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# Special Committee on Canada- China Relations

EVIDENCE

**NUMBER 010**

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Chair: The Honourable Geoff Regan





## Special Committee on Canada-China Relations

Tuesday, August 11, 2020

• (1100)

[English]

**The Chair (Hon. Geoff Regan (Halifax West, Lib.)):** I call this meeting to order.

Welcome to meeting number 10 of the House of Commons Special Committee on Canada—China Relations. Pursuant to the order of reference of July 20, 2020, the committee is meeting on its study on Canada-China relations.

Today's meeting is taking place by video conference.

[Translation]

To ensure an orderly meeting, here are a few rules to follow.

Interpretation in this video conference will work very much as it does in a regular committee meeting. At the bottom of your screen, you have the choice of either floor, English or French.

As you are speaking, if you plan to alternate from one language to the other, you will need to also switch the interpretation channel so that it aligns with the language you are speaking. You may want to allow for a short pause when switching languages.

Before speaking, please wait until I recognize you by name. When you are ready to speak, you can click on the microphone icon to activate your microphone.

A reminder that all comments by members and witnesses should be addressed through the chair.

If a member wishes to speak outside the time provided for their questions, they must turn on their microphone and state that they wish to raise a point of order.

If a member wishes to address a point of order raised by another member, they must use the “raise hand” function to inform the chair that they want to speak. To do so, you must click on “participants” at the bottom of the screen. When the list appears beside your name, you will see an option to raise your hand.

Make sure that you speak slowly and clearly.

When you are not speaking, your microphone should be on mute.

The use of headsets is strongly encouraged.

[English]

Before we get started, can everyone click on their screen, in the top right-hand corner, and ensure they are on gallery view? With this view, you should be able to see all the participants in a grid

view, and it will ensure that all video participants can see one another. As is the case during in-person meetings, the public will only see the participant who is speaking.

I would like to welcome our first panel of witnesses. From Alliance Canada Hong Kong, we have Cherie Wong, executive director; and Davin Wong, director of youth engagement and policy initiatives. From Canada-Hong Kong Link, we have Gloria Fung, president and coordinator of a Canada-wide platform for 16 organizations concerned about Hong Kong. From Hong Kong Watch, we have Aileen Calverley, co-founder and trustee.

Each witness or organization will have seven to 10 minutes to make an opening statement, followed by a round of questions from the members.

Mr. Wong, please go ahead.

• (1105)

**Mr. Davin Wong (Director, Youth Engagement and Policy Initiatives, Alliance Canada Hong Kong):** Thank you.

My name is Davin Wong. I'm the director of youth engagement and policy initiatives at ACHK and the former president of the Hong Kong University Students' Union, HKUSU, until I fled Hong Kong. I would like to thank the committee for the invitation to testify.

I understand my privilege as a Canadian Hong Konger, and it is my duty to speak up. Though I am speaking to you as a Canadian citizen, I am at risk. The Hong Kong government has already issued warrants for six overseas advocates for “secession” and “colluding with foreign countries” under the national security law, one of whom is an American citizen advocating to their own government.

The national security law destroys Hong Kongers' capacity to express opposing opinions. It is also used to disqualify candidates and hijack the LegCo election. My friends and activists are feeling the chilling effects under this draconian law. Hong Kongers now depend on their international allies to hold the Beijing and Hong Kong governments to account.

I would like to bring the committee back to a year ago, when I was still a student leader involved in the pro-democracy movement. At that time, I had been harassed, threatened and intimidated. On August 30, 2019, I was followed, beaten up and wounded by a man in a white T-shirt, which is a dress code known for pro-Beijing thugs. Three other activists were brutally attacked on the same day.

I did not go to the hospital after the attack. Hospitals are dangerous spaces for activists, as it was exposed that the police set up back doors to the hospital authority's system to track down hospitalized protesters. At the time, HKUSU even had to set up an underground clinic with voluntary doctors and medical students for protesters who were in need of medical help.

I also didn't seek help from the police. Why would I? As an activist, the police see me as an enemy. I have witnessed their abuse of power and human rights violations. I have witnessed mass arrests. One in 10 of my friends has been arrested on bogus charges. I have carried a friend who was shot in the stomach by the police. I have had guns pointed at me and I still vividly remember the smell of tear gas. The Hong Kong Police Force arrested medics and reporters. Protestors were beaten, raped, tortured and denied due process. Do you know what my friends and I would carry to the protests? Our wills, because we feared that we would never see the sunlight again.

After the attack, I immediately booked my ticket at 3 p.m. and hopped on the plane at 7 p.m. I knew that fleeing Hong Kong was a one-way trip, but I still naively believed I might have a slight chance to return. The national security law killed it. Our advocacy work here can get us arrested under the broad definition of "collusion with foreign countries". We are not safe even in Canada, as we have seen dissidents abducted by Beijing in other countries. The fear is real.

Regarding the national security law, Beijing's claims of extraterritorial jurisdiction over acts committed by non-Hong Kong residents outside of the territory is amplifying Beijing's global authoritarian ambition. This committee should also pay attention to Beijing's long arms and the interference that is already effectively undermining our freedoms in Canada.

While I am not an expert in national security, I witnessed their tactics, especially in academia and student activism. The liaison office was a major financial supporter of the Chinese Students and Scholars Association in Hong Kong universities. HKUSU was also once infiltrated by students trained by pro-Beijing groups. We worry that this kind of interference is already happening in Canada.

Hong Kong's freedom and autonomy have been destroyed. Journalists are guarding the last remnants of freedom of press and information, but the owner of Apple Daily, one of the most reliable sources in Hong Kong, was arrested under the national security law two days ago. The situation is urgent, and we're running out of time.

I ask Canada to immediately offer safe haven for Hong Kongers, to curb the CCP's malicious interference campaign at home and to work with our allies to hold the Chinese and Hong Kong governments to account.

Thank you again for letting me share my experience. I look forward to your questions.

• (1110)

**The Chair:** Thank you very much.

Was Ms. Wong going to add anything or not?

**Ms. Cherie Wong (Executive Director, Alliance Canada Hong Kong):** Yes, I will.

**The Chair:** Okay, you still have a few minutes. Go ahead, please.

**Ms. Cherie Wong:** Thank you, Mr. Chair.

My name is Cherie Wong, and I use she/her pronouns.

I was born in Canada and raised in the post-handover Hong Kong, so I'm honoured to be here today as a Hong Konger and as a Canadian. I am the co-founder and executive director of Alliance Canada Hong Kong. ACHK is a volunteer-led, multipartisan national collective of 18 community groups across 10 cities.

Since the start of Hong Kong's democratic movement, I have received death and rape threats, with implications to harm my family. During the launch week of ACHK, I received an ominous phone call to my hotel room saying that they're coming to collect me. The room was booked by another person, yet they still managed to find me.

On October 1, 2019, I co-led a protest on Parliament Hill with Ottawans Stand with Hong Kong. Days before the demonstration, we started to receive online threats. At the protest, we were verbally and physically assaulted, threatened and harassed. Over 100 pro-Beijing supporters were mobilized quickly, surrounded us and kettled us.

While the Ottawa police were called to escort us, pro-Beijing groups took photos and videos of us and continued to follow us, even as we drove away. After the protest, many of us had our private information maliciously published.

Canadians across the nation are forced to hide their identity or be targeted by pro-Beijing forces. What is even more worrying is that these interference campaigns are emboldened by Chinese diplomats in Canada. Tong Xiaoling, the consul general in Vancouver, has called on ethno-nationalistic unity in an attempt to assert control over the Sino communities.

Hong Kong is not only a foreign issue, which is why our demands are not only about advancing Hong Kong's democratic future, but it also reflects the ongoing issues facing Canadian communities.

Alongside Citizens' Press Conference, we consulted with 13,000 Canadians and Hong Kongers through a survey to inform Canada's five demands for action: provide humanitarian support for Hong Kongers, Uighurs, Tibetans, Chinese and other communities fleeing persecution; invoke sanctions against Chinese and Hong Kong officials for human rights atrocities; protect Canadians' constitutional rights and freedoms from erosion; investigate and combat foreign interference into Canadian institutions; and end all exports of military/police goods and technology.

While we commend the decision to suspend sensitive military exports to Hong Kong, Canadian education institutions continue to be in a vulnerable position by trading funds for intellectual property. Three Canadian universities are in the top 10 in collaborating with the People's Liberation Army: McGill University, the University of Waterloo, the University of Toronto.

Foreign state interference is deeply rooted in various aspects of Canadian society, including academia, media, social media, student communities, the private sector, education and political institutions. It has become clear that there is a coordinated campaign to infiltrate and influence Canadian society, and this is part of the CCP's global authoritarian agenda.

There's overwhelming support in Canada to stand against human rights atrocities, co-signed by 27 community leaders and 75 parliamentarians from all major political parties. We are calling on the government to invoke Magnitsky sanctions in collaboration with other middle powers.

The CCP has shown complete disregard for international rules. State suppression has only accelerated under the guise of COVID-19. Since the implementation of the national security law, the CCP has been using oppressive tactics that are used in Tibet and East Turkestan, notably on the first day of the national security law. Authorities have started to collect DNA from those who were arrested in Hong Kong.

There's a persistent characterization that Hong Kongers readily have the resources to emigrate, and that protesters are young. In reality, many of them do not have the material means to leave and may not qualify through regular pathways. We have a short window to act before the CCP completely shuts down the freedom of movement in Hong Kong.

As for Canada's role in the democratic movement in Hong Kong, I hope you can all agree that the democratic future must be of the people, by the people and for the people of Hong Kong.

Before wrapping up, I want to acknowledge the narrative that the CCP has created, an illusion of net benefits when trading with China. It is naive to believe the CCP will change. Time and again, the CCP has used trade as a weapon, and it is absolutely crucial that Canada begin to diversify our trade and economic relations with countries that are committed to democratic development and upholding human rights.

- (1115)

Thank you again for inviting me to speak here today. I look forward to your questions, and I hope we can offer insights to advance

Canada's interests in this larger discussion about Canada-China relations.

**The Chair:** Thank you very much, Mr. Wong and Ms. Wong.

Now we have, from the Canada-Hong Kong Link, Gloria Y. Fung, president and coordinator of a cross-Canada platform for 16 organizations concerned about Hong Kong.

Ms. Fung, you have up to 10 minutes. Please go ahead.

**Ms. Gloria Fung (President and Coordinator of a cross-Canada platform for 16 organizations concerned about Hong Kong, Canada-Hong Kong Link):** Mr. Chair and members of the special committee, thank you for the opportunity to testify before this committee. I feel honoured to stand with the courageous people of Hong Kong in their struggle for freedom and human rights.

I am a proud Canadian who grew up in Hong Kong. I have been engaged in international justice work here since Canada-Hong Kong Link's formation in 1997. Last year, when I saw millions in Hong Kong peacefully marching for basic civil rights and young front-line protesters courageously standing their ground despite being tear-gassed, pepper-sprayed and even shot, it touched my heart. I know how hard it is in China to overcome one's fear and to stand up for human dignity and fundamental rights, because I was a witness of the Tiananmen massacre in 1989. I saw tanks crushing people and a man shot to death beside me. I will never underestimate the brutality of the Chinese Communist Party in silencing dissent.

In Hong Kong, during last year's protests marked by escalating police brutality, over 9,000 people were arrested, some as young as 13 years old. They face prison terms of up to 10 years. This is the price they have to pay for struggling to preserve core values that we Canadians also cherish.

This year marked the end of Hong Kong's autonomy, rule of law and fundamental freedoms under the one country, two systems framework, as Beijing imposed its new security law and cracked down on independent media and opposition. Many in Hong Kong fear they will suffer the same fate as the millions of interned Uighurs, Tibetans and faith groups, whose rights of free expression and worship are denied.

In addition to threatening the civil rights of Hong Kong people and the 300,000 Canadians living there, the national security law claims extraterritorial jurisdiction. Anyone anywhere in the world who criticizes the Chinese or Hong Kong governments could be considered a criminal under its vaguely worded provisions criminalizing the incitement of hatred against China. China has extradition treaties with many countries, and Canadian citizenship offers no protection. The two Michaels can attest to this, as they mark their 20th month of arbitrary detention under conditions amounting to torture.

Our government must take this grave threat to Canadians' safety seriously. Approximately 50 Hong Kongers are seeking asylum in Canada. We anticipate a new wave of returned immigrants and asylum seekers after travel restrictions are lifted.

What is the impact of Hong Kong on the Canadian community?

What is happening in Hong Kong is vital to Canadian interests. As an increasingly powerful Chinese regime aims to expand its influence and subvert the international rule of law, Hong Kong is on the front line of a worldwide conflict pitting totalitarianism against freedom and democracy. Therefore, defending freedom in Hong Kong is also defending Canadians' security, interests and core values.

