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Chair: Mr. Fayçal El-Khoury

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• (1545)

[*Translation*]

The Chair (Mr. Fayçal El-Khoury (Laval—Les Îles, Lib.)): I call the meeting to order.

Before I begin, I'd like to say a few words about an incident that occurred at the end of last week's meeting. On behalf of myself and all members of this committee, we apologize to our esteemed colleague Alexis Brunelle-Duceppe. It will never happen again. We also apologize to all the interpreters. What happened will never happen again.

I'd also like to ask all members of this committee to refrain from engaging in crosstalk.

[*English*]

Crosstalk is not acceptable and is not according to the rules of this committee. It will be not accepted. Please respect—starting with me and all colleagues—the rules of the committee.

[*Translation*]

Welcome to meeting number 44 of the Subcommittee on International Human Rights of the House of Commons Standing Committee on Foreign Affairs and International Development.

Today we begin our study on Jimmy Lai's detention in Hong Kong.

We'll have a second meeting next week. At the end of today's meeting, we'll take a few minutes to discuss it.

To ensure an orderly meeting, I'd like to share a few rules for witnesses and members.

Before speaking, please wait until I recognize you by name. If you are on the videoconference using the Zoom application, please click on the microphone icon to unmute yourself. When you are not speaking, your mike should be on mute.

For interpretation, for those on Zoom, you have the choice of floor, English or French at the bottom of your screen. For those in the room, you can use your earpiece and select the desired channel.

In accordance with our routine motion concerning sound checks, I wish to inform the subcommittee that all witnesses have completed the required tests in advance of the meeting.

I would now like to welcome the witnesses who have joined us today.

We have, as an individual, Sébastien Lai, who is joining us by videoconference. From Doughty Street Chambers, from Mr. Lai's legal team, we have Caoilfhionn Gallagher, barrister, and Jonathan Price, barrister.

From the Inter-Parliamentary Alliance on China, we have Luke de Pulford, co-founder and executive director, and Chung Ching Kwong, senior analyst, appearing as an individual.

Finally, from Hong Kong Watch, we have Katherine Leung, policy advisor.

Thank you all for being with us today. You will have up to five minutes for opening remarks, after which we will proceed to questions from the members of the subcommittee. I will let you know when you have one minute left on the clock.

Welcome, Mr. Lai. You have the floor for five minutes. Please begin.

Mr. Sébastien Lai (As an Individual): Thank you, Mr. Chair.

[*English*]

Dear members of Parliament, I am very grateful to be able to testify in front of all of you about my father's ongoing show trial. Before I start, I want to thank all of you for the unanimous consent motion that was passed, asking for my father to be freed.

Hong Kong is a litmus test of how China views the values of the free world. For years Hong Kong has been a city with a dual status. Its institutions were once grounded in the rule of law while under Beijing's autocratic regime. The hope was that China would eventually adopt Hong Kong's systems and would grant civil liberties to its people. Instead, many Chinese and Hong Kong elites now hold foreign passports in order to be protected by these freedoms in free countries while they crack down on them at home.

In contrast, my father has chosen to stay in Hong Kong and not turn his back on the principles he has championed for over 30 years—those that underpin freedom and democracy. At the age of 76, the price for doing the right thing is that he now faces a sham trial that could see him imprisoned for the rest of his life.

My father is currently on trial on trumped-up charges under a national security law designed to silence all dissenting voices. Since the Tiananmen Square massacre of 1989, my father has been one of the most vocal critics of the Chinese communist regime. He founded Apple Daily, a newspaper that spoke truth to power, and became a beacon for the city's pro-democracy movement. For this, Hong Kong authorities are now attempting to paint my father, a newspaper publisher, as a dangerous traitor, with charges of colluding with foreign forces and sedition.

The trial is set for 80 days. It is being held with no jury but with a panel of three judges hand-picked by the city's chief executive. The UN special rapporteur on torture last week called for an investigation into reports that evidence of one of the prosecution witnesses was obtained by torture. In spite of all this, the Hong Kong authorities continue to insist that the city still upholds the rule of law and that its judiciary remains independent. My father's trial is proof that neither holds true.

Hong Kong is brazenly cracking down on its citizens' fundamental freedoms while lying to the world that it remains a rule of law-compliant jurisdiction. They do so on the assumption that democratic countries like Canada will turn a blind eye because of the size of China's economy. The authorities also draw confidence to do so from judges from democratic countries, including Canada, who continue to sit on the city's Court of Final Appeal.

My father's show trial is a blatant perversion of Hong Kong's justice system to persecute one of the most ardent defenders of democracy. Canada has the power to hold the city accountable for ripping away these freedoms from its people. The pursuit of democracy is not a crime. As a son, I hope that you can help save my father.

Thank you.

• (1550)

The Chair: Thank you, Monsieur Lai.

[*Translation*]

Ms. Gallagher, you now have the floor for five minutes.

[*English*]

Ms. Caoilfhionn Gallagher (Barrister, Doughty Street Chambers): Thank you, Mr. Chair.

I lead the international legal team for Jimmy Lai and for his son, Sébastien Lai, whom you've just heard from. I work along with my colleague, Jonathan Price, who's here today with me.

It's often said that journalists don't want to ever become the story, but Jimmy Lai has become the story, and it's one that the world needs to hear. It's the story that you've just heard from his son, Sébastien, the story of a hugely successful and self-made businessman who, in 1989, so affected was he by the Tiananmen Square bloodshed, decided to risk it all to speak truth to power and to stand up to human rights abuses and CCP corruption in Beijing.

In my opening remarks, I want to highlight three themes about Jimmy Lai's detention.

The first theme I will term "lawfare" because Jimmy Lai was targeted for decades for doing his work. However, it's only in the last

four years that he's been imprisoned and that Apple Daily, his newspaper, has been shut down, the printing presses silenced. That's because what he has faced since 2020 is prosecutorial harassment, a barrage of spurious cases designed to silence him, weaponizing the law. Make no mistake; this is lawfare.

Now that's something that Jonathan and I, in our work, increasingly see authoritarian states doing. Instead of states just using traditional legal tools—like defamation laws, cyber-libel laws or terrorism laws—to silence their critics, we're now also seeing a wide range of other laws being used to try to silence people, such as regulatory tax fraud laws. Mr. Lai's case is a paradigm example of this authoritarian tactic. He's been convicted in four separate sets of criminal proceedings resulting from peaceful participation in protests and a Tiananmen Square vigil and in a wholly bogus fraud case about violation of a lease.

However, of course, the main and best-known legal weapon he faces is the controversial national security law imposed by Beijing in June 2020. What we're now seeing is the authorities wielding the twin weapons of the NSL and a colonial-era sedition law to try to silence critics. Using those legal weapons, they've ransacked libraries for undesirable books, imprisoned students for liking social media posts, and even convicted authors of children's books about a flock of sheep resisting the tyrannical rule of a wolf pack. This is a dramatic decline of freedoms in a city that has a long and proud history of having enjoyed liberties unavailable in mainland China.

Now Jimmy Lai's NSL and sedition trial lays this bare. Every day in the trial we see new, ludicrous allegations. I'll just give one example in opening: Last week, the prosecution made great play of the fact that Apple Daily, a newspaper, had news coverage almost every day of the umbrella movement. A newspaper reports news; that's the allegation.

In truth, it seems to us that Jimmy Lai is accused of three things: conspiracy to commit journalism, conspiracy to raise human rights concerns with human rights organizations like Hong Kong Watch; and conspiracy to raise political concerns with politicians, including members of IPAC. Frankly, these are not crimes. They are actions protected under international law, echoing the protections here in Canada in section 2 of the charter. They're also actions that should remain protected under the Sino-British Joint Declaration.

The second theme I want to highlight is transnational repression. That's the deeply concerning pattern of the Hong Kong and Chinese authorities no longer being content with doing what they can to silence critics within their own borders, but trying to use the long arm of the state to silence their critics wherever in the world they may be. That's, of course, done through a range of threats and actions, including secret overseas police stations and bounties being put on the heads of individuals worldwide. John Lee described them as "street rats" who should be hunted down. I'm acutely conscious that, in 2021, the PRC imposed sanctions upon Canadian politicians, including this subcommittee, for daring to speak out about human rights abuses.

We're now seeing extraterritorial threats to prosecute those who support Jimmy Lai, including Sébastien Lai, a son speaking out for his father, and we on the international legal team for daring to raise concerns about human rights abuses before United Nations bodies. We've also seen a range of individuals outrageously named as alleged co-conspirators in the trial, including Luke de Pulford, who sits beside me, and Bill Browder. The message to all of us is clear: We should leave Jimmy Lai to his fate. However, we will not be bullied, and we know that this subcommittee will not be bullied either.

• (1555)

The third theme I want to turn to quickly is why Hong Kong is different from other authoritarian regimes. We hear about those issues I've raised so far in other countries, like Iran, Myanmar, Belarus and Russia. The difference with Hong Kong is that it continues to maintain a fig leaf of rule of law, a facade of due process and business as usual.

We've all seen the videos of Hong Kongers weeping in the rain as they kept vigil outside Apple Daily's offices on the last night of its printing, shining smartphone lights as makeshift candles in a poignant image which was then captured on the final cover. We all saw Hong Kongers queueing around the block to buy that final copy of Apple Daily, realizing that the last newspaper that spoke truth to CCP power was dying, and with it, a part of Hong Kong.

Now, what we see in Hong Kong is a bay of broken promises. It's the only financial capital to hold hundreds of political prisoners. As Congressman Mike Gallagher in the U.S. put it so powerfully, the bankers wear golden blindfolds as they look out to Victoria Harbour.

Frankly, it's not only the bankers. All those who believe Hong Kong still complies with the rule of law must look more closely and look at what is happening to Jimmy Lai.

[*Translation*]

The Chair: Excuse me, Ms. Gallagher. You've gone over your time, but I'm going to ask the committee if they agree to give you more time.

