

**Statement of Rep. James P. McGovern,**

**Chairman of the Congressional-Executive Commission on China (CECC)**

**CECC Hearing on “Hong Kong’s Future in the Balance: Eroding Autonomy and Challenges to Human Rights”**

**Wednesday, May 15, 2019, 10 a.m.-12 p.m.**

**2255 Rayburn Building**

As prepared for delivery.

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* Asianews 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 extraditions 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 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 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, 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” in order to justify special economic, financial, and trade treatment from 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 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 concerns 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 testimonies.** 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 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.

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