Last June, Canada-Hong Kong Link staged our first anti-extradition bill rally, engaging a wide range of communities, including the Uighur, Tibetan, Taiwanese and religious sectors. Canadians' support for Hong Kong grew into large demonstrations, involving thousands from coast to coast. Following the launch of an e-petition supporting democracy and human rights in Hong Kong, with thousands of signatories from across Canada, we have collectively built a nationwide network of organizations engaging voters to advocate for policy changes.

However, the Chinese Communist Party has launched covert operations to suppress our right to freedom of expression, using commercial blacklisting, threatening phone calls or emails, cyber-hacking and even physical confrontation. I have personally experienced all of these forms of intimidation. Anonymous callers have repeatedly warned me of serious consequences if I continue my advocacy. Google security has warned me of numerous state-level hacking attempts.

• (1120)

The most dramatic physical confrontations occurred in August last year. Chinese international students and pro-Beijing United Front organizations were mobilized to block and intimidate peaceful demonstrations in Toronto, Montreal, Calgary, Vancouver and many other cities around the world at the same time. In Toronto, they blocked our march and attempted to steal our flags, leading to police intervention. They screamed insults at us, sang the Chinese national anthem and booed us when we responded with *O Canada*. Older men with cellular phones stood apart from the crowd, apparently giving instructions.

At a Vancouver church, a prayer vigil for peace in Hong Kong was disrupted by 100 pro-Beijing protesters waving Chinese flags. Church members had to call the police so they could leave safely. These incidents are a clash of opposing values. We have document-

ed them in the 2020 national report on harassment and intimidation compiled by Amnesty International and the Canadian Coalition on Human Rights in China.

Pro-Beijing United Front organizations have placed full-page ads in Chinese-language newspapers in Canada supporting the extradition bill and the new security law. In most Canadian Chinese-language media, coverage of Hong Kong issues is virtually controlled by the Chinese Communist Party either through direct ownership or through influence by the Chinese embassy and consulates. Journalistic freedom in Canada is limited.

In light of Beijing's grievous assault on civil rights in Hong Kong, we call upon the Government of Canada to take the following actions. One, offer a "safe harbour program" with an expedited process to grant permanent residency status to Hong Kongers at risk of political persecution, including international students and expatriate workers who have participated in protests in Canada. Two, invoke the Magnitsky Law to sanction Chinese and Hong Kong officials who violate human rights and to ban them and their immediate family members from Canada and freeze their Canadian assets; the U.S. has already done this. Three, introduce legislation to combat foreign interference in Canadian politics and suppression of freedom of expression on Canadian soil.

Furthermore, we call on this committee to expedite the completion of the report on Hong Kong after this series of hearings and to immediately act on the proposed policies to address the human rights crisis in Hong Kong.

In conclusion, Canada needs to work with international allies to institute a strong policy towards China. It is way past time for Canada to show leadership on the world stage.

Thank you very much.

• (1125)

**The Chair:** Thank you very much, Ms. Fung.

Now, from Hong Kong Watch, we have Aileen Calverley, co-founder and trustee.

Ms. Calverley, you have 10 minutes. Please go ahead.

**Ms. Aileen Calverley (Co-founder and Trustee, Hong Kong Watch):** Thank you very much for having me here. It's my honour to speak to you today.

Since the national security law came into force on June 30, it has already been used to suppress freedom of expression and assembly on the streets, in the classroom and overseas. Over 30 protesters and activists have been arrested. Democracy itself has also been targeted by this new law. The Hong Kong government and Beijing officials in Hong Kong have used the threat of the national security law to quash dissent and undermine democracy by disqualifying 12 pro-democracy candidates who won primaries, and have threatened over 600,000 Hong Kongers who turned out to vote for those candidates in the primary elections. They then chose to postpone the elections.

Our concern now is that by invoking emergency colonial-era ordinances, Beijing will suspend democracy in Hong Kong indefinitely.

The new law is not limited to quashing opposition at the ballot box or on the streets. The introduction of national security education and encouraging students and teachers to monitor each other, as well as the firing of pro-democracy academic Professor Benny Tai, are blows to academic freedom.

Similarly, the arrest of Jimmy Lai, the owner of pro-democracy newspaper Apple Daily, with 200 police officers raiding his headquarters, is a blow to press freedom.

Meanwhile, tech firms like Telegram, Facebook, Google and WhatsApp are in a standoff with authorities over the requirement that they co-operate with the police data requests in national security cases. These developments demonstrate the chilling effect the national security law is having on all sectors of Hong Kong society.

Recently, the U.K. All-Party Parliamentary Group on Hong Kong launched its inquiry report into human rights abuses by the Hong Kong Police Force. In direct breach of international humanitarian law, the police arrested dozens of medical workers who were trying to help injured protesters.

This does not only matter to Hong Kongers whose freedom has been stripped away; it matters to us in Canada. With over 900,000 Hong Kong Canadians living in Canada and Hong Kong, Canada has a special relationship with Hong Kong. If Canada, with its long history of defending human rights, is not willing to stand with like-minded partners in defence of Hong Kong's freedoms, then the values we believe in will be degraded, along with Canada's standing in the world.

The announcement by the Beijing government of a list of individuals overseas wanted under the national security law validates the authorities' worrying claim to overseas jurisdiction, its ability to target foreign nationals, and the fact that the law will be applied retroactively. As we have a large Hong Kong Canadian community in Canada, it is extremely concerning that six Hong Kong activists living in the U.K., Germany and the U.S. are all wanted under the law. One of the activists in question is a U.S. citizen who has lived in the U.S. for over 25 years. These activists are accused of inciting secession and colluding with foreign forces. The maximum penalty is lifelong imprisonment.

The law also harms Canada's business interests in the region. A recent report published by Hong Kong Watch, "Why Hong Kong matters", found that the city, as a financial centre, continues to be

indispensable to Chinese and international business, precisely because of the one country, two systems model, which guarantees freedoms and the rule of law.

Hong Kong remains the most important financial conduit between China and the rest of the world, and a key hub for Canadian businesses. Strip away the city's rule of law, and one of Asia's most important hubs will collapse. China must step back from the brink.

Before turning to what we should do, we must dispel a myth. It is often said that China is Canada's second-largest trading partner and Canada cannot afford to upset China, but let's look at the numbers.

• (1130)

In 2019, Canada's exports to China were 3.9% in total. Canada does not rely on China. The biggest trading partner of Canada is, of course, the United States, with 75% of Canadian exports going to the U.S. The second-largest trading partner of Canada is the European Union. A recent report published by the Henry Jackson Society found that, among the Five Eyes countries, Canada is the least reliant on China as an export market. The Canadian government should not hide behind the myth instead of standing up for its values.

Canada is not dependent on China. Canada must find its backbone and stand up to the CCP. There are three ways to do this: sanctions, diplomacy and refuge.

In response to the violation of the Joint Declaration, the U.S. government last week imposed sanctions on 11 Hong Kong and Chinese officials, including Carrie Lam. This follows the enactment of the financial sanctions bill, the Hong Kong Autonomy Act, which enables the government to sanction individuals and financial institutions that have violated Hong Kong's autonomy. Canada should join them.

At Hong Kong Watch, our reasoning for supporting targeted sanctions has always been threefold. First, we recognize that targeting Hong Kong and Chinese officials is a deterrent, ensuring that continued violations of human rights are met with a steep personal price that includes the restriction of travel and financial penalties.

Second, despite the claims of a Chinese official that sanctions will have little personal impact, as he doesn't have a U.S. bank account or travel to the U.S., we know that they work. One executive with a China unit of a major European bank described all officials on the U.S. sanction list as “toxic” in the eyes of international banks. This is not to mention that, since many of the officials named on the list have family with foreign citizenship, a visa ban would create a considerable obstacle for them. The partners of Secretary for Justice Teresa Cheng and the Secretary of Education Kevin Yeung have Canadian citizenship, and the Secretary for Home Affairs, Caspar Tsui, owns property here in Canada.

Third, target sanctions fall into a wider discussion about the international community's response to the Chinese Communist Party's expansionist strategy.

For Hong Kong, it is five minutes to midnight. We hope the Canadian government will play its part and have the courage to follow the example set by the U.S. and enact sanctions under the Justice for Victims of Corrupt Foreign Officials Act in defence of Hong Kong's rights and freedoms.

For too long, Carrie Lam and CCP officials have been able to act with impunity in suspending freedoms and violating human rights. Of course, Magnitsky sanctions on their own are not the whole answer. They should be part of a wider approach that includes the offer of a lifeline to Hong Kongers, especially the young protestors who are in need, and the endorsement of the creation of a UN special envoy/rapporteur for Hong Kong to monitor and report on the situation on the ground. This would cover a comprehensive strategy of diplomacy, refuge and sanctions, which should be the bedrock of Canada's response with international partners to the crisis in Hong Kong.

Some who favour placing trade over human rights may argue that these measures will have little effect with Canada undertaking them alone and will serve only to antagonize China; however, Canada is not alone. In the last month, we have seen countries across the world suspending extradition treaties with Hong Kong and implementing export controls.

I am certain that if Canada chooses to act, it will find itself in close company with its key allies from the free world. It's time to take action. It's time to stand up for Hong Kong.

Thank you very much.

• (1135)

**The Chair:** Thank you very much, Ms. Calverley.

I thank all the witnesses for staying within their time.

Now we'll go to the first round of questions. To start off will be Mr. Genuis for six minutes, please.

**Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC):** Thank you, Mr. Chair.

Thank you to all the witnesses. I'm so glad that we're finally here and that we're finally having these hearings on Hong Kong. I wish we had started these hearings on Hong Kong months ago. We didn't have the support of the government to do that back in May, but this powerful testimony that we're getting, better late than never, will

hopefully be a huge wake-up call to all of us here, to parliamentarians, to the government and to all Canadians. We're hearing from witnesses who have a great understanding of Hong Kong, who love Hong Kong, but who first and foremost are proud Canadians and are talking about threats to their rights, their freedom and their sense of security here in Canada.

What I get from your testimony is that we're seeing in Hong Kong an attack on fundamental human rights, an attack on international law and a violation of China's commitments, but also really this unprecedented effort to formally seek extraterritorial jurisdiction over speech. The Chinese government now presumes that they can hold people accountable and they can prosecute people who are Canadian citizens for what they say in Canada. That should be a huge concern for all of us. Thank you for bringing that testimony.

I want to zero in on some action items. One of the witnesses said that the committee should table a report with some specific recommendations dealing with the issue of Hong Kong. I would like to get feedback from other witnesses on proceeding with that. When we see the events in Hong Kong, people hear “concern”, “grave concern”, etc. and they just get sick of hearing “concern”. They want to hear action items.

We have some good, specific action items, really four things that seemed to be similar across the witnesses: Magnitsky sanctions, which I think everybody mentioned; tough new legislation dealing with foreign interference, preventing Chinese state interference here in Canada; new pathways around immigration; and then proposals around diplomacy.

I guess I will just put my questions together and maybe we can hear from all of the witnesses on them.

Should we proceed with a report as a committee to put these issues on the parliamentary agenda? On the issue of sanctions, should we sanction Carrie Lam? Is that something Canada should follow up on? On the issue of foreign interference, it seems obvious to me, in a way, that we should have a zero tolerance policy for diplomats involved in foreign interference here in Canada. If you're intimidating Canadians and you're a diplomat, you should be sent home. We should end university co-operation with hostile foreign armies. It's crazy to me that we would have co-operation between the People's Liberation Army and our universities.

Those seem like clear, simple steps that the Canadian government could take right away. I would love to hear feedback from all of the witnesses on those points.

**The Chair:** If you don't mind, Mr. Genuis, could you expedite that by indicating whom you would like to hear from first? I'm sorry to do that, but I think it would help us all.

**Mr. Garnett Genuis:** Sure. How about we go in reverse order of the testimony?

**The Chair:** Very good.

Ms. Calverley, go ahead, please.

**Ms. Aileen Calverley:** I think immediate action is needed. Time is running out. It's a very, very dire situation in Hong Kong. I would agree that having...

Actually, we have our sanctions list. I'm based in the U.K. You may know Hong Kong Watch as an international human rights NGO, but we're based in London. The foreign minister already has the first batch of names to be sanctioned. It doesn't include China, but we are pushing for the next batch to include Chinese and Hong Kong officials.

Definitely, Mr. Genuis, I would agree with you about putting Carrie Lam on the list. I think we need to go ahead and do that. As I said, it's very important that we take action with our key allies so that we are not alone. Of course, we were laughed at by some people: "You cannot save your own Canadians, so how do you save Hong Kong?" I totally disagree with that. I think with the international community working together, we can save our Canadians and we can also save Hong Kong.

• (1140)

**Mr. Garnett Genuis:** Ms. Fung, perhaps you can comment as well on my introduction and my questions.

**Ms. Gloria Fung:** I fully agree with your proposal. I think it is of the utmost importance that we expedite the completion of the report on this series of hearings. We cannot wait until all the hearings covering all the issues on the special committee's agenda are completed, because the risk that Hong Kong people are confronted with in Hong Kong is so imminent. Even one month will be too long. Many of them are already being confronted with life-and-death risks.