Some hon. members: Agreed.

The Chair: Please continue.

[*English*]

Ms. Caoilfhionn Gallagher: I apologize. I didn't see the one-minute notice.

As the UN special rapporteur on torture made clear last week...she raised grave concerns regarding Jimmy Lai's trial because there are credible and publicly known allegations that one of the prosecution's key witnesses, Andy Li, was tortured in mainland China, and that his testimony against Jimmy Lai was coerced.

All those who continue to prop up this bully regime must urgently reconsider.

Jimmy Lai risked it all in 1989 to move into the media world to speak truth to power. He remained in Hong Kong after the handover. He remained after 2019. He stood up for truth and for his fellow Hong Kongers, and now we must stand up for him.

Thank you.

• (1600)

[*Translation*]

The Chair: Thank you, Ms. Gallagher.

Now I invite Luke de Pulford from the Inter-Parliamentary Alliance on China to take the floor for five minutes.

[*English*]

Mr. Luke de Pulford (Co-Founder and Executive Director, Inter-Parliamentary Alliance on China): Thank you, Mr. Chair.

It's a privilege to appear before your committee as a witness and to be able to commit to Hansard the truth about what is happening to Jimmy Lai.

Mr. Chair, just a few short years ago, the legal system in Hong Kong was internationally respected. Now, I believe it is accurate to describe that same legal system as a tool of the executive and an occasional weapon of political persecution. In my view, no case better exemplifies Hong Kong's descent than that of Jimmy Lai.

Three features of Mr. Lai's trial stand out as emblematic of Hong Kong's authoritarian decline.

The first feature is that a government, aided and abetted by the prosecution and law enforcement, is engaging in malicious mischaracterization of Jimmy Lai, constructing a narrative about him which they know to be false.

The second feature is that to procure this narrative, coerced testimony will be relied upon.

The third feature is that attempts are being made to incriminate foreign nationals and blame them for inciting the 2019 unrest in Hong Kong.

On the first point of malicious mischaracterization, the bald truth of Jimmy's case is that he is simply a character in a fabricated narrative. There are no crimes here, as you have heard so powerfully described by Caoilfhionn Gallagher KC. In essence, Beijing needs a mastermind to blame for the 2019 pro-democracy movement in Hong Kong and Jimmy Lai is the best fit. That's it. Tragically for the Lai family, Jimmy is the person selected to bear the yoke of "mastermind" behind this movement and everything that goes with it.

This is false, of course. Beijing knows it to be false. The prosecutors in the case know it to be false. It is self-evidently false on the basis of readily available evidence. It's so obviously false, in fact, that coerced testimony has to be deployed to make it seem true. The actual truth is that there is precious little evidence to connect Jimmy Lai to the predominately youth-led democracy movement in Hong Kong. However, in jurisdictions where the legal system has shown itself willing to yield to executive power, evidence can always be found.

This is where the tragic story of Andy Li enters this farce.

Andy Li, known to some on the committee, was arrested under the national security law in 2020 for, *inter alia*, working with foreign politicians in Hong Kong. Shortly after, he tried to flee to Taiwan with 11 others. The 12 were apprehended in Chinese waters and taken to Shenzhen prison in China, where things got very bad for them, especially Andy.

The Washington Post reported the following last month after a year-long investigation:

Most of the 12 were not physically abused, but seven people familiar with conditions at the center said screaming could "consistently" be heard coming from one cell: Li's.

Since his time in Shenzhen, Andy has appeared as a key witness in Jimmy Lai's trial, to the surprise of nobody. However, even Andy's testimony is not enough. If Jimmy colluded with foreign forces, there have to be some forces with which he has colluded. This is why I, together with Global Magnitsky Justice founder Bill Browder and my Japanese colleague Shiori Kanno, are named as co-conspirators with Jimmy Lai on this third charge: "colluding with foreign force[s] to undermine national security". They want to try to claim that foreign forces—us—were somehow commissioned by Jimmy to undermine national security in Hong Kong.

Mr. Chair, it gives me some satisfaction to be able to say to your committee and beyond that these allegations of collusion would not be a crime in any normal jurisdiction, nor would it be something to be ashamed of. However, it is false. Jimmy Lai had nothing whatsoever to do with IPAC's founding or operations. I know, because I have dotted every I and crossed every T. If I'd had the opportunity to give evidence in these kangaroo proceedings in which I am named but to which I have never been called, this is what I would have said. It's all invention or amplification of half-truth to suit Beijing's somewhat bizarre obsession with a mastermind narrative.

I am going to finish with this: It's tempting in such situations to forgive those who go along with authoritarian overreach as "useful idiots". However, that implies something passive. I believe it's far too generous a way to describe those involved here. The prosecution in Jimmy's case, led by Anthony Chau and Ivan Cheung, have

not been passive. They are actively and enthusiastically colluding with the government to persecute Jimmy Lai. Chau and Cheung's conduct heaps shame upon the Hong Kong legal profession, trashing the legacy of many finer lawyers who went before them and grinding the rule of law—hard-earned by more courageous and principled men and women—underfoot.

Mr. Chair, I think I'm over time.

Thank you.

● (1605)

[Translation]

The Chair: I now invite Chung Ching Kwong, senior analyst with the Inter-Parliamentary Alliance on China, to take the floor for five minutes.

[English]

Ms. Chung Ching Kwong (Senior Analyst, Inter-Parliamentary Alliance on China, As an Individual): Thank you, Mr. Chair.

Allow me to express gratitude to the committee for your commitment to upholding human rights around the world.

I would like to draw your attention to the rights and dignity of prisoners that are gravely at risk. The detention of Jimmy Lai is just the tip of the iceberg.

As I speak, there are over 1,000 political prisoners like Jimmy Lai in Hong Kong. The number of persons on remand, who are unconvicted, increased to a daily average of 2,600 in 2022—a 10-year high.

Reports and testimonies reveal that political prisoners are particularly vulnerable, enduring harsh conditions and psychological pressure. I have sought to document the mistreatment of those in detention in Hong Kong, have interviewed former inmates and have compiled credible information.

Many testimonies are hard to verify. The information I am about to present includes only the testimonies reported in credible Hong Kong media sources, or that I collected myself from those who claimed to have experienced mistreatment. If it would be helpful, I would be happy to present the sources on a confidential basis.

One victim who refused to be named was beaten by a staff member to the extent that one of his testicles burst. While he was fulfilling a punishment of doing push-ups, a correctional staff hit his groin repeatedly, inflicting permanent damage.

Just last month, it was widely publicized that a correctional officer was involved in stabbing an 18-year-old male inmate in the anus with a wooden stick, resulting in perforation of the rectum. The victim will have to use a stoma for the rest of his life. The case was revealed by activists, and criminal proceedings have been initiated against the accused officer.

Other widely reported mistreatment include beating, applying mint paste to the genitals, being forced to crawl like a dog and to eat without cutlery, and inmates are forced to eat feces and to drink urine, and so on. Dehumanizing language focused on their political beliefs is also commonplace. Common words are “rioter scum” and “cockroaches”.

I raise these cases to underline that mistreatment is common in Hong Kong detention facilities. When you take into account that for most of the accused their only crime is campaigning for democracy, the abuse seems all the more egregious.

Routes for appeal and complaint do exist, but rarely lead to accountability.

While in prison, you can make a complaint to a justice of the peace during inspection and you can make a complaint to the warden, or directly to the ombudsman's office, but none of these channels will lead to an independent investigation because the complaints committee is an internal organization where all members are appointed by the Commissioner of Correctional Services.

Last year, the number of complaints received by a justice of the peace was 42, which was a record low. Most of the complaints were referred to the Correctional Services Department for investigation, but none of them were further handled, or they were discontinued.

Even if a prisoner dares to make a complaint, he or she risks retaliation, that is, being put into solitary confinement. There were 2,905 to 3,181 cases involving prisoners sentenced to segregation as punishment each year from 2015 to 2019.

Prolonged solitary confinement can be considered as torture. The UN's Standard Minimum Rules for the Treatment of Prisoners state that it should be prohibited to hold a person in solitary confinement for more than 15 days, but there are reports that political prisoners have been locked up for more than a month with different reasons for their punishment. These range from having an extra piece of bread, an extra packet of chocolates or a pen in their possession.

Again, these claims are widely reported in credible media in Hong Kong—however, predominantly in Chinese.

For example, Chow Hang-tung, activist and human rights lawyer, had been held in solitary confinement seven times for nine consecutive months. The reasons include that she went on a hunger strike on the anniversary of the June 4 massacre, defended herself in court, was awarded a human rights prize and received too many letters.

A friend, Nicole Chung, was put into solitary confinement as retaliation because she lodged a judicial review to challenge the sexist arrangement where female inmates have to wear trousers all day, despite the weather, while male inmates have options.

Another close friend, Gwyneth Ho, also suffered from solitary confinement repeatedly for saying things in court that the correctional staff found objectionable.

I have detailed what's happening to these people as accurately as I can, based upon credible sources, but I would like to make a direct appeal to you today.

• (1610)

To me, these are not simply brave people fighting for democracy thousands of miles away. These are my very close friends who are suffering because the international community failed to keep its promise to Hong Kong.

I am aware of the leadership Canada has shown on the world stage, when it comes to addressing human rights abuses, or offering a home to those in need. As a friend of those in jail, as a Hong Konger, I ask you to show that leadership once again, where so many others have found themselves reluctant.

Thank you.

[*Translation*]

The Chair: Thank you, Ms. Kwong.

Katherine Leung, policy advisor, I invite you to take the floor for five minutes.

[*English*]

Ms. Katherine Leung (Policy Advisor, Hong Kong Watch): Thank you Mr. Chair.

My name is Katherine Leung, and I am the policy adviser for Hong Kong Watch Canada.

I appear before this committee today with a central message, asking Canada to call for the unconditional and immediate release of 76-year-old Jimmy Lai, the founder of Apple Daily, which was previously the most prominent pro-democracy newspaper in Hong Kong.

