

WRITTEN TESTIMONY OF
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Chairman Smith, Chairman Merkley, and members of the Joint House and Senate Commission on China, I appreciate the opportunity to address the urgent topic of human rights in Hong Kong and in particular the situation of my friend Jimmy Lai Chee-ying.

I have known Mr. Lai for the past 25 years in personal, pastoral, and professional capacities. In my judgment, he is a man of high principles and spirituality and a highly skilled entrepreneur, as his success in business attests. I know his family as well and have traveled with them on vacation and dined in their homes on numerous occasions. Mr. Lai sees his business and social commitments as extensions of his faith life, and even now, while in prison and awaiting trial for what could be a severe sentence, he maintains his Christian hope that freedom may one day come to his homeland through his free and voluntary witness. What is being done to this man and people like him both in Hong Kong and on the Mainland of China is morally deplorable and requires a bold and nonpartisan response from all leaders concerned with freedom of the press, freedom of assembly, freedom of enterprise, and freedom of religion.

Hong Kong has long epitomized the essence of the human spirit. It has been creative, alive, energetic, and free. This spirit, coupled with decades of freedom under British colonial rule, has provided economic prosperity and served as a beacon of hope for Chinese suffering under an oppressive communist regime. Thousands of mainland Chinese have fled the Maoist regime to Hong Kong—among them Jimmy Lai, who escaped to Hong Kong as a stowaway at age 12. Beginning a new life as a simple textile laborer in Hong Kong, he eventually built a phenomenally successful clothing retail business. His first clash with the Chinese Communist Party came after the Tiananmen Square Massacre, when Jimmy’s public criticism of CCP leadership resulted in the threat of closing his shops in China. CCP pressure eventually forced Jimmy to sell his clothing business entirely. Undeterred, Jimmy harnessed his entrepreneurial talent to build Hong Kong’s most successful newspaper in its history: the pro-democracy *Apple Daily*. As custodian of freedom of speech and freedom of the press, *Apple Daily* gave voice to

Hong Kong's democratic advocates following its 1997 transition from British colonial rule to China's control.

At the handover, there were reasons for hope. Jimmy's native China was in the midst of an enormously successful economic liberalization: it permitted local family businesses, was open to global trade, and promoted advanced education for its citizens. Those internal economic reforms and integration into the global marketplace lifted hundreds of millions of Chinese citizens out of poverty. This demonstrated that what had happened in Hong Kong could also happen in the Motherland. Yet a palpable shift has occurred under the leadership of Chinese president Xi Jinping. This shift has seen the suppression of Hong Kongers' democratic aspirations and the evisceration of the rule of law. The Beijing-imposed National Security Law, and its proscription of an undefined "sedition," undermined Hong Kong's Basic Law and made it impossible for Jimmy to operate a free press. The National Security Law even threatens freedom globally, as its claims to extraterritorial jurisdiction prevents advocates of authentic Hong Kong democracy like me from ever returning to Hong Kong without risking arrest. Hong Kong was supposed to retain its "One Country, Two Systems" status until 2047, but Beijing's grip is coming at an enormous human cost, not the least of which is the imprisonment of Hong Kong's advocates for democracy and freedom.

Jimmy's life is a song of freedom and faith. Although Jimmy became a fabulously successful entrepreneur through sheer inspiration and grit, business success is not what drives this man. Rather, it is his capacity for love and sacrifice. Although he could have fled Hong Kong long ago, he chose to stay to give voice to the rightful aspirations and hopes of his fellow Hong Kongers. Jimmy is willing to make this sacrifice because, as he explains, *he owes freedom his life*. However, it is also a sacrifice that neither he, nor any other human being, should have to make.

All of this prompted me to produce the film *The Hong Konger: Jimmy Lai's Extraordinary Struggle for Freedom* (available at www.freejimmylai.com) in order to spread Jimmy's story around the globe, because Jimmy's story is in many ways the human story. The Acton Institute publicly released this documentary on April 18. Unfortunately, Acton's efforts to promote the film on TikTok has not proceeded unperturbed. First, TikTok removed a video clip from our account on April 21 for containing "violent and graphic content" of Hong Kong police beating and teargassing protesters in Hong Kong in 2019. TikTok subsequently restored that

content. Then around noon eastern time on Tuesday, May 2, Acton's TikTok account was suspended. Acton received no explanation for the suspension. We were unable to log into the account and thus could not submit any kind of an appeal of our suspension. We submitted requests for an explanation and account restoration via TikTok's online feedback form. After multiple media reported the suspension, TikTok restored our account around 8:45 p.m. eastern time on May 3. However, two videos on the account were removed for violating TikTok's "community guidelines," without any information on how the videos violated those guidelines. TikTok subsequently restored that content. Then on May 5, a TikTok representative spoke to Acton's director of marketing and communications to explain that the account was suspended in error due to automated systems, which detected unusual activity on the account. It is ironic that content promoting *The Hong Konger* on TikTok would generate account disruptions and a temporary suspension, particularly when TikTok insists it does not cater to the Chinese Communist Party in adjudication of content. The Acton Institute will continue to promote *The Hong Konger* because Jimmy's voice must be heard. He is a symbol of the very human quest for freedom. Jimmy is a modern-day Aleksandr Solzhenitsyn and Nelson Mandela.

I am deeply grateful to Representative Smith and to Senator Merkley, the chair and co-chair of this commission, as well as to its former chairs, Representative James McGovern and Senator Marco Rubio, for nominating Jimmy Lai and five fellow Hong Kongers for the Nobel Peace Prize. Jimmy and his colleagues are supremely worthy of such recognition. But even more important is that Jimmy and all Hong Kongers, indeed all Chinese, have a right to be free. Thank you for the opportunity to submit this testimony.