It is of the utmost importance for us to work with our allies, particularly the Five Eyes allies, to think of some kind of emergency measures to help Hong Kongers who are under a very high risk of political persecution to get out of Hong Kong. At the same time, we should implement the safe harbour program to allow those who are also under political persecution to settle down in Canada. Many International students, who have been overlooked by a lot of people, have joined us in the past year at our rallies and at all kinds of social actions. They are also under a political persecution risk. They should be provided with some kind of extended visa for them to stay behind—

**The Chair:** Ms. Fung, thank you very much. I'm afraid Mr. Genuis's time has expired. Thank you, Mr. Genuis.

We now have Ms. Zann for six minutes, please.

**Ms. Lenore Zann (Cumberland—Colchester, Lib.):** Thank you very much.

I want to thank the witnesses for coming forward today. I know this is a very emotional issue and a very worrying issue for so many of the people in Hong Kong, and for yourselves and your families.

I do want to say that I did visit Hong Kong once and found it to be an incredible city. It's a unique city in the world, and I'm so sorry to see what's going on there right now.

Observers have warned that the national security law has this extraterritorial reach, as was mentioned. Amnesty International, in particular, has stated that the law "applies to everyone on the plan-

et". Where and to whom do you believe this law applies, and how do the extraterritorial aspects of the law compare to national security provisions adopted in jurisdictions outside of China?

Mr. Wong, would you like to start with that, and then maybe Ms. Fung could follow?

**Mr. Davin Wong:** Thank you for the question.

Yes, the national security law is definitely concerning, especially the extraterritorial jurisdiction. What we can see is that two days ago, a journalist working for a U.K.-based press was arrested in Hong Kong under the national security law. What we can see from that is that even though we've ended the extradition arrangement with Hong Kong, Canadians living or even situating in Hong Kong are at risk of being arrested, even if they are working for a Canada-based press. I think that's what this committee should pay attention to and be concerned about.

**Ms. Lenore Zann:** Thank you.

Ms. Fung, would you comment?

**Ms. Gloria Fung:** One, I think there are a few groups of people who are at imminent risk under this new security law. They are those expatriate people who are living and working in Hong Kong, including 300,000 Canadians, and therefore Canada has the responsibility to condemn this new security law and at the same time to work with our allies to seek a certain way to put an end to it.

Two, there are other international nationals who, if they happen to be transient in Hong Kong, could also be arbitrarily arrested. I think the law really applies to everyone, anywhere on this planet, including all the members of this special committee who could have said anything critical towards the Beijing government or the Hong Kong government.

This kind of fear has been very overwhelming. A lot of people have already started to be affected and to exercise self-censorship. A lot of international media people in Hong Kong have already been exercising self-censorship, and many of them have also relocated their offices to Taiwan or other neighbouring countries. This is a very unfortunate development.

• (1145)

**Ms. Lenore Zann:** Thank you.

Given all of that, to what extent do you believe it would be risky for foreigners who have advocated for greater freedoms and democracy in Hong Kong to visit Hong Kong, the People's Republic of China, or countries that have close relations with China?

Who would like to answer that?

**Ms. Aileen Calverley:** I will answer.

Actually, a lot of journalists in Hong Kong are waiting for the renewal of their visas. The New York Times relocated some of their staff from Hong Kong to South Korea, so you can see there's a threat for journalists in Hong Kong.

In terms of Hong Kong Watch, our chairman was denied entry into Hong Kong. He got threats, and letters were sent to his neighbours, to him and to his mom.

Also, last week Ray Wong, one of the wanted activists, visited London and met with Simon Cheng, who got asylum in the U.K. They were followed by a guy who looked like a Chinese national. Just yesterday Simon Cheng received emails, calls from C.Y. Leung saying to watch himself, and that they would get him and take him back to Hong Kong. That's the threat for people outside of Hong Kong.

**Ms. Lenore Zann:** Thank you.

What has been the public reaction within Hong Kong to the national security law? Has there been any polling taken? I know this must be very difficult. How are people in Hong Kong demonstrating their opposition to the law, if at all? I'm sure they must be very worried.

**Ms. Cherie Wong:** Citizens' Press Conference actually did a survey with 370,000 respondents, and 98% do not support the national security law. We see overwhelming sentiment that this national security law is effectively ending the constitution and the basic rights of Hong Kong citizens.

**Ms. Lenore Zann:** Thank you.

**The Chair:** Thank you very much, Ms. Zann.

[*Translation*]

Mr. Bergeron, you have the floor for six minutes.

**Mr. Stéphane Bergeron (Montarville, BQ):** Thank you, Mr. Chair.

I would like to sincerely thank all the witnesses who are taking part in this meeting today and who have the courage to appear at these hearings of the Special Committee on China-Canada Relations.

As we all know, their lives and safety may be affected by this appearance. We are extremely grateful for their willingness to contribute to the work of the committee. My thanks to them once again.

Most of the witnesses have raised the possibility that Canada could welcome more Hong Kong nationals. My question is quite simple. How can this proposal have any practical impact, given that the political authorities in Hong Kong and the People's Republic of China are very likely to prevent all departures of opponents from Hong Kong territory? We know full well that there is a risk that the opposition will be prevented from leaving Hong Kong and coming to Canada.

**The Chair:** Mr. Bergeron, could you specify for whom your question is intended?

• (1150)

**Mr. Stéphane Bergeron:** It is for anyone who would like to respond, but I could ask Ms. Fung first.

[*English*]

**Ms. Gloria Fung:** A few weeks ago, the Ministry of Foreign Affairs spokesperson expressed that they may bar Hong Kong people from departing from Hong Kong.

Also, many of the high-profile social activists, such as Mr. Martin Lee, who is considered to be the father of democracy in Hong Kong, and even Jimmy Lai, as well as Joshua Wong, etc., have had their passports confiscated by police in Hong Kong. There is no way for them to be able to get out of Hong Kong unless there is collaboration among like-minded allies to provide a special tunnel to Hong Kong for them to get out, just like what happened right after the Tiananmen massacre in 1989.

When a lot of those social activists from mainland China arrived in Hong Kong, through a collaboration among different embassies in Hong Kong, they managed to get out of Hong Kong. I think this is one way Canada can consider. Collaboration with other allies in Hong Kong is of utmost importance.

The other possibility is that I think before anyone's passport is going to be confiscated, it is also important for us to offer them the safe harbour program so that they can also get out of Hong Kong as soon as possible. If they wish, they can stay here, at least temporarily, or even seek residency.

**The Chair:** Mr. Wong, I see your hand up.

**Mr. Davin Wong:** Thank you.

I would just like to add to what Madam Fung just mentioned. She has already covered the situation for well-known and high-profile activists. However, I can also explain a little about how the Hong Kong government can practically prevent someone from departing from Hong Kong.

To confiscate one's passport in Hong Kong, there are normally, or most commonly, two conditions right now. The first one is a bail condition when someone has been arrested. The second one is that when they are being investigated under the new national security law, the national security law also grants the police agency the right to confiscate their passport.

At the same time, I'd like to draw the committee's attention to the many non-high-profile activists who may not have had their passports confiscated yet, but they have no financial or material means to leave Hong Kong or to resettle in Canada. By amending our existing program to lower the time barrier and other requirement barriers, we can actually allow them to quickly and in time resettle in Canada.

[*Translation*]

**Mr. Stéphane Bergeron:** Mr. Chair, I believe Ms. Wong also wanted to speak.

[*English*]

**The Chair:** Ms. Wong, please go ahead.

**Ms. Cherie Wong:** Thank you.

What is recommended here is not only about refugee pathways, because outside of refugee pathways we still have immigration pathways, we still have education pathways and we still have employment pathways for foreigners to come to Canada. I think our urgent situation is looking at all the options that are available for Hong Kongers to take and identify and address those barriers on a larger basis. We don't necessarily have to create a new strategy. We just have to look at what exists now and how can we use that system most effectively.

I think, adding to what Davin has mentioned, most regular people have not necessarily had their passports taken. They still have a limited freedom of movement at the moment, but the window is closing fast and I think any action will be better.

[Translation]

**The Chair:** Thank you very much, Ms. Fung and Mr. Bergeron.

[English]

We'll now go to Mr. Harris for six minutes.

**Mr. Jack Harris (St. John's East, NDP):** Thank you very much, Mr. Chairman, and thank you to the witnesses for appearing today.

It's an act of courage, particularly for Mr. Wong, who described quite strongly for us the consequences and his own circumstances in Hong Kong. Thank you for pointing it out to us. Thank you also for letting us know, and I think through us all Canadians know, Ms. Fung, that we ourselves are affected by this law, which purports to cover any Canadian or any foreigner who speaks out in a way they consider contrary to this national law and so underscores the importance of this issue.

When the 1997 agreement was put in place, Canada, along with other countries, promised to do our utmost to promote the continuing rule of law in Hong Kong and the autonomy of its institutions. That was over 20 years ago. Ms. Fung, are you are aware of any serious work that's been done in the last 20 years to promote this, or are we now dealing with something that we've neglected for 20 years?

• (1155)

**Ms. Gloria Fung:** Over the past 20 years, I have witnessed very little effort by our Canadian government to sustain the one country, two systems concept and all the core values, such as rule of law, freedoms, human rights and even democracy being promised to the Hong Kong people. The Chinese government has been breaking its promises all the time. For instance, the election with universal suffrage has been postponed forever, and now there's absolutely no hope, because even the Legislative Council that was scheduled to be conducted this fall has been postponed for one year.

It's really a shame, because the lack of response and the lack of exemplifying responsibility to hold China accountable for what it promises in its international treaty have led to the present situation in Hong Kong. I'm quite sure this will not be confined to Hong Kong, because when China can break promises towards Hong Kong, it can do the same to any other country, including Canada.

I think it's about time for the world to revisit a strategy towards China. We should all work together, particularly among the Five

Eyes allies, to come up with a strong foreign policy towards China, and also hold China accountable for all the behaviour that is not rules-based, that does not conform to international rules and standards.

**Mr. Jack Harris:** Thank you very much. I couldn't agree with you more, and I also agree very much that there's a real sense of urgency. In particular, you talked about safe harbour measures that Canada should try to undertake very quickly. We also need to act quickly, I think, in dealing with the foreign interference that you and Cherie Wong have described.

Are either of you aware of any countermeasures or counteractions being taken in a coordinated way by the national police force, the RCMP, or CSIS in dealing with this kind of interference on Canadian soil, which appears to be widespread? Is anything going on that you're aware of, or is that something that we ought to look into more closely?

**Ms. Cherie Wong:** I think it's something we have to look into more closely. As you said, the RCMP and CSIS are bodies that are supposed to exist to protect us from these threats and this interference, but I don't believe they have all the tools and the proper understanding of how the CCP is operating. It's not necessarily a cheque in exchange for service; it is more malicious and sophisticated.

As many of the witnesses have said, we need an attitude change when dealing with China, especially with how they interfere with Canadian affairs. It's definitely more complex and it's across multiple sectors. It's not only the physical threats; this information campaign is also infiltrating media, academia and social media. There's a lot of sophistication behind their techniques, and I'm not sure Canada is ready to deal with this level of sophisticated interference.

• (1200)

**Mr. Jack Harris:** You mentioned three universities: McGill University, the University of Toronto, and I believe Waterloo.

**Ms. Cherie Wong:** Yes.

**Mr. Jack Harris:** Why did you mention them in particular, and what efforts ought the government to be making to deal with those issues?

**The Chair:** Please answer very briefly. We have 15 seconds.

**Ms. Cherie Wong:** There was a very detailed report done on PLA's co-operation with universities. I mentioned these specific three because they're the top 10 in the world in receiving collaborative projects with the PLA.

Sorry, I'm out of time.

**The Chair:** I'm sorry also, but that is how the committee rules work.

Mr. Harris, thank you very much. Your time is concluded.

Now, for the second round of five minutes each, we'll start with Mr. Chiu.

Welcome to the committee.

**Mr. Kenny Chiu (Steveston—Richmond East, CPC):** Thank you, Mr. Chair.

Thank you to the witnesses for coming to the committee and talking to us about how relevant Hong Kong's situation is to Canada.

Allow me to just play devil's advocate here a bit, because in the community, China has been telling through its mouthpiece that what happened in Hong Kong is purely a domestic issue and has nothing to do with Canada, and this is a Canada-China relations special committee, not a Canada-Hong Kong relations special committee.

Therefore, since I'm asking as devil's advocate, can you tell me why Canada-Hong Kong is a critical part of the Canada-China relationship here? What is the relevance of what's happening in Hong Kong, and why should we, as Canadians, care?

I'd like to ask the Canadian-based witnesses, ACHK, and then the Canada-Hong Kong Link, please.

**The Chair:** Ms. Wong, go ahead.

**Mr. Kenny Chiu:** Sorry, Chair.

**The Chair:** That's quite all right, thank you. I think Ms. Wong is frozen for a moment. Should we go to Mr. Wong, Mr. Chiu? Is that okay?

