERPOL authority, the United States must, at the earliest possible opportunity, pass the Transnational Repression Policy Act (S.831), which would prohibit U.S. law enforcement authorities from arresting any individual or seizing their assets based solely on an INTERPOL Red Notice or a cooperation request from another INTERPOL member country.

Conclusion

As I and other Hong Kongers continue to fight on despite the threats posed by transnational repressive efforts, we look to the United States for concrete actions that can deter the Chinese and HKSAR governments' attempts to threaten us and infringe on America's national security interest in protecting those living within its borders. China can only be held accountable when we work together.



The United States must respond to the HKSAR government's escalating campaign of transnational repression by creating humanitarian pathways for Hong Kongers and holding HKSAR security officials accountable. It can also pass new laws to thwart the HKSAR's campaign of intimidation and protect targets of transnational repression.

Thank you, Commissioners, for your continued support of Hong Kong, and for drawing attention to this important issue. I am sure Hong Kongers around the world can continue to count on you as steadfast allies in our fight for freedom.



Transnational Repression and the Hong Kong Economic and Trade Offices

Mason L. Wong

Research Fellow, Hong Kong Democracy Council

Overview

Thank you to Chairman Smith, Co-Chairman Merkley, Ranking Member Rubio, Vice Ranking Member McGovern, and the distinguished members of the CECC for the opportunity to submit my testimony to the Commission.

The Hong Kong Economic and Trade Offices (HKETOs) are the HKSAR government's representative offices in the United States, first established during the British colonial era to promote Hong Kong's commercial ties with America. In 1997, after the handover of Hong Kong to the People's Republic of China, the HKETOs were granted new privileges, exemptions, and immunities under the twin assumptions that the nature of their work would not change and that Hong Kong would remain free from Chinese interference after the transfer of sovereignty.

In the last decade, however, as both of these assumptions have proven false, the HKETOs have shifted from trade representative offices to what the co-chairman of this commission deftly referred to as "propaganda arms of the Chinese government."⁵ My testimony today is focused on how this shift corresponds with the HKETOs' growing role in the HKSAR government's ongoing transnational repression campaign.

In the last decade, the HKETOs have played a multifaceted role in the HKSAR government's attempts to harass, surveil, and discredit overseas activists. HKETOs are directly involved not only in the surveillance of Hong Kongers living in the United States, but also in attempts to discredit and defame Hong Kong activists around the world.

More broadly, the HKETOs have led a long-running campaign to promote the interests of the Chinese government to American political actors, spending millions of dollars in an attempt to influence American lawmakers, executive-branch officials, and state government employees. In my view, these political activities are part of an integrative project aimed at counteracting the work of Hong Kong democracy advocates in the United States and abroad.

The United States can take several steps to address this key element of the HKSAR government's transnational repression campaign. First, I urge Congress to pass the HKETO Certification Act (H.R.1103/S.490), which would allow the government to curb the HKETOs' malign influence in the United States. Secondly, I encourage Congress to pass the Transnational Repression Policy Act

⁵ U.S. Senator for Florida, Marco Rubio. "Rubio, Merkley Applaud SFRC Passage of Bill to Remove CCP-Controlled Hong Kong Economic and Trade Offices from U.S." Press release, July 13, 2023, <https://www.rubio.senate.gov/rubio-merkley-applaud-sfrc-passage-of-bill-to-remove-ccp-controlled-hong-kong-economic-and-trade-offices-from-u-s/>.



Hong Kong Democracy Council

1301 K Street NW, Suite 300W, Washington, DC 20005
hkdc.us | info@hkdc.us | (202) 813-9930

(S.831), which would give law enforcement the tools it needs to combat transnational repression and increase interagency cooperation on this important issue.

HKETO Surveillance of Overseas Activists

In recent years, HKDC has learned of multiple instances in which the HKETOs are active participants in the surveillance and intimidation of Hong Kongers living in the Washington, D.C. area.

