



ONE HUNDRED EIGHTEENTH CONGRESS  
REPRESENTATIVE CHRISTOPHER H. SMITH, CHAIR  
SENATOR JEFF MERKLEY, COCHAIR

June 7, 2023

The Right Honorable Rishi Sunak  
Prime Minister  
10 Downing Street  
London SW1A 2AA

Dear Prime Minister Sunak:

We are writing to you to express our concern about the case of Jimmy Lai Chee-ying, a British citizen who has been arbitrarily detained by the Hong Kong government since 2020 for peacefully exercising his freedoms. During your visit to the United States, we urge you to coordinate actions on Hong Kong policy with the Biden Administration, leveraging the extraordinary U.S.-U.K. alliance on behalf of Jimmy Lai and other political prisoners.

As you are likely aware, Mr. Lai is a media entrepreneur and pro-democracy campaigner. He founded Next Media Limited in 1990, which later became Next Digital Limited, the parent company of Apple Daily, which over the years had published articles that were harshly critical of government policies and exposed official misconduct.

Under authority conferred by the new National Security Law—a law promulgated by the National People’s Congress Standing Committee in Beijing, not by Hong Kong’s Legislative Council—Hong Kong police raided Apple Daily’s headquarters and froze its assets, which eventually led to the newspaper’s closure in June 2021. The closure was described as “the blackest day” for media freedom in Hong Kong and was a rank display of the Hong Kong government’s determination to silence opposition voices and use the law to curb dissent.

Mr. Lai’s arbitrary detention has been widely condemned across the globe, including by the United Nations, the European Union, and the United States Government. In testimony before our Commission on May 11, 2023, Sebastien Lai expressed disappointment that the United Kingdom had not condemned his father’s detention publicly and had not taken a stronger stance in advocating for his release. We welcome the advocacy for Mr. Lai subsequently revealed by Foreign Minister James Cleverly and urge you to add your powerful voice as well, specifically referring to Mr. Lai by name in public statements.

A robust stance by the U.K. government is critically important, given your oversight of the Sino-British Declaration and the millions of Hong Kongers who hold British citizenship or British National (Overseas) passports. The erosion of Hong Kong’s promised autonomy and the dismantling of a free press and the rule of law are issues of global concern. We know you will

agree that the free world should not send mixed messages about the People's Republic of China's rough oversight of Hong Kong or the Hong Kong government's complicity in jailing Jimmy Lai and over one thousand other political prisoners, including those seeking to commemorate the Tiananmen Massacre. Only Burma and Belarus have jailed more political prisoners than Hong Kong over the past two years. Given these considerations, we urge you to coordinate actions with the U.S. Government on your visit and publicly make the release of Jimmy Lai and other political prisoners in Hong Kong a priority, including by:

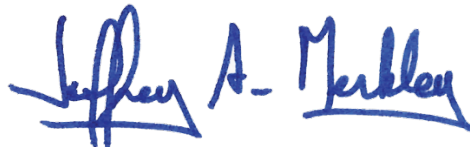
- Working on a joint sanctions announcement for those Hong Kong government officials, including prosecutors and judges, complicit in the arbitrary detention of Jimmy Lai and others under the National Security Law.
- Advocating a UN Human Rights Council resolution to condemn the detention of political prisoners in Hong Kong and, given the urgency of the situation, considering other impartial and independent UN mechanisms to monitor and report on the situation in Hong Kong.
- Requesting an "Arria-formula" briefing at the UN Security Council on the National Security Law and its use in undermining in Hong Kong the rights protections found in the Sino-British Declaration.
- Engaging with member states of the European Union and other states to ensure the protection of individuals and businesses from arbitrary and unlawful application of the National Security Law, including by: 1) suspending extradition and Surrender of Fugitive Offender Agreements with Hong Kong and the People's Republic of China; 2) publishing business advisories warning companies operating or intending to operate in Hong Kong of the risks posed by the National Security Law to their operations and their employees; and 3) taking action against companies or financial institutions that are complicit in the expropriation of assets under the guise of national security.

We hope that closer cooperation on Hong Kong, and in particular the case of Mr. Lai, will demonstrate the U.S.-U.K. alliance's resolve to stand for the rights and rule of law that previously undergirded Hong Kong prosperity.

Sincerely,



Representative Christopher H. Smith  
Chair



Senator Jeffrey A. Merkley  
Cochair