I will use my time to focus on how Canada should be involved, what we have and haven't done, and the next steps that Canada should take to reaffirm our commitment to human rights abroad and advocate for Jimmy's case.

The charges against Jimmy Lai are not a reflection of any criminal conduct on his behalf, but of how Hong Kong, under the direction of the government in Beijing, is cracking down on fundamental rights and freedoms.

Let me reiterate that the allegations against Jimmy Lai are unfounded, politically driven, and indicative of a broader pattern of silencing dissent and curtailing freedom of the press in the region.

Last week, the UN special rapporteur on torture warned that evidence from a key prosecution witness in Lai's trial, Andy Li, was obtained through torture. Other prosecution witnesses include former Apple Daily employees, including Cheung Kim-hung, who accused Lai of "portraying a negative image of the Chinese Communist Party, with the hope of securing financial and political support from American readers."

In January, the number of prosecution witnesses in Lai's case dropped from 60 to 14 without explanation. This is highly unusual, and raises further concerns surrounding the fairness and politicization of Lai's trial.

The Canadian Parliament has shown strong support for Jimmy Lai. At the start of Lai's trial in December 2023, the House and the Senate both unanimously adopted motions for the Hong Kong authorities to release Jimmy Lai and cease prosecuting him and others charged under the national security law. While we strongly welcome these initiatives by Parliament, it is important to note that the Government of Canada has yet to publicly call for his release.

With that said, I urge the Government of Canada and its ministers to reflect the will of Parliament and call for the unconditional and immediate release of Jimmy Lai. This would align with Canada's historic commitment to being a champion of human rights and a defender of democratic principles. The case of Jimmy Lai should be no different. It would also be in line with Canada's Indo-Pacific strategy, which advocates pushing back against behaviours that undermine international norms, such as arbitrary detention.

Jimmy Lai is a British citizen imprisoned in Hong Kong for exercising rights enshrined in Hong Kong's Basic Law, the region's mini constitution based on principles laid out in the Sino-British Joint Declaration.

Our allies have taken steps that Canada hasn't. Both the American and the British governments have urged the Hong Kong authorities to release Jimmy Lai. Canada should exert diplomatic pressure on the Chinese government in lockstep with our allies, and clearly demonstrate our steadfast commitment to human rights and the rule of law in the region.

It is also important to note that Canada has not placed any sanctions on Hong Kong officials. The U.S. has sanctioned 25 officials, both from the Hong Kong government and the National People's Congress of China, for "undermining Hong Kong's autonomy and restricting the freedom of expression or assembly of the citizens of Hong Kong."

I urge the Government of Canada to seriously consider using sanctions, particularly on Hong Kong chief executive John Lee, as a tool to hold the government of Hong Kong accountable for its human rights violations, including those against Jimmy Lai. We have a Magnitsky sanctions regime. It is important that we use it.

To conclude, I urge the Canadian government to swiftly join its Parliament to call for the immediate and unconditional release of Jimmy Lai, as well as all political prisoners in Hong Kong. The Canadian government should also implement sanctions on John Lee and other Hong Kong officials who are complicit in dismantling the independence of the judiciary and rule of law in Hong Kong.

Now is the time to act, before the end of Lai's trial and a jail sentence that could mean his dying in prison.

Thank you.

• (1615)

[*Translation*]

The Chair: Thank you, Ms. Leung.

I thank everyone for being here and for their comments.

We'll now go to questions from members of the subcommittee. For the first round, I invite Mr. Genuis to take the floor for seven minutes.

[*English*]

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): I want to thank all of the witnesses for their powerful testimony.

I particularly want to thank you, Mr. Sébastien Lai, for sharing your powerful story and experience and for turning your personal grief into a moment of activism for justice and freedom. Your father is such a personal hero of mine. I had the honour of meeting him in Hong Kong in 2017. He left such a strong impression on me, not just for what he was fighting for, but also for his character, for the kind of person he was and is.

If you're comfortable, I want you to share with us a little bit about his present condition, his disposition and how he is responding to the situation.

Mr. Sébastien Lai: Thank you very much for your very kind words.

I haven't been able to get back to Hong Kong for the last three years because, in speaking out on my father's behalf, there is unfortunately a risk that I could also be imprisoned.

To my understanding, at his age of 76 and having been in solitary confinement for the last three years, it does take a toll on a person psychologically and physically, but he's keeping strong and he knows that in the end he is doing the right thing.

There's a story that I like to tell. When he was first arrested, they kept him for a day or two and then released him. Someone said to him, "Look, Jimmy, was it all worth it knowing that you might be arrested again and spend the rest of your life in jail? Was it all worth it?" He said, "I was lying there on the cold prison floor and I had a lot of time to myself, so I looked back over the last 30 years and I thought to myself, would change I anything?" He smiled and said, "I wouldn't change a thing."

He's keeping strong.

Mr. Garnett Genuis: I know that your father is a man of deep faith as well. I'm sure that is a source of great strength for him as well.

Mr. Sébastien Lai: Tremendously.

Mr. Garnett Genuis: Thank you.

Mr. Pulford, full disclosure: as you know, I'm one of the co-chairs of IPAC. I feel I should say that before I ask this question.

I wonder if you could share a little bit more about what IPAC is and why IPAC has been targeted by Hong Kong authorities as part of this malicious prosecution.

Mr. Luke de Pulford: Thank you very much indeed.

Yes. The Inter-Parliamentary Alliance on China is a cross-party international group of legislators spanning 35 countries now and really representing the breadth of political ideology and geographical location. It works on China, and it tries, as you know, Mr. Genuis, to determine something of a consensus on China from the perspective of democratic legislators.

This is something that Beijing does not like. Anybody working with IPAC members around the world will be seen as colluding with foreign forces for the purposes of the national security law, as the activity of IPAC has certainly gotten up the noses of Beijing since day one.

It hasn't really been until now that we've seen that turn into legal consequences for some of those involved within IPAC; but yes, now we are, with both Shiori Kanno and I, working for IPAC, having been named as co-conspirators in Jimmy's trial. As well, there is Bill Browder, who I think has been named only because he briefed some Japanese politicians in IPAC. I think that's the only reason he's found his way into this trial at all. It seems to me that we're now a bit of a target, regrettably.

Thank you.

• (1620)

Mr. Garnett Genuis: I think it is a tribute to your work and other IPAC legislators that you have attracted such ire. As Winston Churchill, your former prime minister, said: "You have enemies? Good. That means you stood...for something."

I want to ask about the presence of a former Canadian Supreme Court Justice, Beverley McLachlin, on Hong Kong's Court of Final Appeal.

Mr. Sébastien Lai already has spoken critically about her continuing presence. She responded in a *Globe and Mail* story by saying, "The court is doing a terrific job of helping maintain rights for people, insofar as the law permits it, in Hong Kong."

I wonder if any members of the panel want to react to that sentiment from a former Canadian judge.

Ms. Chung Ching Kwong: Thank you, Mr. Genuis.

I'd say any foreign judges who are serving on the Court of Final Appeal in Hong Kong should have left by now. The reason is that their presence on the Court of Final Appeal is giving the so-called rule of law a false legitimization that there is a rule of law. They're simply maintaining the façade that there might be rule of law in the system, be it in the criminal side of things or the commercial side of things.

Any comments saying that foreign judges remaining on the court would at least give some safe thoughts to the rule of law in Hong

Kong are simply false. Just look at how many foreign judges actually got involved in national security law cases. Look at how Jimmy Lai's assets were being frozen simply because he wasn't convicted yet, but he was charged under the national security law.

It's clear that there's no rule of law in the national security side of things nor the commercial side of things. I say that all foreign judges should have left the court by now.

Mr. Garnett Genuis: In the 30 seconds I have left, does anybody else want to weigh in on the question of Justice McLachlin's continuing presence?

Mr. Jonathan Price (Barrister, Doughty Street Chambers): Can I just say one thing about that?

The problem with a foreign judge sitting in Hong Kong today is that they give a veneer of respectability to a system that has dissolved underneath the edifice of the rule of law. There is nothing there anymore, but it is a dressing, like the foreign judges. They still have, of course, the courtrooms. They still wear the robes.

I'm afraid, with no disrespect to her personally, Beverley McLachlin has become part of that dressing. She's become part of the appearance of the rule of law, but she is not significantly contributing to its substance, as much as she'd like to think that she is. She's probably doing more harm than good, although her individual contribution, I'm sure, is nothing short of excellent in what it is. However, it's this appearance, this veneer, that we think is doing the damage.

[*Translation*]

The Chair: Thank you, Mr. Genuis.

Ms. Damoff, you now have the floor for five minutes.

Ms. Pam Damoff (Oakville North—Burlington, Lib.): Thank you, Mr. Chair. Is it five minutes?

• (1625)

The Chair: Sorry, you have seven minutes, Ms. Damoff.

[*English*]

Ms. Pam Damoff: Okay.

Thank you to all of our witnesses for being here today.

Mr. Lai, thank you so much for being with us and for what I'm sure is very difficult testimony for you to give.

I want to focus my questions on freedom of the press, because freedom of the press, as we all know, is a fundamental pillar of a strong democracy. I wonder if you could share with us the local media landscape in Hong Kong, how Apple Media fit into that, and maybe how it distinguished itself from competitors. What is the landscape like now that Apple Daily is no longer able to publish?

I don't know who wants to take that on.

Mr. Sébastien Lai: I could.

Ms. Pam Damoff: Go ahead, Mr. Lai.

Mr. Sébastien Lai: I just wondered if someone else could add to it.

My dad always had a saying that fear is the cheapest weapon that an autocratic regime has over its people. That is very true for the current media landscape in Hong Kong. All the local media have essentially been cowed, so the Cantonese language media have essentially been co-opted by the government. They did that by making a huge show of the prosecution and persecution of Apple Daily and its journalists.