I have been made aware that in at least one instance, Hong Kongers residing in the D.C. area have been questioned by an HKETO official attempting to gather information about members of our team. In other instances, HKDC has learned from members of the overseas Hong Kong community that they have been photographed by individuals inside of the Washington HKETO while attending political events outside of the HKETO building. This corresponds with reports HKDC has received—as well as the personal observations of HKDC team members—regarding the presence of suspicious photographers observing D.C.-area Hong Konger protests from afar.

Furthermore, based on both my observations and the statements of Hong Kongers in the D.C. area, HKETOs also regularly report peaceful protests by pro-democracy Hong Kongers to U.S. law enforcement authorities in an attempt to disperse these gatherings. To my knowledge, none of these attempts have been successful thus far, although their mere existence indicates an effort by the HKETOs to disrupt the peaceful political expression and assembly of Hong Kongers overseas.

HKETO Efforts to Discredit Overseas Activists

In addition to their work directly surveilling overseas Hong Kongers engaged in political activity, HKETOs in the United States are also spearheading an international propaganda effort meant to malign activists and whitewash the behavior of the Hong Kong government. Specifically, the U.S. HKETOs frequently issue tendentious letters to major American news organizations seeking to advance pro-government narratives, both about particular individuals and the broader political situation in Hong Kong.

In the past two years, the HKETO in Washington, D.C. has sent 18 such letters to the Wall Street Journal and Bloomberg News. These letters are often aimed at repeating unproven allegations of criminality and illicit behavior in an attempt to smear overseas activists. In my view, some of this activity likely falls under the type of transnational repression described in Section 2(B)(xiv) of the Transnational Repression Policy Act: the use of “slander and libel to discredit individuals.”⁶

As an illustrative example, I want to draw specific attention to a letter dated July 10, 2023 and issued by the Washington HKETO to the editor of the Wall Street Journal, in which a senior Hong Kong government official attacks the credibility of the activist, lawyer, and former opposition lawmaker

⁶ Transnational Repression Policy Act, S.831, 118th Cong., Sec. 2., (2023).



Ted Hui Chi-fung. Among other claims, the letter accuses Mr. Hui of engaging in “evil acts” including “furnishing false documents” to a court in Hong Kong, labeling him a “liar without credibility.”⁷

As I have expressed above, it is my view that this attack on Mr. Hui’s reputation cannot be viewed as separate from the HKSAR government’s ongoing campaign of transnational repression. In the time since Mr. Hui has fled Hong Kong based on a well-founded fear of political persecution, he has seen his financial assets frozen on political grounds, had multiple warrants, a sizable bounty, and three *in absentia* convictions issued against him, and been physically threatened by an unknown individual, all while living overseas.

In this context, we can observe that the latest attack on Mr. Hui’s reputation is only one part of a concerted effort on the part of the HKSAR government to silence him. Thus, this letter serves as a clear example of an HKETO participating in a transnational repression campaign targeted at a prominent overseas dissident. Notably, the aforementioned letter is also signed by Hong Kong Secretary for Security Chris Tang Ping-keung, who has already been sanctioned by the United States government for “coercing, arresting, detaining, or imprisoning individuals under the authority of the National Security Law”: another indication that the HKETOs are at the forefront of efforts directed by Hong Kong authorities to repress dissident activity abroad.⁸

It is also worth mentioning that because of the coordinated nature of the Hong Kong SAR government’s transnational repression efforts, the U.S. HKETOs’ role in transnational repression does not just affect the Hong Kong activists who live in the United States. Ted Hui is currently residing in Australia, and holds neither permanent residency nor citizenship in the United States. However, an HKETO in the United States is engaged in an effort to tarnish Mr. Hui’s reputation with American media outlets and audiences nonetheless.

More generally, public correspondence sent by the Washington HKETO to the editors of major U.S. news outlets tend to focus on broadly discrediting overseas activists by labeling them as criminal fugitives. Though not all of these attacks may be libelous in the way that the specific allegations of fraud against Ted Hui likely are, we should nevertheless see these propaganda efforts by the HKETOs as supplementary to broader efforts to harass overseas activists through arrest warrants, bounties, and other legal tools.

