

Opening Statement by Mr. Lee Cheuk Yan

United States Senate Committee on Banking, Housing and Urban Affairs

Hearing: Crisis in Hong Kong – A Review of US Policy Tools

Thursday, June 4th, 2020 – 11 a.m. ET

Chairman Crapo, Ranking Member Brown and the Honorable members of the Committee ---Thank you for your invitation to me to speak to this Committee at this very crucial moment in Hong Kong. I also want to express our appreciation for the full Senate and Congress for your concerns and actions on supporting Hong Kong.

I am Lee Cheuk Yan, General Secretary of Hong Kong Confederation of Trade Unions, a former elected member of the Legislative Council of Hong Kong, and a founding advisory board member of Hong Kong Democracy Council (HKDC). I am also the Chairman of Hong Kong Alliance In Support of Patriotic Democratic movement of China, the alliance of people organizations in Hong Kong formed in 1989 to support the democracy movement in China that sadly ended by brutal and bloody suppression by the Chinese Communist Party.

Today is the 31st anniversary of the June 4th massacre and the Hong Kong Alliance had persistently organised the candlelight vigil to condemn the massacre for the last thirty years but this year it was banned by the Police in the name of Public Health. It had always been recognized by the people of Hong Kong that the annual candlelight vigil, attended by hundreds of thousands of people, symbolized that Hong Kong still enjoyed the freedom under “One Country Two System”. So, the Hong Kong government is telling the world, Hong Kong is now under “One Country One System”. This is no surprise when we all witnessed the suppression over the last year with police brutality, massive arrests and banning of rallies and marches.

Sadly, for the people of Hong Kong, the CCP escalated its threat to our freedom with the unilateral decision by the National People Congress to impose on Hong Kong its version of National Security Law without any consultation or legislative scrutiny by our Hong Kong Legislature. The national Security Law is like constructing a guillotine in Hong Kong ready to strike at anyone deemed to be a threat to the authoritarian regime. It aims to instill fear among the people with the presence of the guillotine and can strike down anytime when the political need arises. It contains four elements of offence: subversion, secession, foreign intervention and terrorism. All these crimes are very vague and poorly defined in China.

The CCP jailed the Nobel Peace Prize Laureate Liu Xiaobo 11 years for advocating democracy and constitutional reform in the name of inciting the subversion of the State. Four people were jailed for three years for brewing and selling Remember June 4th wine and under the charge of subversion. Pastor Wong Yi was sent to 9 years prison for inciting subversion of state power just for standing up for religious freedom. The CCP defined subversion or other national security crimes in accordance to their own political needs and not the law. The law is only an instrument of suppression for them. Can the Hong Kong Alliance marches under the slogan of “End One Party

Rule”? Or the people of Hong Kong shouted for the downfall of the Hong Kong Chief Executive? Are these acts of subversion?

There are suggestions from some of the NPC members that this may be caught by the Law. The guillotine can strike down any time they believed politically necessary. The other crime of foreign intervention again can be subjected to very broad interpretation. Is my presence and testimony at this hearing today a crime of foreign intervention? Can Hong Kong Civil Society contact their international counterparts without being accused of foreign intervention? Though we do not know the final wording of the Law or how the Court will interpret the Law, it is very difficult to imagine the Court of departing from the political decision of the CCP on all National Security cases. I do not think there will be any independence of the Judiciary in these cases.

The other horrifying feature of the decision by the National people Congress is the suggestion to create a national security agency in Hong Kong responsible for enforcing the Security Law. Are they trying to create an agency in Hong Kong to spy on the people they seen as a threat? Will people of Hong Kong be pressured to report on their neighbours or colleagues? Where is Hong Kong’s “high degree of autonomy” as promised under the Basic Law when China can send in a national Security Agency to enforce the law?

It is sad to announce to the world Hong Kong is now “One Country One System”. The rule of law that we are proud of is turned to become rule by law and rule of fear. We can win against this fear by believing in the people of Hong Kong and that they will continue to fight for democracy and freedom. But in this fight, we need International supports to stand with Hong Kong against this Giant of authoritarian rule.

Last year, the US Congress overwhelming passed the bipartisan Hong Kong Human Rights and Democracy Act. Per the law, the Secretary of State certified last week that Hong Kong no longer enjoys meaningful and sufficient autonomy from China to warrant the special relationship it has enjoyed. The Administration and Congress must now work together on the appropriate response – and consider all tools available – like those specified in the Hong Kong Human Rights and Democracy Act that was passed and other additional ways to add pressure on the CCP and Hong Kong officials, like the Hong Kong Autonomy Act introduced by Senator Toomey and Senator Van Hollen.

I believe it would be deeply irrational for President Xi Jinping to strike at Hong Kong now when the China economy is badly hit by the Coronavirus pandemic. By “burning” Hong Kong, he will also burn China with it because Hong Kong is still economically useful to China.

Are the people in China ready to suffer for this reckless and stupid act? The economy of Hong Kong will also suffer but money is not everything --- it is more important for Hong Kong to preserve our freedom and way of life, or else Hong Kong is no longer Hong Kong and we are left with the body without the spirit. We do not want this to happen to Hong Kong. We must stop the Law and the continuous intervention of Hong Kong by the CCP. And we will fight on.

Thank you.