For example, they sent 500 policemen to raid Apple Daily. Imagine 500 policemen running into the newsroom, stopping people from working, taking laptops and hard drives. That is a very strong sign of the Idi Amin quote, "I can guarantee freedom of speech, but I can't guarantee freedom after speech."

I also think that's a testament to what Apple Daily was doing before and its bravery in standing up for its belief, even to the point when it got very hard to do so.

That's how Apple Daily distinguished itself when it was first founded. It was a newspaper that spoke truth to power and wasn't afraid to criticize politicians and elites. By doing so, obviously, it was always the thorn in the side of the CCP and the Hong Kong government. With the passing of the national security law, it finally gave them this weapon to crack down on Apple Daily and other pro-democracy activists and protesters.

Ms. Caoilfhionn Gallagher: Could I add to that, too? Thank you.

I suppose the first thing to say is that the decline in media freedom in Hong Kong has been very rapid and very precipitous. If you look, for example, at the tables from Reporters Without Borders, we see that 10 years ago, Hong Kong was a bastion of free speech in the region and very high on the tables. Now, in the most recent 2023 table, it's number 140 worldwide. It's languishing towards the bottom of the table. That reflects what's happened with a very sudden dismantling of what was a very vibrant media landscape.

Jimmy Lai's case and Apple Daily are emblematic of a wider decline. We look at what's happened with Stand News, for example. We also look at what's happened with foreign correspondents being denied visas when they're reporting in ways that the authorities don't like. Also, we look at some media outlets like RTHK, which was once known for its fearless investigations and now has government management.

We've seen that media landscape being completely, utterly changed in a very short space of time.

It also is worth saying that in the last number of months we've repeatedly seen that when there has been criticism coming from UN special rapporteurs or from the Media Freedom Coalition... There was a very powerful statement from 24 countries in the Media Freedom Coalition over the Christmas period—and we're grateful to Canada for being one of the 24 countries that signed that—expressing concern about the decline in media freedom in Hong Kong. There was a very bombastic response from the authorities claiming that media freedom is alive and well in Hong Kong and flourishing more than ever.

Frankly, that's a black is white statement. It does not bear scrutiny when you look at it. They're repeatedly attempting to claim that

it is still a vibrant media landscape, the same way they attempt to claim that they continue to have a rule of law. It simply is not true.

Ms. Pam Damoff: Thank you very much.

Reporters Without Borders is one of the witnesses that I would very much like to hear from when we're looking at this. Thank you so much for that.

Over the course of the 26 years that Apple Daily was publishing, what impact do you think it had on the daily lives of people in Hong Kong?

Ms. Chung Ching Kwong: As a Hong Konger growing up in Hong Kong, as long as I remember reading a newspaper, I was reading Apple Daily. That is the daily routine that I went through. I would go through my father's briefcase, fish out the paper, which was too big for me at the time, and I would kneel on the floor and start reading it. It gave me a concept of what's public policy and what are the politics in Hong Kong. That's when I first knew about certain issues, like the June 4 massacre or fighting for universal suffrage in Hong Kong.

There has been criticism of the journalistic approach of the tabloid, for sure, but it is a very significant part of all our lives as Hong Kongers. Whether or not you like Apple Daily in general, this is the only printed pro-democracy tabloid you have in the city. When there is huge social movement, Apple Daily is always there to talk about the issue and to try to dive into all of the issues.

Growing up as an activist, the journalists from Apple Daily have always been supportive and friends toward the campaigns that a lot of the activists have led. I'd say it's a very important thing.

A lot of the journalists who were from Apple Daily are right now facing unemployment or having difficulties entering the media industry again in other countries.

● (1630)

[*Translation*]

The Chair: Thank you, Ms. Damoff.

[*English*]

Your time is over.

[*Translation*]

Now, I'd like to invite Alexis Brunelle-Duceppe to take the floor for seven minutes.

Mr. Alexis Brunelle-Duceppe (Lac-Saint-Jean, BQ): Thank you, Mr. Chair.

Thank you to all the witnesses with us today.

Mr. Lai, a special thank you to you, and it's good to see you again, even if it's by videoconference. I won't waste too much time so that we can have as many discussions as possible and so that our analysts can come up with something solid for us after our meetings.

I'd like to know what difficulties you've encountered in your campaign to have your father released, whatever they may be.

Mr. Sébastien Lai: Do you mind if I speak in English?

Mr. Alexis Brunelle-Duceppe: You can speak in English or French, no problem.

Mr. Sébastien Lai: Okay, thank you.

[*English*]

The personal risks pertain to going back to Hong Kong, and also issues about what I can say about my father or what I cannot say about my father. At the end of the day, he is being held in prison and has been for the last three years, and it has always been very ambiguous as to what crime he has or hasn't committed.

The Hong Kong government has really shown in the last four years that it's a completely new playing field. I mean, who would have thought the Hong Kong government would put bounties on people? I personally do not have a bounty on me, but to what Caoilfhionn was saying, it is now a government that is fully aware and willing to use its status to crack down on all dissent, and even criticism abroad.

My risk is pretty simple. I cannot go back to Hong Kong because I might get arrested. I repeat what my dad said: It is that idea of using fear to crack down on people in Hong Kong and abroad.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: In that case, how important is your father's trial to securing democracy and freedom of the press in Hong Kong?

[*English*]

Mr. Sébastien Lai: The trial is incredibly important because my dad represents a few different pieces of society, and because of how he was persecuted...prosecuted, he represents the free press in this trial. He also represents someone who has supported the pro-democracy movement—someone who's given everything for the pro-democracy movement—but he also represents a businessman and a publisher, and essentially all these functions that he holds are now being put on trial. It's impossible to put him in prison and say that you still have a free press because all he did was publish the truth, which is pro-democracy and critical of the government. In a sense Hong Kong is putting these values—the free press, freedom of speech and its rule of law—on trial with what they're doing to my father.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you.

I will now address Jimmy Lai's legal team. How important is it that Canada take action on this? Is there anything Canada can do that would help you legally, or would it only help in terms of the media? If Canada decides to take action, what's the best thing it could do?

• (1635)

[*English*]

Ms. Caoilfhionn Gallagher: First of all, may I thank you personally for the moral clarity and leadership you showed in relation to the unanimous consent motion in December? We're extremely grateful to you and to all the others who showed such leadership on that issue.

To give a very practical example, the two resolutions of both Houses in the Canadian Parliament before Christmas directly resulted in our then having, for the very first time, the opportunity for Sébastien and for us to meet with the U.K.'s foreign secretary. Sébastien and we had been asking for 18 months for the U.K.'s foreign secretary to meet with us. We asked Liz Truss and James Cleverly, but we had no response. Finally, Lord Cameron met with Sébastien within days of what Canada had done, so it was not only important in itself but it also had a domino effect in securing more support. We've now seen the Canadian Parliament, the European Parliament, the U.S. government, the U.K. government and four UN experts call for the immediate and unconditional release of Jimmy Lai. It couldn't be more important.

The reason for that is we do not have confidence, for all the reasons that Luke gave in his powerful testimony, in Jimmy Lai having a fair trial in Hong Kong. He's been prosecuted under a law that shouldn't exist, in a system that is profoundly unfair and where the national security chief has boasted of there being a 100% conviction rate. That is why it's imperative that we ensure there's a resolution of the case internationally, because we're not going to get an adequate resolution domestically within Hong Kong.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Mr. de Pulford, you have quite an impressive network of parliamentarians in 35 countries. I'm going to ask you a question somewhat similar to the one I just asked the legal team. To what extent can parliamentarians in your network see a measure introduced by Canada and draw inspiration from it to do the same in their own parliament? Do you think that's possible?

[*English*]

Mr. Luke de Pulford: I think the truth is that, for whatever reason, diplomatic services in the Five Eyes and beyond are very reluctant to do anything that holds China to account for anything that it does. It requires a lot of pressure, parliamentary pressure, to make that happen. In every single case where I have seen governmental action on China—and this includes abuses of the Uyghurs in northwest China and many other examples too, including Hong Kong—it has required significant public pressure and parliamentary pressure to get anything done.

What you have done is obviously very influential, but it hasn't been enough to result in accountability, which our governments still have yet to take any steps towards whatsoever.

[*Translation*]

The Chair: Thank you, Mr. Brunelle-Duceppe.

Mr. Johns, you now have the floor for seven minutes.

[English]

Mr. Gord Johns (Courtenay—Alberni, NDP): First, like everybody on the committee, I want to thank Mr. Lai. I send my regards to you, to your family and to your father. Thank you for your courage during this really difficult time and your leadership as well. I thank everybody on the panel for the incredibly important work you do for human rights, justice, freedom and democracy.

I'm just going to follow my colleague Mr. Brunelle-Duceppe's questions.

We have the adopted motions in the House and in the Senate that have called for the release of Mr. Lai. We saw the American and British.... I think Ms. Gallagher cited the role, bravery and courage that they've shown.

Mr. de Pulford, you talked about the Five Eyes and the resistance and hesitancy, but some of them have stepped forward and taken a bolder position. What is the reluctance in Canada? What are you hearing from your conversations, and what are you seeing? Maybe, Mr. de Pulford, you can lead on that, because we have seen others in the Five Eyes step forward and take a bolder position.

Mr. Luke de Pulford: I'm talking slightly out of turn here as somebody from the United Kingdom. I don't want to seem as if I'm being too unfair on Global Affairs Canada, particularly when Global Affairs Canada have been very assertive and forward leaning in so many of their policy positions.

What I would say is that I think the U.K. has been very slow to act on the case of Jimmy Lai. It's only very recently that they have declared him a British citizen, which he has always been. It took a lot of pressure to even extract those words, and the meeting with the foreign secretary was very recent.

Also, the U.K. and China were the two duty bearers under the Sino-British Joint Declaration, so the U.K. had way more skin in the game, but that doesn't excuse other governments for not being more assertive. I would just hope that Canada would follow suit, which I think it will if there is sufficient pressure—at least that's my hope.