HKETO Attempts to Influence U.S. Legislation

For nearly a decade, the HKETOs have engaged in a lobbying campaign meant to promote the interests of the Chinese government and HKSAR authorities at the expense of Hong Kong’s democracy movement. While these lobbying efforts are not a direct form of transnational repression, they nonetheless bolster the transnational repression policies of the HKSAR government and serve as an important part of the way in which HKSAR authorities respond to democratic activism overseas.

⁷ Tang, Ping-keung. “S for S’ letter to Wall Street Journal.” Hong Kong Economic and Trade Office, Washington, D.C., July 10, 2023. <https://www.hketowashington.gov.hk/letters/071023.pdf>

⁸ “Treasury Sanctions Individuals for Undermining Hong Kong’s Autonomy,” U.S. Department of the Treasury, August 7, 2020, <https://home.treasury.gov/news/press-releases/sm1088>.



As documented in HKDC's report *The Counter-Lobby Confidential: How Beltway Insiders Do the Hong Kong Government's Bidding* and its accompanying SAR Government Lobbying Influence Database, lobbyists directed by the HKETOs have had more than 1,000 interactions with American politicians and government officials since January 1, 2014.

In many cases, these meetings are attempts to induce American lawmakers and government officials to not adopt policies that would allow the United States to hold accountable those responsible for repression both in Hong Kong and transnationally. In one example, Venable LLP, a major American lobbying firm, was paid to "prevent or minimise any negative impact that action taken by the US, including action against Hong Kong's major trading partners, may have on the economic well-being of Hong Kong."⁹ More specifically, HKDC's database documents many attempts in the last 10 years by HKETO-directed lobbyists to oppose sanctions legislation, including the landmark Hong Kong Human Rights and Democracy Act (Pub. L. 116–76). Recently, HKDC's database has also documented attempts by HKETO-directed lobbyists to collect political intelligence on the status of comprehensive China legislation in the United States Congress.

In my view, these lobbying efforts provide a strong backstop to the HKSAR government's transnational repression campaign. As my colleague Anna Kwok has observed, the use of sanctions and other legal tools to hold human rights abusers accountable is one key way the United States can respond to transnational repression. By attempting to block these efforts in Congress, the HKETOs help protect those responsible for transnational repression from facing consequences for their actions.

We should not consider these lobbying efforts to be a minor part of the HKSAR government's transnational repression campaign. As Appendix 1, drawn from HKDC's database, shows, this campaign to dull the United States' response to human rights violations in Hong Kong has spanned nearly a decade and involved an outlay of some US\$15 million in funds from the HKSAR government.

This lobbying campaign has also been enabled by a complex network of organizations which are worth investigating on their own, both because of their role in shielding perpetrators of transnational repression and because of their attempts to influence American politics writ large. In part, the sophisticated lobbying operation led by the HKETOs has escaped scrutiny simply because of the convoluted nature of the parties involved: as noted in Appendix 2, while lobbyists report to the HKETO in Washington, D.C., they are financed by a separate body of the Hong Kong government, the Hong Kong Trade Development Council (HKTDC), allowing the lobbyists to disguise their activities supporting transnational repression as advocacy on behalf of a trade-focused organization.

Finally, I would be remiss not to draw attention to the fact that a great number of the individuals who carry out these lobbying campaigns to protect the HKSAR government from accountability are

⁹ U.S. Department of Justice NSD/FARA Registration Unit, *5931-Exhibit-AB-20190520-11*, submitted by Venable LLP on 1 April 2019, Washington, D.C.: U.S. Department of Justice, 2019, <https://efile.fara.gov/docs/5931-Exhibit-AB-20190520-11.pdf>



well-connected Americans with deep experience in Congress and the federal government; in many cases, they are themselves former members of Congress. As noted in Appendix 3, drawn from HKDC's database, former legislators, former executive-branch officials, and former political staff from both parties have helped lobby against harsher U.S. action on Hong Kong.