**Mr. Kenny Chiu:** Yes.

**The Chair:** Go ahead, Mr. Wong.

**Mr. Davin Wong:** Maybe I'll say some brief lines responding to Mr. Chiu, and I'll move on to my colleague Cherie to give more details.

I think first the committee would like to pay attention to how 300,000 Canadians are living, residing and working in Hong Kong right now, which is already a very substantial link currently between Canada and Hong Kong. Another important link that I think most Canadians have neglected is a historical link, because Canadians helped Hong Kong in the Second World War in defending Hong Kong's land, and Hong Kongers have been thanking Canadians every year.

I think I would like to draw the committee's attention to these particular two levels of links, and I will direct it to my colleague Cherie to elaborate more.

**Ms. Cherie Wong:** Absolutely, there are going to be questions on why Hong Kong is related to Canada, and I think, for us, it's our core values. When we talk about China, we cannot look away from Hong Kong, and it's not only Hong Kong; it is also Mongolia. It is also Tibet. It is also East Turkestan and the human rights atrocities. There's a crisis happening in these territories. Each of them is a little different from the others, but the common link is that it is the Chinese Communist Party that is orchestrating the humanitarian crisis. As this committee examines how Canada must move on with

our relationship with China, I think human rights definitely are at the top of our minds.

Second, trade is something that is on a lot of your minds as you talk about China. It is important to remember we are complicit in exporting dual-use technologies that are being used for human rights violations. We are buying products of slave labour from Uighur camps and from Uighur prisoners.

Therefore, as this committee moves on to study the greater relationship between China and Hong Kong and Canada, you have to consider how China has completely disrespected international law and order. The Sino-British Joint Declaration is an international agreement, and the Chinese have just tossed that aside, not only in 2019 but also in 2003 and 2014.

• (1205)

**Mr. Kenny Chiu:** Thank you.

Go ahead, Ms. Fung.

**Ms. Gloria Fung:** I think there are a few reasons that Hong Kong really matters to all Canadians.

Number one is that Hong Kong is the largest Canadian city outside of Canada. There are 300,000 Canadians living there. If we count those people who went back to Hong Kong without claiming non-resident status, the total number exceeds 500,000, based on my conversation with the Canadian consulate representative in Hong Kong.

Number two is that Hong Kong people and Canadians share common values. People in Hong Kong are struggling to preserve the rule of law, freedom, human rights and democracy, which are all values that Canadians, as well as global villages, treasure. Therefore, Hong Kong people are actually at the forefront of fighting against the Chinese authoritarian regime, which is a major threat to global democracy, so—

**The Chair:** Thank you, Ms. Fung. I'm sorry to interrupt you. Thank you very much, Mr. Chiu.

Mr. Oliphant, you have five minutes.

**Mr. Robert Oliphant (Don Valley West, Lib.):** Thank you, Mr. Chair.

Thank you to all the witnesses for joining us today. It's nice to see you again, Ms. Wong and Mr. Wong, and it's nice to meet you, Ms. Fung and Ms. Calverley.

I have two basic questions that I want to ask.

Nothing you have said today was news to me. I have been following the issue closely since I was in Hong Kong over a year ago when the extradition debate was ongoing. I visited the LegCo and heard about it. I also met with a number of activists. When the security legislation came in, I was not totally shocked, but I was surprised at the rapidity of it.

What I'd like to hear from each of you first is what you think has changed vis-à-vis China's understanding of Hong Kong and its tightening.... It started before the extradition changes, continued rapidly, and then with the demonstrations, we got the national security legislation.

What has happened in China that has taken a 50-year horizon on Hong Kong and shortened it to the diminishment of the Hong Kong that we know today? I would like you to help me understand that.

We could maybe begin with Ms. Wong, and then Ms. Fung, Mr. Wong and Ms. Calverley.

**Ms. Cherie Wong:** Thank you. I think it's important to understand that the deterioration of Hong Kong's one country, two systems concept started the moment that Hong Kong was handed over to China. It wasn't something new, but it was something slow. Through time—in 2014—we saw the violent crackdown on the revolution and we saw the tightening of political freedoms. Since 2014, that has accelerated.

In 2019, when the extradition movement broke out, I think the government—the central government and the Hong Kong government—realized that Hong Kong people were committed to a democratic Hong Kong. That is a very dangerous idea, because Hong Kong was the window to China for many years. The massive grassroots democratic movement is a threat to the Chinese Communist Party's rule as a whole, so the violent and swift crackdown on Hong Kong was not shocking but in fact expected. That is how they can assert control.

With this new national security law, there is extradition written into it, so while the extradition treaty was scrapped at the beginning of the movement, it has kind of made a full turn and we are going to extradite people. There are also—

**Mr. Robert Oliphant:** Thank you. I'm just going to push on—

**Ms. Cherie Wong:** Sorry. There is also the fact on the global affairs—

• (1210)

**Mr. Robert Oliphant:** —because I want everyone to get in. I only have five minutes.

If we could have brief comments from the others, I have a second question that I'd like to ask.

**Ms. Cherie Wong:** Yes, okay.

**Ms. Gloria Fung:** I think a lot of people misunderstand the situation in China. I worked in China for five years, from 1984 to 1989, managing the World Bank and also European soft loan projects there. If we understand the Chinese thoroughly, we see there are quite a lot of risks that they are facing, such as the dropping of the GDP and the unrest in different parts of China.

Over the last couple of years, the courageous resistance movement in Hong Kong has posed a threat to the sustainability and stability of Communist rule. They don't want the resistance movement to have a rippling effect in the rest of China, so—

**Mr. Robert Oliphant:** Thank you. Are there any other comments?

**Ms. Aileen Calverley:** Can I respond?

**Mr. Robert Oliphant:** Yes.

**Ms. Aileen Calverley:** For China, this is a master plan to incorporate Hong Kong into the greater bay area.

You may have heard of red capital. A lot of businesses and financial companies are now under Chinese capital. China heavily relies on Hong Kong, and that is why Hong Kong matters. Over 73% of IPOs that are raising money, especially in the U.S., need Hong Kong. I think the Communist Party thinks they can have full control of Hong Kong and use Hong Kong as the financial centre for China to raise money, but then they forget the Hong Kong Policy Act is due now—

**Mr. Robert Oliphant:** Thank you.

I want to get to my other questions.

**The Chair:** I'm sorry, Mr. Oliphant. I'm afraid we're at the end of your time.

**Mr. Robert Oliphant:** All right.

**The Chair:** We'll go on to Ms. Alleslev for five minutes.

**Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC):** Thank you very much.

This is a very important conversation.

I want to thank all the witnesses for the courage they've shown in coming forward to help us understand that this is not only a Hong Kong and China problem but is also a Canadian sovereignty and security problem, and we don't have the luxury of time. We must act with a sense of urgency, if I'm accurately appreciating and understanding what you're saying.

To be able to provide recommendations to government, we need specifics. Ms. Fung and Ms. Wong have both identified the incredible importance to having legislation to combat foreign influence, not only around diplomats and other things but around academia, journalists, etc.

Ms. Wong, could you give us some more information on the top universities that you highlighted—McGill, Waterloo and the University of Toronto—and their relationship with the People's Liberation Army and why that should matter? Ms. Fung, what specific legislation can we make to protect Canadian sovereignty and security as well as Chinese citizens in Canada and human rights and democracy around the world?

**Ms. Cherie Wong:** It's been many years since the PLA began to send Chinese scholars to different universities to study. There's been a systematic set-up in these research agreements to export the results back to China. I'll get to the policy recommendations specifically.

I think we need to have a stricter application process for grants in Canada. We need to examine whether these grants and these projects result in intellectual property being exported to foreign countries, not limited to China, but other countries as well. We also need a cohesive federal policy that examines how dual-use technology is being used for commercial reasons and how it is being used in foreign lands.

One of the more urgent things we can do is to refine and update the Global Affairs export list. Currently there is a list of dual-use technology on that export list, but it's not comprehensive enough. Technology moves very quickly in the 21st century and—

• (1215)

**Ms. Leona Alleslev:** Thank you very much.

I don't want to run out of time, so I would like to ask Ms. Fung to speak.

**Ms. Gloria Fung:** Thank you very much.

Canadians in general, including our government, exemplify lack of understanding and knowledge about how China's "sharp power" operates. Its infiltration, manipulation and control over the direction of all our research institutes as well as university research projects is tremendous.

Over the past few years I have witnessed anonymous donations being given to different universities to control the direction of this development research. Quite often, once the intellectual product has been developed, it's usually shipped out of Canada without sufficient scrutiny—

**Ms. Leona Alleslev:** Perfect—

**Ms. Gloria Fung:** —and the core technology for the surveillance program in China actually stems from Canadian universities—

**Ms. Leona Alleslev:** Thank you.

There's much more that you want to say, so please send us a document with additional specifics, because this is a very important aspect that we aren't collectively aware of. It would really help this committee in our recommendations if you could do that.

**Ms. Gloria Fung:** Actually, I suggest that there should be another round of hearings—

**Ms. Cherie Wong:** I believe our team has already sent in a brief—

**Ms. Leona Alleslev:** Okay.

**The Chair:** Thank you very much, Ms. Fung, and thank you, Ms. Alleslev.

We'll now go to Mr. Fragiskatos for five minutes.

**Mr. Peter Fragiskatos (London North Centre, Lib.):** Thank you very much, Chair.

I have a question about issues relating to what Mr. Wong brought up.

Mr. Wong, thank you very much for being a voice for youth.

My question relates to social media. Social media has provided—and not just with respect to Hong Kong, though we are focusing on Hong Kong—a space for democratic activism. To what extent

is it fair to say that the national security law completely upends the opportunity for activists, in particular youth activists, to engage in issues around democracy?

**Mr. Davin Wong:** As this committee may have been aware, Telegram, an instant-messaging application, has been one of the major channels of communication with Hong Kong young people especially. The police force a few months ago actually confiscated a few channels on Telegram. I would say that even without the national security law, social media are not a safe space for young protesters in Hong Kong. What I think we should be concerned about is how this overreaching jurisdiction provided by the national security law may have further threatened this kind of communication in Hong Kong and outside of Hong Kong as well.

**Mr. Peter Fragiskatos:** Thank you very much for that.

There's much more that can be said and much more that can be done. I'm glad, though, that the Canadian government has taken steps to issue strong statements, and beyond strong statements has taken actions, such as suspending the extradition treaty with Hong Kong, for example, or on the export of sensitive goods. These are concrete actions that the Canadian government has undertaken. However, as I said, we can always look to see what else can be done, and these hearings are important opportunities for activists and others to tell us their views and their thoughts on possible paths forward.

In the time I have remaining, I will put a last question that's open to whoever wishes to take the question. It is a general one.

We have seen reports emerge for some time now about the human rights abuses that have been perpetrated on the Uighur minority. To what extent is there fear among Hong Kong-focused activists here in Canada, but also within Hong Kong itself, that what is transpiring vis-à-vis the Chinese state and the Uighur minority could unfold in some shape or form in Hong Kong as a way to further suppress democracy in the territory?

• (1220)

**The Chair:** I see Ms. Fong indicating a desire to respond to that.

Please go ahead, and unmute.

I'm sorry, I meant Ms. Wong. Excuse me. I'm sorry, she did have her finger up earlier.

Ms. Wong, I'm sorry.

**Ms. Cherie Wong:** Thank you for the question.

I think it's been on every Hong Konger's mind to [*Technical difficulty—Editor*] East Turkestan. If we hear any more, it is evidence that we are seeing Hong Kong slowly adopting the same policies that were used in East Turkestan—also known as Xinjiang—and Tibet, whether it was the collection of DNA information from those who were arrested or the surveillance state. As you mentioned, social media are no longer a safe space, because it's being surveilled, and many have been arrested for their content on social media.

We're seeing the same kind of suppression, and the arrest of Jimmy Lai and the media executives is also an indication of how Hong Kong is being shifted. It's been something that has been on top of Hong Kongers' minds for many, many months.

**The Chair:** Ms. Fung, you have 35 seconds.

Was that answer all right, Mr. Fragiskatos?

**Mr. Peter Fragiskatos:** It's quite all right, Mr. Chair. That's great.

**Ms. Gloria Fung:** We have a very famous saying: "Today, East Turkestan; tomorrow, Hong Kong." Unfortunately, now we have to change it to "Today, East Turkestan; today, Hong Kong as well."

Over the past year, we have seen Hong Kong being turned into a police state, with surveillance cameras everywhere in major streets. At the same time, police in Hong Kong have been using excessive force to crack down on civil society. There have been mass arrests and lots of people have been arrested, but there are also quite a lot of people who have disappeared, and they have been made to—

**The Chair:** Thank you, Ms. Fung.

I'm sorry, but we're over Mr. Fragiskatos's time. I hate to cut anybody off, but the committee has set these rules about how much time each member has.

[*Translation*]

Mr. Bergeron, you have the floor for two and a half minutes.