• (1640)

Mr. Gord Johns: Ms. Leung, maybe you could add to that, given that you understand the dynamics here. You've watched what the Americans have done in taking a bit more of a courageous lead. Can you speak to what Canada should be doing and could be doing, and maybe why it's so important for the Government of Canada to call for Mr. Lai's release?

Ms. Katherine Leung: The Government of Canada, as of today, has not called for the release of Jimmy Lai. Global Affairs has stated that it's monitoring the trials, but that's not enough. We need to take a firm stance and condemn the political persecution, which can hardly be described as a trial. What is happening to Jimmy Lai is blatant political persecution and suppression of fundamental freedoms.

Canada has always stood up for human rights, including in Hong Kong. There are 300,000 Canadians in Hong Kong, and 500,000 Hong Kongers in Canada. Our stake in the game is also people-to-people relations. There's always the risk that Canadians in Hong

Kong may face the same kind of persecution—although maybe not to the same extent or the same kind of publicity—if we continue to allow this to happen without speaking up.

The U.K. and the U.S. have both called for Jimmy Lai's release. The U.K.'s statement was from David Cameron. The U.S. statement came from the Department of State. Canada has a resolution in parliament, but our government has not taken a stand. I think that it's important for us to show clarity in where we stand on this issue and take leadership as well.

Mr. Gord Johns: Can you speak a bit about what more the government can do beyond just condemning the situation, and what we could be doing with the international community? Also speak about the fear of those 500,000 Canadians in Hong Kong and what this case is bringing to Canadians in Hong Kong right now.

Ms. Katherine Leung: I think a step that the Government of Canada must take is to sanction Hong Kong officials. We have a Magnitsky sanctions regime, but we haven't used it at all on China. I don't know why we haven't.

The U.S. has sanctioned 25 officials, and it is important that we do the same. People like the chief executive of Hong Kong, John Lee, are directly complicit in the human rights violations that are happening, including towards Jimmy Lai, and people who are tortured to extract a certain statement from them, etc.

I should note as well that direction towards the Hong Kong government comes from Beijing, and our strategy towards the People's Republic of China will directly affect how the human rights situation in Hong Kong is dealt with.

Mr. Gord Johns: Thank you.

Ms. Gallagher, following Ms. Leung's testimony about sanctions, we talked about John Lee.

Are there others you can highlight here today, Ms. Gallagher, who should be sanctioned, using the Magnitsky law? We have legislation here in Canada to do that.

Ms. Caoilfhionn Gallagher: May I return to you on the sanctions issue separately afterwards? I'll have to take instructions.

Mr. Gord Johns: Sure.

Ms. Caoilfhionn Gallagher: Could I add something on the question about what more Canada could do?

We entirely support the comments made by Ms. Leung. I would say there are three key things.

The first is, of course, that the Canadian government can and should call—unequivocally—for Jimmy Lai's immediate release. They should do that publicly and in their bilateral engagement with China and Hong Kong officials.

Second, we'd ask that Canada also raise concerns about this case and what it represents in multilateral fora. In the next number of weeks, we have, at the Human Rights Council, the U.N. special rapporteur on torture giving her annual report. We would expect to see Canada raising very grave concerns about Andy Li and Jimmy Lai when they have an opportunity to speak in the interactive dialogue with respect to torture. Being silent, we think, would be the wrong thing to do there.

Third, we would say this, following on what Ms. Leung said: There are 300,000 Canadians in Hong Kong currently. There are over 200 Canadian companies in Hong Kong currently. Jimmy Lai's case is a cautionary tale. What we've seen is, essentially, the state-sponsored theft of a business. A hugely successful media company was shut down by order of the executive. Every single Canadian company operating in Hong Kong with the current national security and sedition laws in place is risking action like that being taken against them if any of their employees like a tweet the authorities don't like, speak out of turn or stand up to the authorities. That is something of grave concern for all Canadian businesses and people currently in Hong Kong. The Canadian government must speak out for them.

• (1645)

[Translation]

The Chair: Thank you.

Thank you, Mr. Johns.

We'll now go to our second round, and I would invite Mr. Ehsassi to take the floor for five minutes.

[English]

Mr. Ali Ehsassi (Willowdale, Lib.): Thank you, Mr. Chair.

Thank you, Mr. Lai and all of you here today. I am very grateful for the incredible advocacy that you have done for a number of years now.

Let me also express my great admiration for Mr. Lai. He truly is a paragon of courage and an individual who stands up for his principles. The image of Mr. Lai being arrested is one I will never forget: his determination and resolve to stand up for the principles of free journalism and the rule of law.

The first question I have would either be for Mr. de Pulford or Ms. Gallagher.

You stated that, recently, the United Kingdom acknowledged that Mr. Lai has British citizenship. I suspect part of that was because they didn't want to play into the hands of unfounded charges that Mr. Lai was conspiring with foreign governments. The good news is that this has been acknowledged.

Are they now espousing in any way, shape or form the legal case on behalf of Mr. Lai? What is it you expect from the British government?

Mr. Luke de Pulford: I'll be very brief.

I had a meeting with the minister in the U.K. the other day on this subject, because I'd been named as a co-conspirator. I asked them to make strong representations. Like many countries, they are

very reluctant to take any measures that seem as if they might elicit a very robust response from Beijing. Unfortunately, that has become the constraint.

What we'd like them to do is to issue revised business risk advice to sanction individuals involved. The U.S. doesn't have anything like the skin in the game the U.K. does, yet they've sanctioned 25, as you heard. It makes no sense. The U.K. is lagging behind on those issues, at least.

It's over to you, Caoilfhionn.

Ms. Caoilfhionn Gallagher: Thank you very much for the question.

All too often what we see with political prisoners is that they have to fight a battle on two fronts. They have to fight a battle with the country that's detaining them, but they also have to wade through treacle to get their own government to speak out for them. Regrettably, we and Sébastien and Jimmy Lai have had a long wait to get the U.K. government to speak out for Jimmy Lai, for their own national. We're very grateful for what Lord Cameron has now done and for the sea change that we're now seeing. As I said, Canada played a key part in that before Christmas. That's very welcome, but it's essential that they now use the leverage that they have.

One very serious concern we have is that at the moment, the U.K. government continues to speak out of two sides of its mouth. When it comes to human rights and foreign policy, they'll raise concern about Jimmy Lai, but when it comes to trade and the economy, they won't. We've seen repeatedly issues about Jimmy Lai and about human rights and civil liberties in Hong Kong being raised by foreign ministers, but then immediately afterwards there is a visit from a trade envoy and from a trade minister attempting to say that it's business as usual. That's a real concern to us.

I should say that it's also a concern in Canada. Whilst we've seen the powerful words that were used by Canada in the Media Freedom Coalition statement over Christmas—they didn't call for Jimmy Lai's release and go that far, but they did criticize what was happening in his case—you see simultaneously the message still going to businesses in Canada that it's business as usual and this is a safe place to do business. That's why Luke's call for there to be a business advisory is very important.

The U.S. government gives a warning to U.S. companies: If you are doing business in Hong Kong, here are serious risks to you, to your employees and to your employees' loved ones. Why does Canada not do the same? Why does the U.K. not do the same? We're also speaking to the EU about why the EU has not yet issued a business advisory like that. They're all continuing as if we're still in 2015. We're in 2024. The landscape is wholly different. Businesses need to be warned about that.

Mr. Ali Ehsassi: Absolutely. Fair enough.

I understand that you are using all the legal tools at your disposal, Ms. Gallagher and Mr. Price, but I've only heard the UN rapporteur on torture mentioned, because they did release a statement on how one of the individuals, Mr. Andy Li, was forced to confess to this. Are there other UN bodies or special rapporteurs that we should attempt to persuade to take stronger action on this?

• (1650)

The Chair: Thank you, Mr. Ehsassi.

Could we have a quick answer, please?

Ms. Caoilfhionn Gallagher: Yes. I can give more detail afterwards.

In short, we're waiting for a response from the working group on arbitrary detention, who had already raised concerns directly with China last year. We've had four special rapporteurs call for Jimmy Lai's release. That's quite an unprecedented statement. I can give you the detail of each of the four special rapporteurs. We're grateful for the support we've had so far from the UN. It's very important that Canada reinforces that at the Human Rights Council session in March, when they'll have the opportunity to support us and to support the four special rapporteurs who have spoken out for his release.

[Translation]

The Chair: Thank you, Ms. Gallagher.

I now invite Mr. Majumdar to take the floor for five minutes.

Mr. Shuvaloy Majumdar (Calgary Heritage, CPC): Thank you, Mr. Chair.

[English]

Sébastien, it's good to see you. Thanks for coming to be part of this virtually. I know that your presentation and the presentation of your team was very impressive to the opposition leader, Pierre Poilievre, during the December meeting. Thank you for being such a force of nature.

This question is for both you and your legal team. Why have they targeted Jimmy Lai? Why is the Chinese Communist Party so afraid of him?

Mr. Sébastien Lai: Dad showed an alternative in a few things. He showed an alternative to the news with Apple Daily, news that didn't have to cower to the government and didn't have to suck up to the elites. He also showed an alternative that you didn't have to bend your knee to China to be successful and to do well in business in Hong Kong. They didn't really like that. They didn't like someone who they were unable to control and unable to bend. That's what Dad was for the last 30 years.

As well, the people of Hong Kong have themselves shown that they truly love these values of freedom. I mean, two million people showed up for a pro-democracy protest. That was 20% to 30% of the Hong Kong population. Can we imagine that anywhere else? That would be absolutely crazy. But that was what Hong Kong was, and I think it's still in people's hearts. That is what they're cracking down on.

My father is an amalgamation of all these things—this stowaway who arrived in Hong Kong almost 60 years ago, who is now here fighting for his home and its freedoms.

Mr. Jonathan Price: If I can add to that, this is high stakes for Hong Kong and for China. They've picked on the biggest fish they could find. They're not the wealthiest, as there are wealthier.