Policy recommendations

Because of their well-documented role in defaming and surveilling overseas activists, as well as their lobbying campaigns against human rights-related legislation, the HKETOs should be considered a malign foreign-government operation that menaces activists in America and attempts to protect those who carry out transnational repression from accountability. It is of the utmost importance that the United States respond to the activities of the HKETOs.

In my view, the easiest way to curb the activities of the HKETOs is to pass legislation that would allow the President of the United States to revoke the HKETOs' special quasi-diplomatic privileges, namely the aforementioned HKETO Certification Act. I understand that the closure of the HKETOs may seem like an unusual escalation in terms of the United States' posture towards Hong Kong. However, the case for revoking the HKETOs' privileges is clear: the HKETOs fulfill no essential consular, representative, or diplomatic functions and are not key facilitators of the United States' diplomatic relationship with any other country. As neither embassies nor proper consular offices, the HKETOs exist in the United States only because of a set of special legal privileges, which their role in supporting transnational repression indicates they no longer deserve to enjoy.

Echoing my colleague Anna Kwok's call for the United States to hold those responsible for advancing transnational repression campaigns accountable, I urge Congress to pursue a vigorous investigation of not only organizations like the HKTDC which help extend the HKSAR government's influence in the United States, but also the specific lobbyists who have represented, or continue to represent, the HKSAR government.

I also want to express my unreserved support for the passage of legislation that specifically addresses transnational repression. As mentioned in my discussion of Ted Hui's case, the Transnational Repression Policy Act contains provisions that would specifically address the types of activities against dissidents carried out by the HKETOs, be it surveillance or the tarnishing of their reputations before major American media outlets. In lieu of the revocation of the HKETOs' legal privileges, the passage of the Transnational Repression Policy Act would also allow U.S. law enforcement more latitude to investigate the political activities of the HKETOs as they pertain to the harassment or monitoring of overseas Hong Kongers.

Conclusion

The HKETOs in the United States are a key nexus of the HKSAR government's global campaign of transnational repression, surveilling and smearing dissidents on behalf of the HKSAR government.



Importantly, the HKETOs are also engaged in an active effort to stop the United States from taking action against human rights abusers in the HKSAR like the ones directing the HKSAR government's transnational repression campaign. In light of the recent escalation of the HKSAR government's transnational repression campaign, the United States must move swiftly to protect Hong Kongers in the United States from those that seek to enable transnational repression, including the HKETOs.

I thank the members of the Commission for their attention to this pressing matter.



