

September 26, 2022

Commissioners of the Congressional-Executive Commission on China
243 Ford House Office Building
Washington, DC 20515
Via e-mail

Re: Sanctioning Hong Kong individuals involved in undermining basic civil liberties and freedoms in Hong Kong including the Apple Daily raids

Dear Commissioners of the Congressional-Executive Commission on China,

We, the 10 undersigned organizations and human rights experts, concerned about the severe erosion of democratic institutions and systematic repression of basic civil liberties and fundamental, [urge Congress to sanction individuals that The Committee for Freedom in Hong Kong \(CFHK\) has identified as having been involved in the raids of the pro-democracy newspaper, Apple Daily.](#) These individuals have severely undermined democratic institutions and engaged in widespread repression of human rights in Hong Kong and should be held accountable by the United States.

Under the 1984 Sino-British Joint Declaration, the Chinese Communist Party (CCP) promised that Hong Kong would retain a separate legal and economic system from the People's Republic of China (PRC) under a "one country, two systems" model for fifty years after Hong Kong — then a former British colony — was handed over to the PRC on July 1, 1997. Leading up to the 1997 handover, the United States-Hong Kong Policy Act of 1992, 22 U.S.C. 5722, granted Hong Kong special treatment, distinct from the United States' treatment of mainland China. Yet, the "one country, two systems" model of governance has not been realized, as the CCP has increasingly encroached upon, and interfered in, Hong Kong's internal affairs.

As Beijing's grip tightened on the city's autonomy and freedoms, the people of Hong Kong voiced their concerns via large-scale pro-democracy protests in 2014 and 2019. The United States Congress supported human rights in Hong Kong by passing the [Hong Kong Human Rights and Democracy Act of 2019 \(Public Law No. 116-76\)](#), which amends the 1992 United States-Hong Kong Policy Act and imposes sanctions on those found to be responsible for human rights abuses in Hong Kong.

In June of 2020, the Chinese government circumvented Hong Kong's independent legislature procedures and directly promulgated a draconian national security law over Hong Kong. On the eve of the 23rd anniversary of Hong Kong's handover to China, on June 30, 2020, the national security law came into effect. The law, which, includes vaguely-defined terms of "secession, subversion, terrorism, or foreign interference," and imposes heavy punishments, including life imprisonment, has been used to systematically target and silence activists and civil society leaders denouncing the erosion of Hong Kong democracy and basic civil liberties.

In response, on July 14, 2020, former President Trump passed [Executive Order 13936](#), which suspends or eliminates different and preferential treatment for Hong Kong, as well as suspends §201(a) of the United States-Hong Kong Policy Act of 1992. On the same day, the [Hong Kong Autonomy Act \(Public Law No. 116-149\)](#) was passed by Congress; it imposes sanctions on foreign individuals and entities that are found to be contributing to China's failure to preserve Hong Kong's autonomy.

Since the national security law's implementation in Hong Kong two years ago, there has been an increase in [arbitrary arrests](#) of pro-democracy activists, journalists, and opposition leaders; [independent media platforms](#), such as *Apple Daily*, have been shut down due to pressure from the government; independent [education](#) and the [internet](#) have been censored; individuals can be [taken to mainland China for secret and unfair trials](#), thereby depriving them of their due process rights.

The raids and the closure of *Apple Daily* serve as a stark reminder of the Hong Kong government's disregard for a free and independent media, healthy political discourse, and accountability. On August 10, 2020 and June 17, 2021, the Hong Kong Police Force (HKPF) raided the offices of *Apple Daily*, a leading pro-democracy newspaper in Hong Kong. The raids included the arrest of several top executive staff members, as well as the forced seizure of journalists' electronic devices. After the second raid, the government froze millions of the publication's assets, forcing *Apple Daily* to close its operations in June of 2021. The individuals cited in our list include those involved in some capacity in the *Apple Daily* raids, and should be considered a threat to the interests and values of the United States.

While there are many other tools Congress can use to pursue accountability for those who threaten human rights, such as the Global Magnitsky sanctions program, Executive Order 13936 could be applied to individuals involved in the *Apple Daily* raids who deliberately undermined Hong Kong's autonomy and democratic institutions.

We thank you for your leadership [in sending a letter to President Biden urging for sanctions of prosecutors from the Hong Kong Justice Department](#) and echo your sentiment. Additional sanctions on the individuals provided by CFHK will hold PRC and Hong Kong officials accountable for denying fundamental human rights and failing to comply with basic international human rights obligations. It will also demonstrate the United States' commitment to promoting a free and independent press globally.

We appreciate your ongoing firm commitment to upholding democracy and human rights in Hong Kong and urge you to continue pursuing accountability for those who undermine it.

Sincerely,

Committee for Freedom in Hong Kong
Human Rights Foundation
Athenai Institute
Citizen Power Initiatives for China
Hong Kong Democracy Council
Lantos Foundation for Human Rights & Justice
Reporters Without Borders
Safeguard Defenders
Victims of Communism Memorial Foundation
We The Hongkongers