As Sébastien says, there are wealthier men in Hong Kong whom they didn't need to pick on because they had already kowtowed to the Chinese government, but this is a man who embodied independence and the independent spirit, as well as the freedoms of speech and protest. They found them all encapsulated in this one extraordinary man, and they recognized that if they could successfully target him with a national security law, it would send a very powerful message to all sorts of corners of Hong Kong: those people who might want to speak freely, those people who might want to trade freely and those people who might want to protest peacefully. All of these things that he did, they can crush in one go.

As you know, the national security law has a 100% conviction rate, so they can be fairly sure that they will succeed—and they inevitably will. The reason for targeting him with the national security law... Don't forget they've already targeted him and convicted him for offences under the Basic Law, like peaceful protest-type offences and free speech-type offences.

They introduced the national security law in 2020 in order to be able to infer that someone like Jimmy Lai presents a threat to national security. Nothing could be further from the truth.

Jimmy Lai was standing up for the national security of Hong Kong. He was not a radical. He was seeking to maintain the status quo. The radicals are the Chinese authoritarians creeping in from the north. They want to change the way of life in Hong Kong—not someone like Jimmy Lai. That's why the national security law is so pernicious and that's why they've targeted him with it.

• (1655)

Mr. Shuvaloy Majumdar: Thank you for that. That was extremely insightful.

I'll take the minute I have left to ask a question of Hong Kong Watch about what Canada can do.

As you know, I used to be an adviser with the Harper government before the people of Canada asked us to leave. I've been watching Apple Daily ever since.

When you say to sanction individuals, who do you have in mind and why, specifically?

Ms. Katherine Leung: Thank you for the question. I have here with me a list of four Hong Kong officials who hold property in Canada and who are directly involved in either supporting or implementing the national security law.

First I have Wong Kam-sing, the secretary of the environment. He currently owns a property along with his wife in Vancouver. As part of the executive council, he publicly supports and is responsible for collectively implementing the national security law.

I also have Andrew Lam Siu-lo and Kennedy Wong Ying-ho. They're both members of the "patriots only" Legislative Council, and they currently own property in Canada.

I have Eliza Chan, who is a non-official member of the executive council. She currently owns two apartments in Toronto. She's part of chief executive John Lee's cabinet, and she publicly supports the national security law.

I'll note that these are just the people we know about. We have no way of knowing who else might hold property in Canada, and we urge the Canadian government to undertake an audit of the financial and personal connections that Hong Kong officials and their partners or spouses have in Canada, including, of course, the chief executive and his cabinet.

The Chair: Thank you.

Thank you, Mr. Majumdar.

[*Translation*]

I now invite Mr. Brunelle-Duceppe to take the floor for seven minutes.

Mr. Alexis Brunelle-Duceppe: Thank you, Mr. Chair.

With tongue in cheek, I'd like to salute the four people who were just mentioned. That's some Québécois humour.

Mr. Lai, what would happen if someone in Hong Kong showed support for your father? Is that possible, first of all? Would people dare to do that? If someone dared to do it, what do you think would happen to them?

[*English*]

Mr. Sébastien Lai: The feed is a bit grainy, so I didn't hear the full question. Was it about whether someone could show open support for my father in Hong Kong? Yes.

It would be incredibly hard to show open support for my father and anything related to democracy in Hong Kong. It's hard to describe the current climate, but suffice it to say that all the freedoms Hong Kong had, which were taken for granted, are no longer there. At one point, even holding a white piece of paper was an issue.

There's also the Tiananmen Square vigil. That didn't happen last year. It was the only territory belonging to China where you could still commemorate and pay respect to people who died in Tiananmen Square, and that is no longer a thing in Hong Kong.

I think that shows you exactly where Hong Kong is now.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: That leads me to a question for the representative of Hong Kong Watch.

There is, after all, a large Hong Kong-Canadian community here in Canada. We talked earlier about transnational repression. Could that be a concern here as well for people who want to show their support for Jimmy Lai?

[*English*]

Ms. Katherine Leung: Thank you for the question.

Yes, one hundred per cent. Definitely I've heard cases first hand. I've talked to people in the community who have told me that after attending even community events with the name "Hong Konger" in them, people showed up outside their home and took photos of them. That's only the surface of it.

I've heard cases from Hong Kongers who came here to Canada to escape political persecution in Hong Kong. After attending a pro-democracy rally in Canada, they returned home with flyers, stickers and posters of pro-democracy sentiments and put them up in the room that they were renting. They were subsequently evicted for other reasons.

This individual found out later that the landlord was a core member of the United Front Work Department. This is here on Canadian soil.

Even besides the things we know about foreign interference, like the overseas police stations or intimidation faced by community members, this is a day-to-day reality for Hong Kongers in Canada, as well as for Uyghurs, Tibetans, Falun Gong practitioners and other dissident groups that have come to Canada in search of freedom, only to find that the Chinese Communist Party's far-reaching hand is still here.

I really urge the government to take a more serious look at the community impact of transnational repression.

• (1700)

[*Translation*]

Mr. Alexis Brunelle-Duceppe: If Canadian citizens of Hong Kong origin are facing transnational repression in Canada because they're showing their support for Jimmy Lai, all the more reason for the Canadian government to act on Jimmy Lai's case.

Ms. Gallagher, in your opening remarks, you talked about your own legal team receiving threats. What were those threats?

[*English*]

Ms. Caoilfhionn Gallagher: Thank you for the question.

I really support what's just been said by Ms. Leung about how serious this is.

Sébastien and we, as the legal team, have faced a range of threats. When Sébastien dared to address the United Nations last year, he was interrupted by China. A formal statement was then put out about him and our team from the Hong Kong authorities. The Chinese state media has called me a "notorious anti-China element" a range of times.

One thing that is most worrying is that I and my colleagues—in fact particularly the women on my team, rather than Jonathan—have been placed under intimidatory surveillance, both in the U.K. and internationally. It's happened to us at the United Nations building in Geneva. It was investigated by the security services in Geneva. It was concluded that state agents were following us around. It's very intimidating.

I've repeatedly received rape threats, death threats and threats of dismemberment to me and my children. It always happens on key days in relation to this case. On days when I'm about to give evidence or give testimony, for example, I wake up to repeated attempts to hack my bank accounts and my emails, threats to me and to my family, and state media criticizing me. Quite often we also get formal statements.

Now, this is not about me or others. Primarily, we are concerned about Jimmy Lai, who is a 76-year-old man in prison for being a journalist and for being a pro-democracy campaigner.

Every time I get those abusive threats to me, to my family or to members of my team, or any time they target Sébastien in the way that they have, it really makes us think that this is how much they are out to get Jimmy Lai. For anyone who speaks out for him—a son speaking out for his father or a lawyer doing their job in bringing an appeal to the United Nations—if they're willing to put that amount of resource into targeting us, it gives you a real sense of just how much they want to ensure that Jimmy Lai is silenced.

[Translation]

Mr. Alexis Brunelle-Duceppe: I didn't get a chance to thank all the witnesses, especially Mr. Lai, for being here today.

That was my last turn. Thank you so much for being with us on this important study.

The Chair: I'd like to invite Gord Johns to take the floor for five minutes.

[English]

Mr. Gord Johns: Thank you.

I'm going to go back to Ms. Kwong.

You talked about the failures of the international community.

Can you talk about what needs to happen at the international committee—what Canada can do—to help move things in terms of the failure there? Can you elaborate?

Ms. Chung Ching Kwong: There were promises made to Hong Kong, at least in the Sino-British Joint Declaration, which is a treaty that's lodged at the United Nations and should be safeguarded by the Vienna Conventions—the law of the treaty—but the U.K. hasn't even raised an objection to it. None of the countries that are involved in that international law mechanism have ever done anything about the breach of the treaty.

There are a lot of things that could be done—as Katherine, Caoilfhionn and Luke have said—but one thing that hasn't been mentioned is this: I urge Canada to seek to find a solution with other allies, with the U.K., American and other governments, to Beijing's unilateral rejection of dual nationality, an invasive imposition of Chinese citizenship on anyone they believe to be Chinese, even on those who have already renounced their Chinese citizenship or children of those who were born outside of China. They have been claiming that people are not subject to consular access because they were, first and foremost, Chinese before they were Canadian or British citizens. This has been causing quite some problem in Hong Kong. I'm sure the Canadian government has encountered similar issues, not only in the context of Hong Kong but also in the context

of prisoners in China who were denied consular access. We can't just roll over and allow Beijing to deny consular access and rights.

At the same time, I completely agree with everything that has been mentioned on the panel. There are so many things to be done—sanctions and so on—but talking about political prisoners and the situation in Hong Kong and China at all times, whenever there's bilateral or multilateral engagement, that should be a topic on the table. The Chinese government and the Hong Kong SAR government have been known to quit negotiations or conversations because these things were on the table, but that's exactly why you should insist on having those conversations: You can't just refuse to talk about different things just because you don't like it or you did something wrong.

● (1705)

Mr. Gord Johns: Mr. Lai, would you like to add to that, given that you're advocating so strongly, obviously, for the release of your father, and you're dealing with multiple governments around the world? Maybe you can speak about some of the courageous moves some governments have taken and what we can do to advocate for you here in Canada.

Mr. Sébastien Lai: Sorry. Was that question addressed to me? My feed's cut for some reason. I haven't been able to hear for the last three to five minutes.

Mr. Gord Johns: Can you hear me now?

Mr. Sébastien Lai: It's just very grainy. I'm very sorry about that. I don't know why this is happening, either. It just suddenly.... I'm so sorry.

Ms. Caoilfhionn Gallagher: We can answer.

Mr. Gord Johns: Sure, if it's quick, because I do have a very short question for Ms. Leung as well.

Ms. Caoilfhionn Gallagher: I am going to offer, as we're in touch with him directly on text, that perhaps my colleague can send him a message with the question, if you'd like us to do that. We're happy to add something, but if you want to use your time to direct.... Okay.