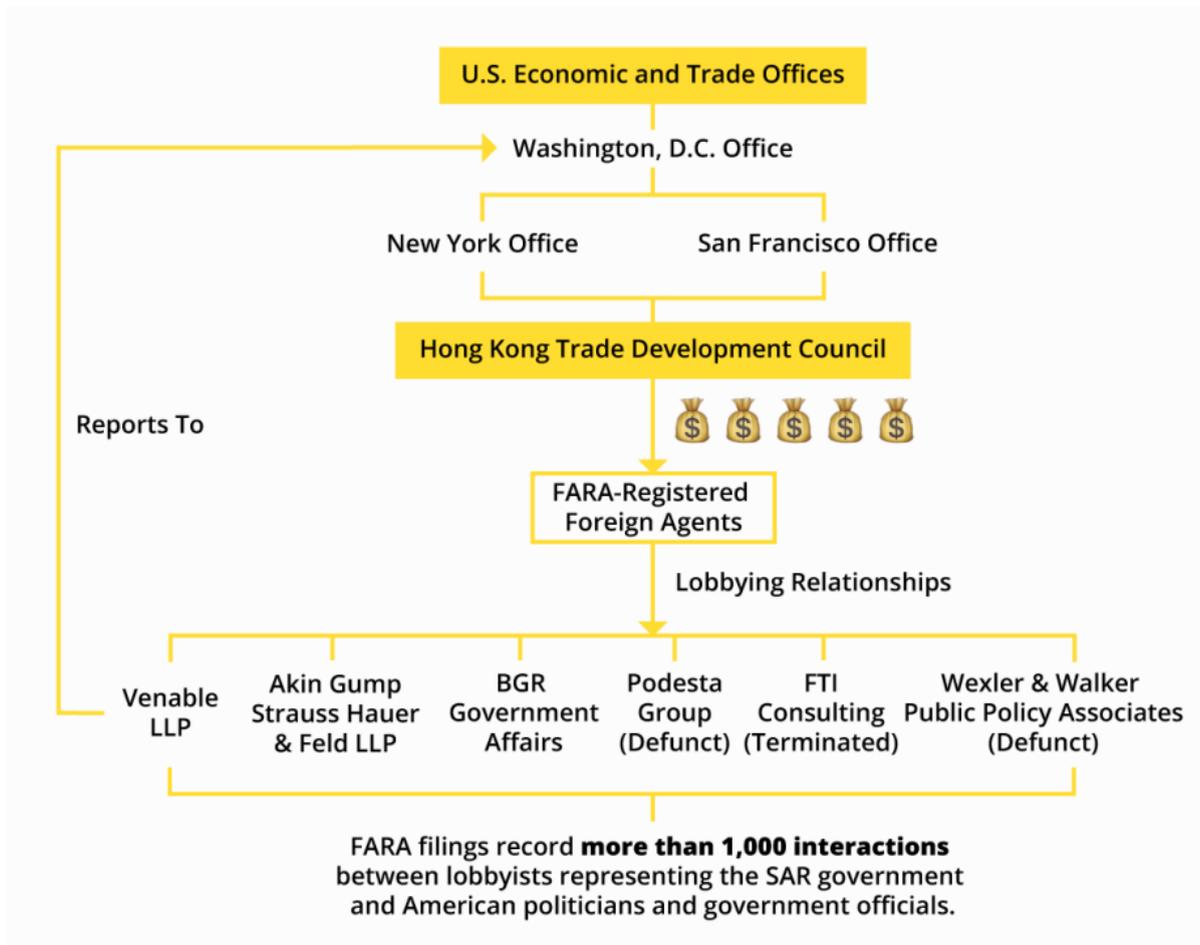
Appendix 1: HKSAR Spending on HKETO-Directed U.S. Lobbying, 2014-2023

Lobbying Firms	Amount received from the SAR government through the HKTDC since 2014	Number of interactions facilitated with Congressional staff/ lawmakers/government officials/media/think tanks
Venable LLP	\$2.2 million	107
Akin Gump Strauss Hauer & Feld LLP	\$3.5 million	132
BGR Government Affairs	\$1.3 million	288
Total	\$7 million	527

Defunct Lobbying Relations	Service Period	Amount Received From the SAR Government Through the HKTDC for Lobbying Services	Defunct Lobbying Relations	Service Period	Amount Received From the SAR Government Through the HKTDC for Legal Services
FTI Consulting	2014-2015	\$371, 250	Jacobs Global Trade & Compliance	2014-2019	\$1, 533, 740
Podesta Group	2014-2017	\$1, 173, 361	Sidley Austin	2014-2019	\$2, 339, 358
Legislative Strategies, Inc	2014-2020	\$2, 220, 000	Total		\$3, 873, 098
Wexler & Walker Public Policy Associates	2014	\$10, 890			
Total		\$3, 775, 501			



Appendix 2: Map and Documentation of HKETO-Directed Influence Network in the U.S.



I refer to the Agreement dated 1 April 2019 signed by the Hong Kong Trade Development Council (the “TDC”) and Akin Gump Strauss Hauer & Feld LLP (the “Consultant”), and I wish to set out my understanding of the manner in which the Agreement will be operated.

The Agreement covers the period 1 April 2019 to 31 March 2020 and can be reviewed at the sole discretion of the TDC for possible extension for another year subject to the same fee level, terms and conditions. Your engagement is funded by the TDC which is the statutory body responsible for promoting, assisting and developing Hong Kong’s overseas trade.

For administrative purposes, it is envisaged under the Agreement that the Consultant will report to and be instructed by the Hong Kong Economic and Trade Office in Washington, D.C.