**Mr. Stéphane Bergeron:** Thank you, Mr. Chair.

I would like to continue on the subject I touched on a few moments ago. Like Mr. Chiu, I will play the devil's advocate. This time, my question is for Ms. Calverley, given that she did not have the opportunity to answer my first question.

I think there is a willingness in the international community to welcome as many Hong Kong activists as possible so that they can escape repression. From the point of view of the Hong Kong people, can we say that the mass departure of a large number of activists will weaken the pro-democracy movement in Hong Kong?

[*English*]

**Ms. Aileen Calverley:** It would not, because we are in close contact with many activists and a lot of protesters have actually decided to stay even if there will be offer, like an airlift by other governments.

Of course, a lot of protesters want to seek refuge, so I think international governments need to get ready. For example, the U.K. has already offered for BN—British nationals overseas—to come to the U.K. There are around 3.9 million people eligible, but the majority of young people are not British nationals overseas. That's why we hope Canada can take care of the young people who don't have this privilege to go to the U.K.

It is a very urgent situation, so I think Canada needs to have a policy right away to help those who want to escape.

[*Translation*]

**Mr. Stéphane Bergeron:** I think Mr. Wong would like to add some comments, Mr. Chair.

• (1225)

[*English*]

**Mr. Davin Wong:** Thank you for the question. I would like to add something.

First of all, as a former student leader and student activist, I can tell you that a lot of protesters in Hong Kong are of different ages, different genders, from all walks of life. I think if Canada has the capacity, we should help young people, of course, but we should not focus only on young people, because a lot of protesters who love Hong Kong are actually from all different ages, genders and ethnicities.

**The Chair:** Thank you, Mr. Wong.

[*Translation*]

Thank you very much, Mr. Bergeron.

[*English*]

Now we'll go to Mr. Harris for two and a half minutes.

**Mr. Jack Harris:** Thank you, Chair.

I too have two questions for Ms. Calverley.

First of all, other than China, Britain is the only signatory to the treaty for the 1997 changeover. What special right does the U.K. have to enforce that treaty that Canada doesn't have or other countries don't have, and why is it not taking a stronger lead in dealing with this? I know there's the British overseas passport, which is a special circumstance.

The second question has to do with other nations. I know 27 countries joined in a statement to the United Nations Human Rights Council. Does your organization, Hong Kong Watch, have organizations in many of these other countries as well, or are you focused on the U.K., and in this case, Canada?

**Ms. Aileen Calverley:** We are international, so we are involved in the U.S., Canada, the European Union and of course the U.K. We are the secretary of the European all-party parliamentary group.

I want to answer your question on the UN. Actually, our colleague who will testify on Thursday will tell you more about the United Nations. We initiated that with Lord Chris Patten, our patron. We really hope there will be a UN special envoy or rapporteur in Hong Kong to monitor the situation. I think that's very important. We need to have Canada and many other like-minded countries join forces to have that happen, so that's—

**Mr. Jack Harris:** Can you answer about the role of the U.K. as the only signatory to this treaty? Do they have any special rights to enforce this that Canada does not have, and are they prepared to use them?

**Ms. Aileen Calverley:** I think under the Sino-British Joint Declaration there was no remedy, so that's what they're talking about when they talk about a breach of the joint declaration. Right now the remedy is to offer British national overseas residents the chance to move to the U.K. We're talking about 2.9 million Hong Kongers who will be eligible to move to the U.K. I think another action the U.K. will do is a sanction action. That will be what the U.K. will do.

**The Chair:** Thank you very much, Mr. Harris.

That concludes our first panel for today. I want to echo the comments made previously. I don't think any of my colleagues who spoke didn't thank all of the witnesses and admire your appearance here today. We very much appreciate you coming before us.

We'll now have to suspend for five minutes while we get set for our next panel. Thank you again.

• (1225) \_\_\_\_\_ (Pause) \_\_\_\_\_

• (1235)

**The Chair:** I call the meeting back to order.

Welcome back. I would like to make a few comments for the benefit of the new witnesses.

Before speaking, please wait until I recognize you by name. When you are ready to speak, you can click on the microphone icon to activate your mike. Having said that, during the question and answer period I think you'll find that the member who is asking a question will indicate who they would like to answer. You can go ahead and answer without waiting for me, until we get to the end of their time.

This is a reminder that all comments should be addressed through the chair. Interpretation in this video conference will work very much the way it does in a regular committee meeting. You have the choice, at the bottom of your screen, of the floor in either English or French. As you are speaking, if you plan to alternate from one language to the other, you will also need to switch the interpretation channel so that it aligns with the language you are speaking. You may want to allow for a short pause while switching languages. When you are not speaking, your mike should be on mute, please. The use of headsets is strongly encouraged.

It's now my pleasure to welcome our second panel of witnesses. From Amnesty International Canada, we have Alex Neve, secretary-general; from the National Endowment for Democracy, we have Akram Keram, program officer for China; and from Human Rights Watch, we have Sophie Richardson, China director.

Each witness will have up to 10 minutes to make an opening statement, followed by a round of questions from the members. We'll have at least two rounds, I hope.

Mr. Neve, we'll begin with you. You have 10 minutes, sir.

**Mr. Alex Neve (Secretary General, Amnesty International Canada):** Thank you very much, Mr. Chair.

It's certainly a pleasure to be with the special committee this afternoon or this morning, for any of you who are out west, and to join with my two wonderful colleagues.

There have obviously been many troubling chapters along the road that have brought Hong Kongers to the terrifying reality they face today, which is a rapidly deteriorating human rights crisis that needs decisive and concerted international action. There was the umbrella movement six years ago, and then the courageous protests responding to extradition reform last year, and now the national security law, which Amnesty International has described as follows:

...Beijing's most breathtaking, threatening and callous attack yet...the greatest threat to human rights in the city's recent history.... The aim of Chinese authorities is to govern Hong Kong through fear from this point forward.

These are, of course, not abstract predictions, given the backdrop of China's long-standing and, frankly, atrocious human rights record, very much in the spotlight currently with the massive, harrowing campaign against Uighurs and other Muslim minorities, arrests and unfair trials of human rights lawyers and advocates, ongoing abuses against Tibetans, the crackdown against Falun Gong—now into its 21st year—and, closer to home, eight Canadian prisoners in China of concern to Amnesty International. They include four Canadians who have been sentenced to death; two Canadians, Michael Kovrig and Michael Spavor, who have been arbitrarily and unlawfully arrested and detained; and two other Canadians, Huseyin Celil and Sun Qian, who are serving lengthy prison terms after deeply unfair trials.

With all of that in mind, we have pointed to 10 chilling reasons to be concerned about Hong Kong's national security law.

First, endangering national security can and does mean virtually anything. Secession, subversion, terrorism and collusion with foreign forces incur maximum penalties of life imprisonment and are so broadly defined that they can easily become catch-all offences.

Second, the law has been abused from day one. People have been arrested for possessing flags, stickers and banners with political slogans. Police and officials have claimed that slogans, T-shirts, songs, and even holding up pieces of white paper endanger national security. The Hong Kong government has declared that “Liberate Hong Kong, revolution of our times”, a common political slogan during last year's protests, connotes Hong Kong independence and is forbidden.

Third, the law is all-pervasive, including tightened controls over education, journalism and social media.

Fourth, people could be taken to mainland China for unfair trials, which is precisely what was at stake in last year's massive protests against extradition reform.

Fifth, the law applies to everyone on the planet—literally everyone, everywhere.

Sixth, investigating authorities have new and extensive powers, including the power to search properties, restrict or prohibit travel, freeze or confiscate assets, censor online content and engage in covert surveillance, including intercepting communications. All are without a court order.

Seventh, the Chinese central government is setting up an Office for Safeguarding National Security in the heart of Hong Kong. The office and its staff do not fall under Hong Kong's jurisdiction.

Eighth, the Hong Kong government has set up a new body, the Committee for Safeguarding National Security, including an adviser from the Chinese central government. Its decisions are not subject to court review.

Ninth, human rights protections risk being overridden. The national security law includes a general guarantee to respect human rights but grants immunities and vast exemptions to national security institutions, and it explicitly has precedence over any other laws.

Tenth, the law has already had an immediate, chilling effect. Hong Kongers have shut down their social media accounts, shops and restaurants have removed banners and stickers in support of the protest movement, and public libraries have sorted out books on sensitive issues and those authored by activists critical of the government.

There is little doubt that those grave concerns have indeed been proven out. Current Amnesty International press releases and urgent actions make that abundantly clear. The press releases state that four activists, three male and one female, aged 16 to 21, were arrested two weeks ago under the security law and accused of advocating Hong Kong independence. As well, 12 pro-democracy candidates, including Joshua Wong, were disqualified from running in Hong Kong's now-delayed Legislative Council elections. Among other grounds offered to justify this is that objecting to the recently enacted national security law demonstrates that they could not genuinely uphold their constitutional duty as lawmakers.

● (1240)

Most recent, of course, was yesterday's national security arrest of well-known democracy activist Agnes Chow, accused of inciting secession, and prominent publisher Jimmy Lai, two of his sons, and staff of his newspaper, the Apple Daily, for "colluding with foreign powers".

Faced with this mounting crisis, here are five quick suggestions as to where Canada should focus its efforts.

First, multilateralism is key, and the wider and more diverse the coalition of states prepared to speak out about concerns, the more effective. Canada has done so on a number of occasions over the past year with respect to the crisis in Hong Kong and other concerns in China, including endorsing a joint oral statement from 28 governments at the UN Human Rights Council on June 30, and Minister Champagne joining counterparts from Australia, New Zealand, the United Kingdom and the United States in a statement of concern about Hong Kong two days ago. Broadening the group

of states prepared to exert public pressure on China should be a strong focus for Canada.

Second, staying with multilateralism, Canada should actively pursue action within the UN human rights system. A public statement issued on June 26 by 50 UN independent human rights experts lays out a range of options, for instance, for moves that could be attempted at the UN Human Rights Council, the next session of which gets under way on September 14.

Third, Canada is well placed to lead international readiness for the prospect that many Hong Kongers may be forced to flee as refugees. The geography of Hong Kong is such that, unlike many refugee situations around the world, they clearly cannot escape across the most immediate border, that being China. People needing to flee will be in many different situations, including individuals with citizenship in other countries, such as over 300,000 Canadians residing in Hong Kong; individuals who are not citizens but have close family and other links to Canada or other countries; and those who have no strong connection with any other countries. Canada should be working to prepare arrangements to receive, potentially, a large number of Canadians who may be forced to leave Hong Kong suddenly, and should also be collaborating with other governments to prepare a well-coordinated response to wider refugee needs.

Fourth, Canada should be looking at options under Canadian law and policy to exert greater pressure directly. Human rights concerns in general, as well as with respect to Hong Kong, should be prioritized in all dealings with China, not just between diplomats but across all bilateral exchanges, including trade and investment. Extradition arrangements with Hong Kong have been suspended, and the transfer of sensitive security equipment has been tightened up. The government has been pressed by a sizable group of MPs and senators to consider sanctions under the Justice for Victims of Corrupt Foreign Officials Act. In considering any and all further steps, it's advisable to prioritize measures that can be advanced multilaterally, in concert with other governments.

Finally, let me bring this very close to home. Amnesty International is part of the Canadian Coalition on Human Rights in China, made up of 15 organizations here in Canada. On behalf of the coalition, we have prepared two reports over the past three years that document a disturbing and intensifying pattern of intimidation, interference and threats against human rights defenders who are based here and are involved in campaigning with respect to human rights concerns in China. The individuals responsible for these abuses are linked to, or at least encouraged and lauded by, Chinese government officials. Our most recent report, provided to the Canadian government in March of this year and released publicly in May, notes that over the past year, individuals supportive of the movement for democracy and human rights in Hong Kong in particular have been targeted relentlessly, including at demonstrations and through social media.

In 2017 and again this year, the coalition made numerous recommendations to the Canadian government for more effective action to protect human rights defenders in this country from these abuses, focusing on the need for more coordination among police, security, and government agencies and departments. To our considerable disappointment, we have had little response. Individuals experiencing these instances of interference and threats, including threats of sexual and other physical violence and threats against family members in Hong Kong or China, are largely left without effective recourse, often unsure where to turn and what to expect.

• (1245)

It may be a considerable challenge to counter China's influence on the world stage and it may be difficult to exert pressure for human rights reform on the ground in China, but there is no excuse for a failure to take robust and decisive steps to counter human rights abuses that may be linked to or backed by Beijing, that are connected to what is happening in Hong Kong and that take place here in Canada.

Thank you, Mr. Chair.

**The Chair:** Thank you very much, Mr. Neve.

We'll now go on to Mr. Keram for 10 minutes. Please go ahead.

**Mr. Akram Keram (Program Officer for China, National Endowment for Democracy):** Thank you, Mr. Chair.

It's an honour to be offering testimony before this body today with other distinguished guests, including my friend Sophie.

I have been invited to offer remarks on behalf of Mr. Carl Gershan, president of the National Endowment for Democracy, one of 11 Americans officially sanctioned by the Chinese government just yesterday for their support of pro-democracy activism in Hong Kong.