I suppose the first thing to say is we think that Jimmy Lai's name should be on every Canadian ambassador's lips around the world whenever they're engaging with China. Now, that's an important thing to do because it's vital that it's not only when there's a discussion specifically about human rights, but at any time that you have the Chinese delegation in Davos or the Chinese delegation that you had for China's UPR in Geneva, Canada stands up for Jimmy Lai and for the issues that we've all been discussing today on every occasion.

It's also important that happens when trade is on the table because we know that one issue China and Hong Kong really care about is the idea of Hong Kong's continuing as an investment hub, a place where business can be done safely. It is vitally important that the message gets through to them, from Canada and from other like-minded states, that as long as they have Jimmy Lai—a Nelson Mandela type of figure—behind bars and they use the national security law in this way, they will not achieve that policy aim they want of Hong Kong's being an international investment hub, and of businesses continuing and returning. That's a key point we must get across.

Mr. Gord Johns: Mr. Chair, do I have a minute, just—

[*Translation*]

The Chair: You have 20 seconds left.

[*English*]

Mr. Gord Johns: Ms. Leung, can you underscore the importance of sanctions and Canada taking action?

The Chair: Give a quick answer, please.

Ms. Katherine Leung: We've used sanctions against other human rights violators. We should do the same for Hong Kong.

[*Translation*]

The Chair: Thank you, Mr. Johns.

We have time for one more round of four minutes per member.

Ms. Vandenberg, you have the floor for four minutes.

[*English*]

Ms. Anita Vandenberg (Ottawa West—Nepean, Lib.): Thank you very much, Mr. Chair.

I don't know whether you can hear us, Mr. Sébastien Lai, but I want to thank you. Also, through you, thank your father. Thanks for your incredible courage and perseverance, and for your testimony here today.

That goes for all the witnesses here today. Thank you very much for your testimony and courage.

I would like to pick up on something you said, Ms. Gallagher, that struck me: authoritarians learning from each other and using tactics.

You talked about weaponizing the law and prosecutorial harassment. It reminds me a bit about the kinds of things Maria Ressa in the Philippines is facing, and others around the world.

Could you tell us a bit about how you are seeing these kinds of patterns, where in one authoritarian state they use certain things, then others learn and transmit that back?

• (1710)

Ms. Caoilfhionn Gallagher: Thank you very much.

Thank you for raising Maria Ressa. Maria Ressa is my client. She's a Nobel Peace Prize winner in the Philippines who has been targeted for speaking truth to power. Her case has many overlaps with Jimmy Lai's. What we see in those two cases is not just the targeting of one individual journalist but also the attempt to shut

down entire media ecosystems or networks—Apple Daily in the case of Hong Kong and Rappler in the Philippines. We've seen that same tactic employed against José Rubén Zamora in Guatemala, the founder and owner of *elPeriódico*. Again, like Apple Daily, it's an anti-corruption, pro-democracy and pro-human rights newspaper. Similarly, we've seen it with Mir Shakil-ur-Rahman in Pakistan, the owner and founder of Geo TV.

This is now a trend we're seeing: “lawfare” being used. One of the tactics I'm increasingly seeing is using regulatory and fraud laws against journalists or media owners. The reason they're used is that many people, when they see a defamation law being used, for example, against a piece of public interest journalism, know there's something wrong with that. They instinctively recognize there's something wrong with that. When they hear Maria Ressa being called, completely fraudulently, a tax evader, or Jimmy Lai being called a fraudster, some people may think there's no smoke without fire. It's a tactic now being used because it damages not only the message but also the messenger. What I would say about that is, this is now a tactic that UN experts, NGOs—such as CPJ and RSF—and lawyers like us who work in this field have been seeing for some years.

What we haven't yet seen is an organized response. Canada has shown real leadership on media freedom issues through the Media Freedom Coalition and elsewhere. We think it's time to recognize that the enemies of press freedom are organized. We have to get organized, too. It is high time for us to recognize the tactics and trends that are being used and work out proactive ways to tackle them.

Ms. Anita Vandenberg: I'm glad you mentioned the Media Freedom Coalition because, as you said, Canada has been leading on that.

Is there a way we can break those tactics and expose them? I think the testimony today is one way we can expose those kinds of tactics being used against journalists to silence free media.

Ms. Caoilfhionn Gallagher: I'm a great believer in the phrase “sunlight is the best disinfectant”. I think highlighting this is a tactic in itself and is very important. I'm very grateful to the subcommittee for doing that today. You, yourselves, can use your parliamentary power to highlight this in a press release or in other ways: S.O. 31s, resolutions, motions and so on.

I think the Media Freedom Coalition is a good opportunity. That is a place where you should see these tactics being highlighted. One of the difficulties, however, is that things move very slowly in the Media Freedom Coalition, in part because there's such a wide range of states. You see that in some ways with the statement that came out over Christmas. It's good to have 24 states signing, but you end up with the lowest common denominator. More controversial or robust language is removed in order to ensure you get a large number of people signing on.

There are other ways to do that and I'd be very happy to talk in more detail about how to do it. These are now routine trends. We have to get organized and deal with them.

One very practical thing Canada can do is... We're repeatedly seeing, in these cases—this happened in Jimmy Lai's case at an earlier stage—trial monitoring focused only on, for example, the defamation case or the national security law case. We have to go to states and say, "Why are you not going to the protest cases? Why are you not going to the bogus fraud case?" It took work for us to do that. Routinely, people are still just going to the emblematic case using traditional legal tools and not to the others. That has to change.

The Chair: Thank you, Madam Vandenbeld.

[*Translation*]

Mr. Genuis, you have the floor for four minutes.

[*English*]

Mr. Garnett Genuis: Thank you, Chair.

Ms. Gallagher, it sounds like we should have you back at some point to tell us more about some of the other important cases you're working on. I think that would be quite worthwhile.

However, I want to zero in, in my final time here, on specific recommendations for the Government of Canada with respect to action on the Jimmy Lai case. We've heard from a number of you. I think there's a clear desire that there be a statement from the government, from Minister Joly, calling for the release of Jimmy Lai. I think we've heard that loud and clear.

We've heard recommendations about sanctions on Mr. Lai's persecutors. I think that's an important take-away as well.

One thing that hasn't come up—but I know, Ms. Leung, you've done some work on this—is immigration measures. The reality right now is that we've had instances of people in Hong Kong, who have been involved in the democracy movement, who have faced bogus charges related to that; and they've had trouble coming to Canada, because of criminality provisions in our immigration laws that don't take into consideration the context of some of these charges. I'm going to ask you to comment on your work in that regard in a minute.

Addressing foreign interference and transnational repression is clearly a part of this picture. It has a chilling effect beyond Hong Kong's borders. Then, also, we heard a bit, but I'd like to hear more about specific international legal mechanisms that can be triggered as a result of the violations of international law that Hong Kong authorities have been involved in, particularly their disregard of the Sino-British Joint Declaration, but there may be other international law issues and mechanisms we can trigger.

Ms. Leung, maybe just in 30 seconds you can comment on your work on the immigration piece, and then I'll come to the legal team on international mechanisms.

• (1715)

Ms. Katherine Leung: Thank you for the question.

On the immigration front, a barrier that lots of Hong Kongers have faced, who are newly released from prison, or who have been charged but then not convicted, is the requirement for a police certificate. This is an issue, because when you ask the Hong Kong police for a police certificate, it is signalling to them that you are plan-

ning to leave the territory. They might put you in custody again before you leave, or they might have you on some kind of a watchlist. We know as well that people exiting Hong Kong have trouble moving their money from Hong Kong to overseas territories, so that it is a concern as well.

A problem with the police certificate, even if one might be able to get it, is that some convictions have Canadian law equivalence. For example, the wielding of a dangerous weapon, when that weapon in question might be an umbrella, a laser pointer, or a pen, might look to an IRCC officer like a legitimate offence, but that is not the case.

I have spoken to many MPs and IRCC officials, and they have assured me that Hong Kongers who have a legitimate reason to believe that their persecution is political do have a way out and don't have to submit a police certificate if they make that clear in the application. However, not a lot of Hong Kongers know about this, and that's been a difficulty.

Mr. Garnett Genuis: Thank you.

I'll go over to the legal team on specific international legal mechanisms that Canada could be involved in triggering.

Ms. Caoilfhionn Gallagher: Thank you.

The first thing we would say is that with the United Nations Working Group on Arbitrary Detention, Canada can support that in writing to, and making a filing with, that working group to raise concerns that Jimmy Lai is arbitrarily detained. That's something that we would welcome and would ask for support with. We can talk to you in more detail about that.

The second and third items relate to the UN special rapporteur on torture and the UN special rapporteur on counter-terrorism. The UN special rapporteur on torture, Dr. Alice Edwards, is presenting her annual report, I believe, on March 12 in Geneva. Canada has a speaking slot in the interactive dialogue on that day; and we think, first of all, Canada should publicly raise concerns about the reliance upon coerced evidence obtained through torture, and the absence of any investigation. To be clear, as soon as you have a credible, reasonable suspicion of torture having been used, as a matter of international law, a state has an obligation to investigate that.

Now, The Washington Post, on December 17, published a very detailed piece. Shibani Mahtani, the journalist, after a one-year investigation concluded that Andy Li had been tortured and that the evidence he provided against Jimmy Lai had been coerced. China has done absolutely nothing about that.

Dr. Alice Edwards has written to China to ask why there has been no investigation, what they are doing about this and why they are relying upon this man in Jimmy Lai's trial. They've yet to have a reply. She's spoken out about it publicly. Canada should be supporting her in that regard. We haven't yet seen any states supporting Dr. Alice Edwards in the statement she made last week. It's imperative they do so as quickly as possible, and we would certainly expect to see them do so publicly on March 12.