Appendix 3: Names and Biographical Details of Major HKETO-Directed Lobbyists

Most Recent Registration or Documentation	Last Name	First Name	Employer	Title	Bio/Past Affiliations
8/15/22	Morales	Camillo	Akin, Gump, Strauss, Hauer & Feld, LLP	Senior Public Policy Specialist	Graduated GWU in 2018; was member of College Republicans
3/31/22	Johnson,IV	Charles W.	Akin, Gump, Strauss, Hauer & Feld, LLP	Partner	House Judiciary Committee law clerk (1992); bio says he has been "active in Democratic politics" for more than 2 decades
3/31/22	Borjon	Jose	Akin, Gump, Strauss, Hauer & Feld, LLP	Senior Policy Advisor	Chief of Staff, Congressman Vicente Gonzalez (D-TX); Senior Adviser, Congressman Filemon Vela (D-TX); Director of Media Relations, Strategy, & Communication, Congressman Silvestre Reyes (D-TX); Press Secretary, Congressman Henry Cuellar (D-TX); Communications Director, Congressman Solomon P. Ortiz (D-TX)
3/31/22	Fawkner	Joseph Guzicki	Akin, Gump, Strauss, Hauer & Feld, LLP	Senior Policy Advisor	Senior Advisor, US-Asia Institute; Senior Policy Advisor, Congresswoman Carol Miller (R-WV); Executive Director, Hong Kong-US Business Council, lobbyist for US Chamber of Commerce

3/31/22	Kho	Stephen	Akin, Gump, Strauss, Hauer & Feld, LLP	Partner	Associate General Counsel, USTR; Legal Advisor, US Mission to the WTO; he taught international trade law at universities in Beijing, Suzhou, Changsha and Zhenjiang
3/31/22	Smith	Lamar	Akin, Gump, Strauss, Hauer & Feld, LLP	Senior Consultant	Congressman (R-TX), US House of Representatives; Chair, House Science Committee; Chair, House Judiciary Committee; Chair, House Ethics Committee; Contributor, Breitbart
3/31/22	Parven	Scott	Akin, Gump, Strauss, Hauer & Feld, LLP	Partner	U.S.-Cuba Business Council board of directors at U.S. Chamber of Commerce, Caribbean Educational & Baseball Foundation advisory board member, former president of Parven Pomper Strategies, chief of staff to chairman of Aetna International and head of international public policy at Aetna; Scana Corp, Federal Policy Group, Capitol Tax Partners, Time Warner, Mayer, Brown et al., was legislative assistant to Rep. Nicholas Mavroules, a Democrat convicted of racketeering/extortion charges; Parven describes himself in bio as "affiliated with centrist Democrats"



3/31/22	Rickhoff	Hans Christopher	Akin, Gump, Strauss, Hauer & Feld, LLP	Partner	Loeffler Group (managing partner), Gray Loeffler (general counsel and senior principal),
3/31/22	Hawkins	Matthew	Akin, Gump, Strauss, Hauer & Feld, LLP	International Policy Advisor	Special Assistant, RNC Chairman Reince Priebus; Legislative Correspondent, Congressman John Carter (R-TX)
12/31/19	McMillen	Jeffrey	Akin, Gump, Strauss, Hauer & Feld, LLP	Partner	Staff Director, House Ways & Means Subcommittee on Select Revenue Measures; Counsel, House Ways & Means Subcommittee on Oversight, Private Equity Growth Capital Council, House Ways & Means Subcommittee on Select Revenue Measures (Staff Director), American Electronics Assn (Director, Tax Policy)
11/4/19	Verhoff	Geoff	Akin, Gump, Strauss, Hauer & Feld, LLP	Senior Advisor	Vice Chairman, Finance Committee, Republican National Committee; press aide to Sen. William Roth (R-DE.); Board of Advisors at Delta Capital Management
1/19/19	Stupak	Bart	Venable LLP	Partner	Congressman (D-MI); Chairman, Subcommittee on Oversight & Investigation, House Energy & Commerce Committee