Hong Kong is an international cosmopolitan city and global financial centre that is praised for its cultural diversity and inclusiveness, freedom of expression and robust rule of law. For the past 17 months it has captured the attention of the world as millions of ordinary Hong Kongers took to the streets to protest a controversial extradition bill, which, over time, became a protest movement about the basic rights and freedoms of the Hong Kong people. Sadly, the just and legal demands of Hong Kongers have been met with

local officials' indifference, suppression, arrests and breathtaking police brutality, all directly backed by the central government in Beijing. Since June 2019, Hong Kong police have made around 9,000 arrests related to the protest movement. Among them are over 700 children under the age of 18, including eight elementary school students.

Despite international outcry and criticism, things have only continued to get worse for the people of Hong Kong. On June 30, in nearly complete secrecy and with no regard for internationally recognized legal obligations to the city of Hong Kong, the Chinese Communist Party forced through a new law of the People's Republic of China on safeguarding national security in Hong Kong's special administrative region. Hereafter I'm going to refer to it as the NSL.

Already the NSL has brought about one of the darkest moments in Hong Kong's history by attacking Hong Kongers' fundamental rights and freedoms. The NSL has carved out unprecedented space for CCP leadership to deliver and systematically impose its rule in Hong Kong. They have wasted no time in using it to arrest activists in the street, disqualify pro-democracy politicians, dismiss tenured academics, and just yesterday challenge the voice of critical media outlets.

In spite of these heavy-handed and often violent actions, Hong Kong citizens have not simply or quietly given up their rights. Last November, amid a record turnout, pro-democracy candidates won in 17 out of 18 district elections. Since then, Hong Kongers have turned to the international community to take action, actuating their international networks, including those here in Canada, to encourage governments around the world to take a stand, whether by cancelling extradition agreements with Hong Kong or by calling on the United Nations to launch an investigation. Just last month, over 600,000 citizens once again took to the polls to support pro-democracy candidates in the Legislative Council election primaries. Then, in a shocking display of disregard for the legally guaranteed rights of Hong Kongers, and demonstrating the extent of Beijing's fears, the chief executive, Carrie Lam, announced that the Legislative Council elections would be delayed for a full year.

It is crucial that the governments around the world recognize that the CCP's actions stand in absolute conflict with the existing local and international laws and norms. The NSL directly contradicts parts of Hong Kong's basic law and the Bill of Rights Ordinance. Furthermore, the provisions of the NSL also conflict with China's obligations under international law, such as the International Covenant on Civil and Political Rights and the Sino-British Joint Declaration. The NSL also takes the unprecedented step of asserting jurisdiction over citizens of other countries. Therefore, it is not just Hong Kong's legal institutions that are under attack; Beijing has also challenged the international legal system with its authoritarian overreach.

There is much that the international community can do in response. First and foremost, it can take steps to protect Hong Kongers who are seeking to resettle themselves and their families. Since May, thousands of Hong Kongers have applied for foreign immigration documents, seeking safety and protection in third countries, including Canada. This includes a large number of students and young activists who are alarmed at the Hong Kong government's effort to impose so-called "patriotic education" and other nationalistic initiatives that challenge Hong Kong's academic freedom and cultural and political diversity.

After the arrest of Jimmy Lai just days ago, Hong Kongers are also rightly concerned that the CCP will begin rolling out the censorship and surveillance machines it has perfected in East Turkistan, which the CCP refers to as the Xinjiang Uighur Autonomous Region.

• (1250)

It is incumbent upon international communities to consider other measures that might be undertaken to protect the future of democracy, freedom and the rule of law in Hong Kong. Without such support, as the events over the last few days have shown, the shadow of authoritarian rule will continue to grow in ways that are all too familiar to those who have already suffered the CCP's coercion and repression, like us from the Uighur community.

Here at the National Endowment for Democracy, we believe in the rights of all people to freely determine their government, one that ensures freedom of expression, belief, and association; respects the fundamental rights of individuals and minorities; promotes a free press; and supports meaningful access to justice. We also believe that the actions of the Chinese government speak for themselves, whether in its denial of basic rights and freedoms for its people or its abuse of authority to breach legal commitments in Hong Kong.

We urge the Canadian government to stand with other nations to condemn the CCP's abrogation of the rights of Hong Kongers and violations of the integrity of international legal order.

Thank you.

**Mr. Alex Neve:** Mr. Chair—

**The Chair:** I'm sorry. I failed to unmute. That often happens with folks here. It's not usually the chair, but I apologize for that.

While you couldn't hear me, I was thanking Mr. Keram for his testimony and also for holding up the microphone so that we could all hear him.

We'll now go to Ms. Richardson for up to 10 minutes.

Please proceed.

• (1255)

**Ms. Sophie Richardson (China Director, Human Rights Watch):** Thank you, Mr. Chair and members of the committee. I know that you're taking on very important work in studying the Canada-China relationship, and I'm honoured to be here to speak with this committee today.

I've overseen all of Human Rights Watch's work on China since joining the organization in 2006. Throughout that period, we've enjoyed a strong collaboration with Canadian officials in Beijing, Hong Kong and Ottawa. I only wish that there had been progressively less to talk about, but unfortunately the opposite is true. Now we grapple with human rights violations of an unprecedented scope and scale, not only inside the mainland, such as those ongoing against Uighurs and Tibetans, but increasingly outside the country, including Beijing's efforts to undermine the very international institutions we all rely on to protect human rights around the world. Indeed, the Chinese government has generated threats to human rights in Canada.

We're here today to discuss Beijing's unprecedented assault on the human rights of seven million Hong Kong people. The Chinese authority's decision to impose so-called national security legislation on Hong Kong violates the basic law of the territory's functional constitution and violates the International Covenant on Civil and Political Rights, which China has signed but not ratified, and to which Hong Kong is a party.

From one minute to the next, on June 30 the Hong Kong people were robbed of their rights to peaceful assembly, expression and political participation, and of the promise of having one country and two systems until at least 2047. The national security law's vague and overbroad provisions are devastating to human rights, not least through creating specialized secret security agencies, denying fair trial rights and periodic elections, providing sweeping new powers to the police, increasing restraints on civil society and the media and weakening judicial oversight.

In Human Rights Watch's view, this is a law that has nothing to do with security. It is a road map for repression. The developments of just the past 24 hours, with the arrest of Apple Daily owner Jimmy Lai and pro-democracy activists, including Agnes Chow, under the NSL, make that reality starkly clear.

We thank Canada for its public concerns about the NSL, its efforts to coordinate that view with like-minded governments and its swift suspension of the extradition treaty with Hong Kong. We also want to thank Canada for its efforts at the Human Rights Council in calling on Chinese authorities to end violations against human rights defenders and ethnic and religious minorities, among other issues.

However, the very existence of the national security law shows that many governments' efforts are unfortunately not enough. It is not only imperative to call out Beijing's violations, but also critically and urgently important to put an end to the extraordinary sense of impunity Beijing continues to enjoy for state-sponsored human rights violations.

To that end, we urge Canada, first and foremost, to publicly and unequivocally state that Canada will not co-operate with or enable the NSL's extraterritorial application or co-operate with Hong Kong police requests for information concerning those accused of national security crimes. Canada should swiftly adopt mechanisms to enable people from Hong Kong to find safe haven in Canada and should ensure that Hong Kong activists who relocated to Canada can continue their activism safely and without harassment from the Chinese government, including by any overseas United Front initiatives.

Canada can urgently augment the capabilities of its consulate in Hong Kong to monitor human rights violations and the impact of the NSL, and it can increase support for human rights groups, independent local media and Internet freedom.

Canada can also impose targeted sanctions on the Chinese and Hong Kong officials involved in drafting, adopting and implementing the law, who thereby violated core human rights as laid down in international law. It can ensure Internet service providers refuse to co-operate with Hong Kong police force requests on providing, removing or limiting online expressions of political views, and it can ensure companies limit export to the Hong Kong police force of equipment or technology and technical support that can be used for intercepting personal communication or conducting surveillance.

Canada can also engage chambers of commerce and other industry associations to reaffirm support for the respect of human rights, the rule of law and civic participation, and communicate publicly the social, financial and operational risks presented by the law.

I want to particularly stress two last recommendations.

As Alex mentioned earlier, one is support for the late-June call by 50 United Nations human rights experts to hold a special session on China at the Human Rights Council and establish a new monitoring mechanism on China. These are the kinds of steps that will help puncture the expectation of impunity on Beijing's part.

- (1300)

I would also like to urge the government to think about creating a cabinet-level position to coordinate, develop and implement China policy. This is no longer an issue that fits solely and neatly in the traditional bailiwicks of foreign affairs or trade. Increasingly, we see threats to academic freedom. We see the diaspora community. We see concerns across immigration matters. These are not terri-

bly well integrated. This is not a recommendation we would only make to the Government of Canada, but I think this is a particular moment at which the creation of such a position would resonate, both in Beijing and in Hong Kong, but also for citizens across Canada.

We are aware that Chinese authorities place pressure on other governments and businesses to stay silent about human rights violations such as those posed by the NSL, but the importance of ensuring respect for the human rights of seven million Hong Kong people is undeniable. Violations of rights on this scale and severity require steadfastness and perseverance. By actively taking steps to help the Hong Kong people and to raise the price on rights-violating officials in Beijing and Hong Kong, Canada can help mitigate repression both now and in the future. We urge you to do so in coordination with like-minded governments to create more leverage.

We thank you for this opportunity to speak with you, and I welcome any questions you may have.

**The Chair:** Thank you very much, Ms. Richardson.

Thanks to all the witnesses for staying within your time for your statements.

We'll now begin the first round of questions with Mr. Chiu for six minutes.

**Mr. Kenny Chiu:** Thank you, Mr. Chair.

Thank you to all the witnesses for coming to the committee to speak about the issue of Hong Kong and China in relation to Canada.

As a newly elected MP, I was invited to go to Hong Kong on a district council election observer mission in November 2019, and we produced a report that had some positive feedback for the Hong Kong government. We were pleased to witness the exercising of democracy. In that district election, the people in Hong Kong came out profoundly and decisively on the side of democracy. As somebody who was born in Hong Kong and grew up in Canada, it is quite satisfying for me to see democracy in practice.

Fast-forward to 2020, where we are today, and we see that all sectors in Hong Kong are under the dark shadow of fear, including the press. Through Apple Daily, for example, freedom of speech was jeopardized. The Foreign Correspondents' Club issued a very critical statement against the NSL and the arrest of Mr. Jimmy Lai. People could be arrested for singing certain songs or yelling particular slogans, so freedom of expression is also jeopardized. Their association with freedom of expression is also being harmed. They willy-nilly disqualify political leaders and even legislators, based on their opinions.

There is definitely a dark shadow of fear being cast over Hong Kong. However, in Canada, and also in the rest of the world, I would argue there is also an opaque white fear that is being cast. We see that the Hong Kong NSL has also charged U.S. citizen Samuel Chu, who has been overseas for 25 years. He is one of their accused. I have constituents in my riding who presented a petition advocating that the Government of Canada exercise the Magnitsky act in sanctioning China or Hong Kong. He would be under the same cloud as well.

What would you suggest Canadian governments do to safeguard Canadians' safety, regardless of their ethnicity? We know that in 2006 Uighur Canadian Huseyin Celil was arrested in Uzbekistan, but extradited to China. We also have the two Michaels who are being arbitrarily held. What would you suggest Canada do to effectively warn Canadian citizens?

I've just checked the travel warnings on the Government of Canada travel website, and it's warning Canadians to exercise a high degree of caution. How do we know they would not get arrested? How do we know, en route, they would not get arbitrarily extradited to China?

Ms. Richardson, Mr. Neve and Mr. Keram, please respond.

• (1305)

**Ms. Sophie Richardson:** Mr. Chiu, thanks so much. It's a big question with a lot of different moving parts to it.

At its core, the question is about how to protect Canadians' rights. That's my understanding of your question.

Obviously we've made some suggestions about how to deal with the NSL and issues related to extradition and extraterritoriality. I want to underscore quickly that we're equally concerned about, for example, the confidence that people who have immigrated to Canada from the mainland or from Hong Kong have in their ability to articulate their views, if those are critical of Chinese state actors, and that they will not result in reprisals to them or to family members in China.

I realize there is not necessarily much you can do about the family members in China, but I think reassuring people that the Canadian government encourages that kind of civic activism and will speak up to protect it is critical. I think that's a political question and it's also about law enforcement.

**Mr. Kenny Chiu:** Thank you.

**Ms. Sophie Richardson:** A second area I would look at, which we've written about, is Chinese government threats to academic freedom. I think Canadian universities are not doing enough to en-

sure that all the people on their campuses, whether they are Canadians of whatever descent, whether they come from the mainland or from Hong Kong or Taiwan, all have equal access to academic freedom on their campuses.

There have been examples in the last few years when schools have not stood up to defend that space when it's been threatened.

**Mr. Kenny Chiu:** Thank you, Ms. Richardson.

Mr. Neve.