The last one is the special rapporteur on counter-terrorism. The national security law is a misuse of counter-terrorism law, by its very nature. Canada has said that in other fora. It should say it in the United Nations, loud and clear, when the rapporteur delivers his annual report, which I believe will also happen on March 12.

I think all eyes should be on what Canada does in Geneva in mid-March in relation to these issues. They are international mechanisms that can be used—there's an opportunity coming up within five weeks.

• (1720)

The Chair: Thank you, Madam.

[*Translation*]

Mr. Brunelle-Duceppe, you now have the floor for four minutes.

Mr. Alexis Brunelle-Duceppe: Thank you for giving me another round of questions, Mr. Chair.

Ms. Leung, just so you know, we're trying to deal with this on the Standing Committee on Citizenship and Immigration. We talked about it a little, but it hasn't been resolved yet. With respect to police certificates in Hong Kong, you have an ally. We will continue to work on that.

Mr. de Pulford, democracies, including Canada, tend to behave a certain way when it comes to China. If Jimmy Lai's trial were to take place in another country, Canada would have likely already called for his release. We do business with China. We see countries behaving this way on a number of issues, not only Canada, but a number of other democracies around the world, every time China is involved.

What do you think is causing this behaviour, and what can be done to stop it?

[*English*]

Mr. Luke de Pulford: I think some in the administration here in Canada would legitimately seek the excuse that if the U.K. isn't moving as the principal duty holder under the Sino-British Joint Declaration with China, why should they? I've heard that argument.

Actually, the truth is, as Chung Ching rightly said, that this is a treaty launched at the United Nations, which means that the duty bearers are actually all of us, including Canada, so I think you're right to point out that issue.

There's something that has not been mentioned, but that Canada could certainly do. Hong Kong bizarrely enough remains a party to the International Covenant on Civil and Political Rights, which does have a dispute resolution mechanism. Any country could make a complaint under the ICCPR, and Canada should do so. They could do so. It might well result in China's withdrawing from

the ICCPR, which I'd foresee as pretty likely. But that is not a reason not to do it. A complaint put forward under the ICCPR is something they can certainly do and lead on.

Thank you.

[*Translation*]

Mr. Alexis Brunelle-Duceppe: Thank you very much, Mr. de Pulford.

Mr. Lai, it's true, this is my last turn. If there's one last thing you'd like to say to the committee, you have carte blanche. Say what you have to say, whatever you want to say. I'll leave it up to you.

Mr. Sébastien Lai: Thank you very much, Mr. Brunelle-Duceppe.

[*English*]

First of all, I want to thank all of you again. What happened in Hong Kong and what's happening with my father is, I believe, a story of hope. It's a hope that all people are drawn to freedom, the freedoms that you have in Canada. There is this false narrative about its being about east versus west, that these freedoms are all western values. You could easily see that it is not true. If you look at the passports of all of the elites or their children, they all hold British passports, Canadian passports, or Australian passports.

We have a government that says one thing and does another thing. We have to show these people, the Hong Kong government and the Government of China, that the freedoms that we have in the west are freedoms that we are a) willing to defend and b) it's not a freedom that is traded like a currency. It's also a human right.

I'm incredibly moved and so grateful that you are supporting my father and really doing right by the democratic values that underpin Canada. I hope you continue to do the same. I just wanted to, again, thank all of you so much.

[*Translation*]

The Chair: Thank you, Mr. Brunelle-Duceppe.

We will now go to Gord Johns for four minutes.

[*English*]

Mr. Gord Johns: Mr. Lai, is there anything you haven't heard—and I know you've been in and out of the conversation—that you would like to add to, that you would like to call upon Canada and this committee and Canadians to help support the release of your father to ensure that also this doesn't happen again?

• (1725)

Mr. Sébastien Lai: Is there anything I'd like to add? Not particularly. I think everything that was said on the panel was very extensive and raised many good points. I've got nothing to add, but I'll think on that, and if I do, I'll send it over, if that's okay.

Mr. Gord Johns: Yes, that's no problem. Thank you, Mr. Lai.

Mr. Sébastien Lai: Thank you, sir.

Mr. Gord Johns: Ms. Gallagher, you talked about the Human Rights Council and the importance of the UN Human Rights Council meeting that's coming up. Can you talk a little bit more about what Canada could be doing in taking leadership there?

Ms. Caoilfhionn Gallagher: The upcoming Human Rights Council session is going to be looking at four topics which are relevant to what we've talked about today. The most important ones are probably torture and counterterrorism, but there's also the special rapporteur on peaceful assembly who's also giving his annual report and the special rapporteur on human rights defenders, who is looking at the issue of transnational repression of critics of authoritarian states and the long arm of the state reaching out in the way that we've seen China doing. Those are four opportunities that Canada has to speak out on those issues.

As we saw recently that at the UPR of China, some 161 states spoke. Canada raised human rights concerns. We're grateful for that, but we saw real organization with pro-China voices, a whole range of states that gave boiler-plate statements and praised China in a number of ways.

We need to see much more organization with states that have concerns about the issues that we've raised today. The 24 countries that signed a Media Freedom Coalition statement raising concerns about Jimmy Lai's case and about media freedom in Hong Kong should be ensuring that they're organized before the Human Rights Council session. We think this is an opportunity for Canada to show real leadership, to shine a spotlight on these issues.

Very practically, what they can do, first of all, is to ensure that in the five weeks in the lead-up to the Human Rights Council, they're engaging with other states to see what these other states are doing and to ensure that a spotlight is shone on these issues.

Second, they should be preparing to engage with a Chinese delegation bilaterally when they're in Geneva. That's an opportunity to speak bilaterally, raise these concerns and press home the messages that we've been speaking about.

Third, publicly, in their own time, which is even shorter than the time we have here—they usually get two minutes and 30 seconds—they should be highlighting these issues and this case and making sure that the international community is making its voice heard loud and clear and that China hears it.

We know that China responds to what happens at the Human Rights Council. We've seen that in other cases. We've seen it have real leverage. We've also seen Canada in other cases secure release of political prisoners in other circumstances. It's high time that we saw the international community doing all it can to ensure that Jimmy Lai is released before we see this British man die behind bars for being a journalist and for being a pro-democracy campaigner.

Mr. Gord Johns: Ms. Leung, I have about 30 seconds if there's anything that you'd like to add.

Ms. Katherine Leung: Thank you.

I'll reiterate the importance of Canada actually showing China and Hong Kong that there are consequences for their human rights violations. First of all, on sanctions, as I've mentioned time and time again, we need to show them that they cannot get away with putting people in prison for made-up reasons in a lot of the cases, and in other cases, where they're exercising rights that they have, in the case of Hong Kong.

Another thing that I would like to underline is that Canada also must urge Canadian businesses to really carefully consider whether they want to continue doing business in Hong Kong. An international financial hub is not a place where one can get thrown behind bars for saying the wrong things. Hong Kong is deteriorating. Its business environment is deteriorating, and the time to exit was yesterday.

Thank you.

[Translation]

The Chair: Thank you very much, Ms. Leung.

Esteemed guests, thank you for your testimony and for participating in our study on Jimmy Lai's detention in Hong Kong. We appreciate your taking the time to come and share your expertise with us on this important issue. If you have any additional information to send to the subcommittee, please contact the clerk. Thank you very much.

Members of the subcommittee, we will now take a two to three-minute break before discussing the next meeting. It will be a special meeting to finalize the study of our report.

• (1730)

(Pause)

• (1730)

[English]

The Chair: I call the meeting back to order, please.

[Translation]

Members of the subcommittee, before we adjourn, I'd like to get your comments on planning an additional meeting to consider our draft report.

Mr. Johns.

[English]

Mr. Gord Johns: From talking to different members and from what I've seen in the report so far, I don't think there's a lot of disagreement. Is there any chance that we could just tack it on to the next meeting and have an extra half-hour? That way, we don't have to bring everyone together for a whole meeting. That would just be my suggestion.

• (1735)

[*Translation*]

The Chair: Ms. Damoff.

[*English*]

Ms. Pam Damoff: Thank you, Mr. Chair.

I'm just tagging along with what Mr. Johns just said. I had asked if we could do an extra meeting with a couple of witnesses on this. I'm just wondering if we could do an hour with those additional witnesses and then just finish up that report in the second hour. I don't think it will take a full hour, but I also don't want it to be rushed.

The Chair: Okay. We also have another option.

[*Translation*]

We can also extend the second meeting by an hour in order to finish the report. It's up to you. What do you think?

[*English*]

Mr. Genuis.

Mr. Garnett Genuis: If members are agreeable to this, what about if we take an hour and a half for the witnesses and then set aside an hour for concluding the report? Who knows? Maybe we won't need it, but that seems like a reasonable way to meet in the middle.

Mr. Ali Ehsassi: I absolutely concur with what Mr. Genuis said, but I'm just wondering, with regard to the witnesses for this study, whether or not we still have an opportunity to submit a couple of names. I just want to submit one name, actually.

A voice: No.

Mr. Ali Ehsassi: Oh, oh!

The Clerk of the Committee (Mr. Patrick Williams): Thank you, Mr. Chair.

I've invited witnesses already, based on the lists that were submitted. There's a panel of six that's shaping up, but if some of those decline, then there would be openings.

You can send me additional names. If there are names that you previously submitted that you want to take off the list, if you prefer, you can do that as well.

Mr. Ali Ehsassi: Thank you for that.

If you recall, I did raise the name of this organization while we were discussing the matter last week, but I didn't officially submit a name to you.

The Clerk: Okay. What was the name of the organization?

Mr. Ali Ehsassi: It's a Canadian-based organization for freedom of expression. The name escapes me right now, but I can email it to you.

The Clerk: You were talking about IFEX. Unfortunately, they emailed me during this meeting to decline the request—it was submitted by another member. They're not available next week, but they were invited.

Mr. Ali Ehsassi: It's a moot point then. Thank you.

[*Translation*]

The Chair: That brings this meeting to an end. Thank you to all of you.

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