4/17/19	Tavlarides	Mark J.	BGR Government Affairs, LLC	Principal	Director of Legislative Affairs, National Security Council; Senior Special Assistant for International Security Affairs, OSD Legislative Affairs Bureau; Podesta Group; Van Scoyoc Associates; Staff Director of House Foreign Affairs Subcommittee on Human Rights and International Organizations
4/1/19	Ros- Lehtinen	Ileana	Akin, Gump, Strauss, Hauer & Feld, LLP	Senior Advisor	Congresswoman (R-FL), US House of Representatives; Chair, House Foreign Affairs Committee; University of Miami distinguished presidential fellow; former board member at National Endowment for Democracy
4/1/19	Fazio	Vic	Akin, Gump, Strauss, Hauer & Feld, LLP	Senior Advisor	Congressman (D-CA), US House of Representatives; Chair, House Democratic Caucus; Chair, DCCC; Clark & Weinstock; Private Equity Growth Capital Council
3/27/17	Rademaker	Stephen	Podesta Group	Principal	Assistant Secretary of State for International Security and Nonproliferation, Chief Counsel, House Committee on Homeland Security, Assistant Counsel to President George W. Bush



4/9/15	Freiberg	Ronna	Legislative Strategies, Inc.	Senior Vice President	Congressional Affairs Staffer, Vice President Al Gore; Director, Congressional Affairs, US Information Agency; Congressional Liaison, President Jimmy Carter; Chief of Staff, Rep. Peter Rodino; SVP, Hill & Knowlton; Director of Government Affairs, Kenetech Corporation; Director of Legislative Affairs, Winthrom Stimpson et al
4/9/15	Smith	Larry	Legislative Strategies, Inc.	President	Partner, Johnson Madigan et al; Director of Government Relations, Burson & Marsteller; Sergeant at Arms, U.S. Senate; Staff Director; Senate Rules Committee
3/31/15	Litterst	Nelson	FTI Consulting	Managing Director	Partner, C2 Group; Special Assistant for Legislative Affairs, President George W. Bush; Director, National Federation of Independent Businesses
3/31/15	Murray	Jeff	FTI Consulting	Managing Director	Partner, C2 Group; Chief of Staff, Congressman Bud Cramer; Director of Government Relations & Director of GASPAC, American Gas Association; Legislative Director, Congressman Bill Brewster; Campaign Manager, Congressman Bill Brewster
4/2/14	Folsom	Roy (R.D.)	FTI Consulting	Managing Director	Wexler & Walker as R.D. Folsom
4/17/14	Cramer	Bud	FTI Consulting	Managing Director	Congressman (D-AL)
4/17/14	Crawford	Tom	FTI Consulting	Senior Managing Director	Founder, C2 Group; Legislative Director, Michigan State Legislature



7/26/12	Fitzgerald	Jayne	Akin, Gump, Strauss, Hauer & Feld, LLP	Senior Counsel	Tax Counsel, House Ways & Means Committee; [after leaving Akin Gump] Economic Policy Advisor, Congressman Bill Pascrell (D-NJ); Private Equity Growth Capital Council; Memorial Sloan-Kettering Cancer Center; Scana Corp.; Federal Policy Group; Clark/Bardes Consulting Fed Policy Group; Capitol Tax Partners; Ernst & Young; Washington Counsel; Ryan, Phillips, et al.; Dewey Ballantine LLP
3/2/12	Podesta	Tony	Podesta Group	Chairman	Founding President, People for the American Way; Staffer (Dukakis '88, Mondale '84, Kennedy '80. McGovern '72, Muskie '72)
11/30/10	Hegg	Richard	Venable LLP	Senior Policy Advisor	Potomac Group
5/28/10	Smith, II	Robert L.	Venable LLP	Senior Policy Advisor	Legislative Director, Congressman Wes Watkins (R-OK); Sun Microsystems
6/2/09	Shepherd, III	Raymond V.	Venable LLP	Senior Lobbyist	Staff Director and Chief Counsel, Senate Permanent Subcommittee on Investigations; Counsel, House Energy & Commerce Committee