**Mr. Alex Neve:** Thank you very much, Mr. Chiu, for the question. It's very important and I think there seems to be two elements to it.

One is the mounting risks Canadians are facing here in Canada. I would reiterate the comments I made about the report that, on behalf of the Canadian Coalition on Human Rights in China, we have submitted to the government. I believe you are familiar with it. I can certainly provide you with a copy again, because there are a number of not just broadly aspirational but very concrete recommendations for creating hotlines for more coherence across government agencies to respond to what is a deeply troubling and mounting threat. Really, we've seen very little movement at all for many years as that has gotten worse.

With respect to the concerns—

**The Chair:** Mr. Neve, I'm sorry to interrupt but we're over Mr. Chiu's time, so thank you. Hopefully we'll all—

**Mr. Kenny Chiu:** Mr. Chair.

**The Chair:** Mr. Chiu, your time has expired.

**Mr. Kenny Chiu:** I understand.

With your indulgence, may I ask the witness, Mr. Neve, to provide the report to the committee?

**The Chair:** Thank you very much.

We'll now go on to Mr. Fragiskatos for six minutes.

**Mr. Peter Fragiskatos:** Thank you to the witnesses for their testimony.

Ms. Richardson, in the previous testimony that we heard at committee today I questioned whether or not there is the prospect of what is transpiring vis-à-vis the Chinese state and the Uighur minority also happening in Hong Kong. The witnesses talked about what's happening today as certainly holding a future possibility in terms of what Hong Kongers could face.

Is it a matter of the Uighurs today and Hong Kong tomorrow, as they put it?

**Ms. Sophie Richardson:** It's a challenging question.

I think at its core we're talking about people losing their political rights, having no access to a fair trial, being denied opportunities to political participation, and losing their very identity as a distinct community with a separate language and traditions. I do think those are valid concerns.

The motivations behind Beijing's policies in the two regions are somewhat different and have played out a bit differently. For example, in Xinjiang, obviously one of the issues that motivates the Chinese government is a desire to radically reimagine or limit or eradicate Islam. There isn't a comparable factor in Hong Kong. There is also the fact that we can still see what's happening in Hong Kong in a way that we can't in Xinjiang. There are still journalists, qualified barristers and lawyers there, and there is some space for civic activism, but it's diminishing quickly.

However, I wouldn't wait for the one to become the other to try to prevent these outcomes. I think Beijing has offered, even in just the last two or three years, ample evidence of its profound disdain...to gut human rights even in a place that is as internationally connected, as visible and as bound by international law as Hong Kong is.

• (1310)

**Mr. Peter Fragiskatos:** Thank you very much.

Mr. Neve, it's nice to see you again, first of all.

I have a question about something that we continue to hear, which came up again today: Magnitsky sanctions. If the Government of Canada were to move ahead in that direction, I wonder about the consequences for Canadians in China, namely the two Michaels, Michael Kovrig and Michael Spavor.

If Canada were to take dramatic action along those lines, what is the prospect for those two individuals? What will happen to the two Michaels? It's obviously impossible to predict, but is it reasonable to suggest and assume that it would dramatically diminish the prospect of the release of Mr. Kovrig and Mr. Spavor?

**Mr. Alex Neve:** It's nice to see you again as well. That's a very important question, clearly.

I think it is not at all outlandish to be concerned about that, because I think at every turn, be it with respect to what's happening with Meng Wanzhou and her extradition situation or these broader considerations around how governments are responding to the Uighur crisis or the situation in Hong Kong, if there's one word that very often characterizes China's response, it is "retaliation". Therefore, I think the scenario you are raising is one that would have to be strategically considered very carefully by Canada.

Amnesty hasn't said do or don't impose sanctions under the Magnitsky act. We certainly think it's a strategy worth exploring. We think there are a number of considerations that need to be taken into account, including what you've highlighted, but also the fact that, in our view, to go down that road is inevitably going to be much more successful if it can be done on a multilateral basis and if it isn't just Canada. Obviously the United States has done so as well. It can be done if it's not just Canada as one of the very small handful of states pursuing this, but it's part of a bigger, concerted international

response, which I think is the imperative that needs to drive Canada's diplomacy across a whole range of strategies, not just the possibility of sanctions.

**Mr. Peter Fragiskatos:** Thank you very much.

My last question is directed to both Mr. Neve and Ms. Richardson.

Mr. Neve, you talked about your deep concern about Chinese government actions and abuses on Canadian territory. Could you give specific examples of what worries you the most?

I suppose the same question goes to Ms. Richardson, phrased exactly like that.

**Mr. Alex Neve:** What worries me the most is that Amnesty has been following this through the coalition for many years now. It's getting worse, not better. That's my first worry.

Second, as I speak with amazing colleagues with other grassroots human rights organizations here in Canada, it's very clear to me that there is a predominance of threats and intimidation against very courageous women human rights defenders, accompanied by increasing threats of sexual violence, etc. That needs to be a very grave concern.

Third is the fact that, even though this issue has been in front of the government for quite a number of years now, we really have not taken some of the simplest steps to try to do something about this, even to just improve coordination amongst departments and agencies. Frankly, I think that's unconscionable.

**The Chair:** Thank you, Mr. Neve.

Mr. Fragiskatos, I'm sorry. You're out of time.

[*Translation*]

Mr. Bergeron, you have the floor for six minutes.

**Mr. Stéphane Bergeron:** Thank you, Mr. Chair.

My thanks to the witnesses for their important contribution to our work.

With the previous panel, we had the opportunity to look more specifically at the fate of the activists in Hong Kong. This time, we are looking more closely at the influence of the Chinese authorities, or at least at the threats they would pose to nationals on Canadian territory. Either way, we have questions to ask ourselves and actions to take.

I have had the opportunity to speak with the Chinese ambassador and the consul general in Montreal. If I may, I will tell you about that. The following argument was made. Given that the situation on the ground was completely explosive, the purpose of the national security legislation was really to maintain stability in Hong Kong and to ensure that democratic institutions were maintained.

In light of what we have seen so far and the fears that have been expressed, how much faith can we have in such a claim by the Chinese authorities? It is legitimate to believe that stability is the mark of democratic institutions, but how can we believe what they say, given everything that has happened so far, including the imprisonment of journalists and activists? As I pointed out to the Chinese diplomats, if nothing in the legislation says what can constitute a breach of national security, anything can be one.

I would like an answer to that question in reverse order.

• (1315)

[English]

**Mr. Alex Neve:** I could say a couple of things and I'm sure my colleagues would as well.

Clearly China is not the first government in the world to wrap arguments about stability, security and the safety of society around what is in fact a blatant power grab campaign of repression and intimidation, masked in the rhetoric of national security. I think that's exactly what we have on the ground in Hong Kong. There is nothing about what we are documenting in terms of how this law is being used that would even remotely back up that claim. Everything we've been seeing, especially in these five or six weeks since the law came into effect, is all about a human rights crackdown, blatantly and unapologetically.

**Mr. Akram Keram:** I would like to add some comments, if I may. Thank you for your question, Mr. Bergeron.

In terms of how much we have faith that they are implementing the national security law just for stability or social security, what they have done in East Turkestan since the uprising and clash in the July protest of 2009 is a concrete example. They have been using national security and domestic stability as an excuse to suppress people and oppress people. That is exactly what I'm afraid is going to happen in Hong Kong.

Even China mainland's national security law, which was passed in 2015, states very clearly in the beginning, even before article 1, that this is absolutely to protect the leadership of the CCP. These laws, whether it's the national security law, the national intelligence law or, in the case of Hong Kong, its national security law, their primary basis and ultimate goal are to protect the CCP's leadership. With those laws there are no guarantees of freedom of speech, freedom of information, freedom of movement or democracy.

Actually, what Mr. Chiu described previously in his speech in terms of what he saw on the democracy side during his visit during the November elections in 2009, that is exactly what they fear. That's what the CCP is afraid of. Those democracies are what they're so scared of. They're scary to the CCP, and I'm afraid that, going forward, if we do not take action, then Hong Kong is going to turn into the next East Turkestan.

**Ms. Sophie Richardson:** I'll add very quickly that obviously states under international law have an obligation to provide public security, but laws like national security legislation are meant to be necessary, narrow and proportionate. The national security law and other Chinese government policies are none of those things. Those laws also cannot undercut key human rights commitments or target an entire population.

The Chinese government has plenty of existing laws to prosecute credible threats to national security should it need to do that. Many of those laws are deeply problematic, but policies such as the strike hard campaign in Xinjiang or the national security law in Hong Kong go wildly beyond what is necessary, narrow, proportionate or reasonable.

• (1320)

**The Chair:** Thank you very much, Ms. Richardson.

[Translation]

Thank you very much, Mr. Bergeron.

Mr. Harris, you have the floor for six minutes.

[English]

**Mr. Jack Harris:** Thank you very much, Chair, and I want to thank the three presenters on very comprehensive presentations and for their presence here today.

First of all to Mr. Neve, it's nice to see you again and thank you for joining us. I appreciate your 10 reasons why this law is absolutely wrong, including the fact that it was abused from the very beginning, from day one, because that is exactly what we're dealing with. We do have a situation.... Perhaps I can ask you this first.

First of all, we did make a pledge at the request of both China and the U.K. back in 1997 to do our utmost to promote the continuing rule of law in Hong Kong and the autonomy of its institutions, and a number of other countries did the same. I've asked other witnesses this. Is there any evidence that Canada has done very much in the past 20-plus years to actually try to secure these things? That's number one.

One thing that's in that declaration and covers something we're talking about here today is, obviously, rights. It was in fact agreed that the International Covenant on Civil and Political Rights would be applied to Hong Kong, guaranteeing the right to life, freedom of religion, freedom of speech, freedom of assembly, electoral rights and rights to due process and a fair trial, very few of which apply in the national security law that has now been imposed.

What leverage is there for the fact that this is said to apply to Hong Kong? As it was pointed out just a few minutes ago, China has signed the covenant but not ratified it, but China is bound by it in respect to Hong Kong. Is this something that can be used or is that the subject of the UN efforts you're talking about?

**Mr. Alex Neve:** With respect to an overview of Canada's history of standing up for rights and democracy over these last 20-plus years, I probably don't have time and actually would, frankly, admit I probably don't have full knowledge to give you a thorough answer to that question.

I would focus on the last year and a half where there have been a number of occasions where Canada's voice has been one of the few to be heard on the world stage, generally with one, two or sometimes as many as 20 to 25 other states in partnership, raising some of these current concerns. It's not been with strident or strong language, and perhaps not as strongly as Amnesty International would write, but Canada's been a leader I think, along with a few others, at a time when very few states are even prepared to whisper a note of concern. I think we've all made recommendations around how that needs to continue, how it needs to become even more multilateral, how maybe we now need to see some more substantial content in terms of what Canada is raising.

With respect to your question about the international covenant, I do think it's a very important piece of the strategy here and particularly as something that Canada should be very much relying upon. I think it is what opens up—and Sophie was highlighting this as well—the various kinds of UN-focused strategies that really need to be taken much more seriously. So far we've managed to get some joint statements, either orally at the Human Rights Council or released in writing on the margins of the Human Rights Council, but there's not yet been an initiative, a resolution, a special session within the council itself. China's always been out of bounds—too much power, too much influence—and that has to give. Using the fact that one of the most important UN human rights treaties governs here is the obvious opening for doing so.

**Mr. Jack Harris:** Thank you. That's very helpful.

You did mention that there was some talk of the Magnitsky sanctions, and relatively few countries have such laws in place. The U.K. only very recently passed its. In that context, you mentioned the need for a coordinated effort, and the largest group that joined together was about 27 or 28 countries just recently on June 30.

Are you confident that there could be a larger coalition developed to support a coordinated effort to try to change the approach of China towards Hong Kong, or are we dealing with trying to solve the problems of people who need refuge and need safe harbour?

• (1325)

**Mr. Alex Neve:** I would draw a distinction between.... The statement I referred to at the end of June wasn't about the Magnitsky act—

**Mr. Jack Harris:** No, no.

**Mr. Alex Neve:** —or sanctions per se.

I think, yes, there probably is more space to build the list of countries who gather around those kinds of statements, as opposed to taking more controversial steps like imposing sanctions. That should be a real focus. Canada is a key multilateral player. We have connections across so many different fora. We really should be doing everything we can to get that number from 28 to 35 to 43 to 58

and climbing, so I do think that's a very important way forward for Canada.

**Mr. Jack Harris:** Would the other panellists care to...?

Ms. Richardson, perhaps you want to weigh in on that.

**Ms. Sophie Richardson:** On many levels, I can't improve on what Alex has just offered up, but I think there is a real moment of momentum here that Canada could really seize upon and many other governments would come along with. If you look at, for example, the constituency of governments who've been outraged, rightly, about the abuse of Uighurs, if you look at some of the governments that are very concerned about not being able to get good information about the origin of COVID, and now, if you look at the constituency of governments who are very concerned about Hong Kong, the slow—

**The Chair:** Thank you, Ms. Richardson. I'm sorry to interrupt. I apologize, but we're over Mr. Harris's time.

We're now on to the second round.

