

Congressional-Executive Commission on China

Hearing

on

One City, Two Legal Systems: Political Prisoners and the Erosion of the Rule of Law in Hong Kong

Thursday, May 11, 2023 – 10:00 a.m.

2020 Rayburn House Office Building & Virtual via Cisco Webex

Statement of Senator Jeff Merkley

Cochair

Congressional-Executive Commission on China

- Thank you very much, Mr. Chairman. In just a few years, Hong Kong has gone from a relatively free and open city to a shadow of its former self. This transformation has not been an accident but rather the result of the ruthless assault on Hong Kong's spirit by the Chinese Communist Party and its shameless enablers in the Hong Kong government. At every step, this Commission has documented that assault, shining a light on the draconian National Security Law, chronicling the crushing of civil society, and now today releasing a report detailing the erosion of Hong Kong's rule of law.
- Nowhere is the crisis in Hong Kong's rule of law more vivid and heartbreaking than in the explosion in the number of political prisoners. The Commission's Political Prisoner Database, which has long focused on the many thousands of cases in mainland China, has expanded in recent years to now also include cases in Hong Kong. We've had no choice to do so. We've had a responsibility to do so. As one of our witnesses today informs us, in the last four years there have been 10,615 political arrests in Hong Kong. What had been a relatively free and open city locked up thousands of political prisoners with dizzying speed. That includes icons of free speech like Jimmy Lai and Joshua Wong. But the jailers didn't stop after they made examples of prominent advocates for freedom and democracy. As we'll hear today, this is a story of mass political imprisonment. Hong Kong's rulers want to send the message that nobody who speaks truth to power – protestors, politicians, journalists or anybody else – is safe.
- This is devastating for all of us who love Hong Kong. I will never forget Thanksgiving Day 2019. The day after the Hong Kong Human Rights and Democracy Act and my bill banning the export of crowd control equipment to the Hong Kong police were signed into law, a hundred thousand Hong Kongers held a rally to thank the United States for standing with Hong Kong. They thanked us, these defenders of the soul of Hong Kong, the freedom of Hong Kong, the political rights of Hong Kong, who were putting so much on the line in the face of determined repression. I had the privilege of addressing that crowd via video that day and remain proud of the work this Commission did on a bipartisan, bicameral basis to get those bills signed into law.

- But what we did was from the safety of the United States, unlike the huge challenge on the ground in Hong Kong. If Hong Kong's freedom fighters can no longer feel safe in Hong Kong, the least we can do – the very least – is make them feel safe here in the United States. It is disgraceful that we have not done more to open up humanitarian pathways for Hong Kongers to the United States of America. Whether it's Priority 2 refugee protections in the Hong Kong Safe Harbor Act that Senator Rubio introduced last Congress with my support or other pathways, it's long past time to act. We've shown there's bipartisan support for this cause, bicameral support. We can't let politics or the objections of a few stop us from doing what's right.