Mr. Albas, you have five minutes, sir.

**Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC):** Thank you, Mr. Chair.

I want to thank all the witnesses for being here today, and I also thank my colleagues for being part of this committee. I believe this committee has an important role to play, particularly on this issue, so I'm glad we've restarted specifically in time to deliberate on Hong Kong.

Mr. Chair, when I communicate, I try not to pick on the person but the policy. In this case, it's the underlying assumption that MP Fragiskatos mentioned earlier.

Now, look, the Government of China has two of our citizens. I think it's very clear that it's hostage diplomacy, but we cannot allow ourselves, as Canadians, or allow our government to say that we will not pursue what is right under human rights or we will not do what is our heritage of standing up against bullies and tyranny when we're called upon. I'm just surprised at the response that Mr. Fragiskatos got from the gentleman from Amnesty International, which was almost a shrug of the shoulder and "I guess that could happen".

Do you not believe that the 300,000 Canadians in Hong Kong—

**The Chair:** I'm sorry, Mr. Albas. I have a point of order from Mr. Fragiskatos. I'm hoping it's not a point of debate.

Go ahead, Mr. Fragiskatos.

**Mr. Peter Fragiskatos:** It's certainly not a point of debate, Mr. Chair.

I just want to put on the record that Mr. Albas is twisting things around and mischaracterizing what I said—

**The Chair:** I'm sorry. This is not a point of order; it's a point of debate. Mr. Albas has the floor.

Mr. Albas, go ahead please.

**Mr. Dan Albas:** As I was saying, Mr. Chair, I don't want to make this personal, but I do think we're at a very important point as a country in our dealing with the Government of China.

Do we not owe care to those 300,000 Canadians who are living in Hong Kong? Do we not also owe it to the people who have fought for human rights, democracy and a belief that we can get along when we work with others? Do you believe that, if we allow ourselves to be paralyzed with the thinking that we can't do anything in regard to sanctioning China or even whispering anything negative about the Chinese government, it may cause harm to those who have already been harmed and taken hostage by that government?

I'd like your response, please.

**Mr. Alex Neve:** I'm sorry that you seem to have interpreted my remarks as a shrug or a lack of concern, because that could not be further from the truth. Amnesty works relentlessly to respond to human rights violations in China and in Hong Kong. We have been very actively engaged around the cases of Michael Kovrig and Michael Spavor, including regular exchanges with their families discussing strategic possibilities. So I guess I would want to correct whatever reason you have to believe that we're not concerned about the situation on the ground.

I think I was trying to flag that, obviously, when deciding on what would be the most effective and constructive response and strategy going forward, it's vital that Canada be considering a range of consequences and implications. That includes, yes, whether there is a possibility that, if we do *x*, it may increase the risk for Michael Kovrig and Michael Spavor. I didn't say that means don't do it, but that obviously is something that the government should be considering. We also should be assessing whether it is useful or effective for us to go it alone to do a particular measure or whether we should really invest our energy into getting some other partners so that it can be advanced in concert. It's all about—

• (1330)

**Mr. Dan Albas:** Okay. I do appreciate you raising that, sir. I do believe your organization has done good work. It's just that I think we need to challenge this underlying assumption that if we do anything or speak out, we will be harmed as a country or as Canadians. That is always the threat, but I think it's a greater threat if we allow people to bully our country and our citizens, whether abroad or at home.

Speaking to that earlier, sir, you mentioned that there are some things domestically. Our own security agencies, I believe, are quite attuned to the threats we're seeing to our citizens. You said there were some basic things that this government or previous governments did not put in place to check foreign interference. Could you elaborate on that?

**Mr. Alex Neve:** I'll certainly share the report with the committee so that you can see this in greater detail. One thing we highlight is that when individuals do experience these kinds of threats, which are often, as I said, threats of violence and sexual violence or threats to the safety of family members abroad, it's very unclear where they turn to. They go to the RCMP and they're told it's a municipal police matter. They go to the municipal police force and

they're told they should go to CSIS. They go to CSIS and they're told, it's really for diplomats; report it to Foreign Affairs.

It goes nowhere. It doesn't even get gathered up in one coherent place so that the government and agencies involved can really develop a clear picture of what's happening and go forward with the right responses. Something as simple as that is what we need to see happen.

**Mr. Dan Albas:** Okay. Thank you very much.

**The Chair:** Thank you, Mr. Albas—

**Mr. Dan Albas:** I just want to make sure it's on the record, Mr. Chair. As a parliamentarian, I want—

**The Chair:** I'm sorry, Mr. Albas. It's no longer your turn to speak. I'm sure there will be time for debate and other matters in the future, and of course we're making that important distinction.

We will now go to Ms. Zann for five minutes.

**Ms. Lenore Zann:** Thank you very much.

Thank you to the witnesses.

I am a big fan of Amnesty International. I have actually been a member of it for many, many years. You do such great work. Thank you very much. Please keep it up.

The Government of Canada has already characterized China's national security law for Hong Kong as a violation of international obligations. The Minister of Foreign Affairs, François-Philippe Champagne, has announced that, going forward, Canada will not distinguish between Hong Kong and China concerning the exportation of sensitive goods, and it will not permit the exportation of sensitive military items to Hong Kong. Canada is also suspending its extradition treaty with Hong Kong.

In your opinion, Mr. Neve, what impact would these measures have on the situation in Hong Kong and on Canada's relationship with China? Also, what exact additional steps could the Government of Canada take, in your opinion, to help safeguard Hong Kong's autonomy and political freedoms and to support those who are seeking to advance democracy in Hong Kong?

I know that is a packed question, but our time is short.

**Mr. Alex Neve:** Thank you very much. It's always a pleasure to have an exchange with an Amnesty member.

Yes, the steps that Canada has taken so far matter and are welcome. I think all of us in some way, shape or form have referred to the suspension of the extradition arrangement and the tightening of controls on military and other sensitive transfers, and have noted that this question of Magnitsky sanctions, for instance, is in play. All of that does matter, and we should continue to explore what more we can do, even on a bilateral basis.

I would come back to the point I've been trying to stress: I think much of Canada's value is in really pursuing those kinds of measures, and others, in multilateral ways. If anything is going to start to build pressure on China, it is for the chorus of international concern to be not only the same countries time after time but a broader group and a larger group. I think Canada has some real strength to offer on that front.

In terms of very concrete measures, I would highlight, in my list of five, the two that are maybe the most immediate and concrete. The first is the recommendation I highlighted with respect to the refugee situation: readying for the fact that there may be an increased number of individuals looking to Canada for refugee protection, and not only being prepared to provide it ourselves, but also readying an international response if those numbers become really high. The second is about the concerns over what's happening here in Canada to activists who are receiving threats.

• (1335)

**Ms. Lenore Zann:** Thank you.

I know the Government of Australia has announced new visa arrangements, allowing extensions with a pathway to permanent residency for Hong Kong passport holders who have a temporary skilled visa or a graduate visa. The Government of the United Kingdom has created a new immigration mechanism to allow about 2.9 million British nationals overseas from Hong Kong to apply for a visa of up to five years. After that they can apply for settled status and then naturalization, which sounds extremely good to me.

What is currently known about the number of democracy activists and political figures who may be seeking to leave Hong Kong? Will they be allowed to leave or are their passports being taken away?

**Mr. Alex Neve:** I wonder if Sophie may have more insight on that front than I do.

**Ms. Sophie Richardson:** It's difficult to have numbers or lists. These are decisions people are making very quickly, under duress and often with discretion. I can share with you that we have encouraged people we know who are seeking shelter to contact a set of governments that we believe will mobilize quickly to assist them, and that does include Canada.

I will add one other quick point on the issue of exports and sales, and what to restrict. We've done quite a bit of work on abuses of surveillance technology across China in the last few years—biometrics, AI, you name it. I think it really is incumbent on governments that are concerned about these issues to think about limiting any of the exports of technology or services that enable rights-abusing surveillance and to look very carefully at the kinds of research partnerships or investments made by Chinese companies or institu-

tions inside Canada with academic institutions or simply as a vendor of products and services. I think there's much to do there.

**The Chair:** Thank you very much, Ms. Richardson.

Thank you, Ms. Zann.

We'll now go to Mr. Genuis for five minutes.

**Mr. Garnett Genuis:** Thank you, Mr. Chair.

Thank you to the witnesses.

I want to start by echoing what Mr. Albas said on hostage diplomacy. I think if we go down the road of considering policy concessions in response to hostage diplomacy, then we just invite the massive expansion of that hostage diplomacy and we also limit our ability to ever do anything that's contrary to Chinese state interests. I would really encourage members of the committee to make decisions about what is right and what's in our strategic interests, and protect ourselves and not be victims to this kind of hostage diplomacy calculation.

Mr. Neve, I was very struck by your comments about government inaction around foreign state interference. I look forward to the written follow-up on that, and I hope we as a committee are able to study that issue further and come out with specific recommendations. I know it's an issue that other committees, maybe the public safety committee but also the intelligence review committee, have taken up as well, the issue of foreign state interference and how that impacts Canadians, and their response.

On the immigration piece of this, I'm very concerned that there's a risk that the Chinese state will take action to try to prevent immigration and to prevent the return to Canada of Canadian citizens. We've already seen some noises in this direction in the case of U.K. government policy and a response from China. What do you think the likelihood of that is? As we have called on the Government of Canada to have a plan for facilitating the reunification of Canadians, as well as dealing with the asylum piece of this, what could China do and what could Canada do in response to ensure that reunification and asylum can take place in response to countermeasures?

Ms. Richardson, you could start, and then we'll go to the other two after that.

• (1340)

**Ms. Sophie Richardson:** Sure. On the point about what to do to protect citizens, the Chinese government doesn't recognize dual citizenship. As a practical matter, I think probably the most urgent thing to do is to assess on what status dual citizens are in Hong Kong, meaning if they've entered Hong Kong on their Hong Kong status rather than their Canadian status. I don't know what mechanisms are available to change that, but at least it gives the Canadian government a slightly superior claim to those people in defending their interests.

I think making it very clear to Beijing that any efforts to deny people the ability to leave or reunify with family members would be an issue of the highest concern. Let's recall that the Chinese government has detained and held for decades people who are citizens of other countries and simply refused to acknowledge their citizenship and, therefore, the ability of representatives of those other governments to have access to them.

**Mr. Garnett Genuis:** Yes, to zero in on that, do you think there is a reasonable risk that the Chinese government could, on a widespread scale, seek to prevent Canadian citizens in Hong Kong from returning home, especially if they travel on their Hong Kong status?

**Ms. Sophie Richardson:** It's hard to predict, but a few senior officials have floated that idea, perhaps to test the response. I think that's why an unambiguous response is important. If you look at the track record of how other dual nationals the Chinese government wants to control have been treated, the finds aren't great.

**Mr. Garnett Genuis:** Okay.

Mr. Neve, I'd like your comments on that, please.

**Mr. Alex Neve:** I was going to make some of the same points that Sophie made.

I would add that, given this backdrop of concern about China's unwillingness to recognize dual nationality—and of course we've seen it in Huseyin Celil's case now for 14 years—I think, if you add to that an overlay of arbitrariness, the very real concern is that it may well be the dual nationals who are at the greatest risk, who are the ones least likely to have their Canadian citizenship recognized. There may be others, around whom there's not a lot of political or other interest, who would be able to leave fairly smoothly.

There's going to need to be a very sophisticated and multi-layered and multilateral—there's that word again—strategy here.

**Mr. Garnett Genuis:** Thank you.

Mr. Keram, in the time left, do you want to briefly wade in on that?

**The Chair:** You have 15 seconds.

**Mr. Akram Keram:** Sure. I think it is quite important to take some action, because I'm afraid if it's a risk later, the risk will turn to threats by the CCP. We don't want to see thousands of Michaels being hijacked and then kept inside either Hong Kong or mainland China to be used as leverage to continue to serve CCP's own political ambitions and geopolitical strategies, which will in the end create some threats to freedom and democracy in Canada as well.

**The Chair:** Thank you very much, Mr. Keram

Thank you, Mr. Genuis.

**Mr. Garnett Genuis:** The risk to thousands of Michaels is very poignant. Thank you.

**The Chair:** Mr. Genuis, your time is up.

The next five minutes are going to be shared by Ms. Yip and Mr. Dubourg, I understand.

Go ahead, Ms. Yip.

**Ms. Jean Yip (Scarborough—Agincourt, Lib.):** Thank you for coming and speaking so clearly on human rights.

Yes, I will be sharing my time with Mr. Dubourg.

Anyone can answer my questions.

Regarding the national security law arrests of student activists over social media posts, Amnesty International's Asia-Pacific regional director Nicholas Bequelin said:

That four young people could potentially face life imprisonment on the basis of some social media posts lays bare the draconian nature of the national security law. The idea that anybody can now be jailed for expressing their political opinion on Facebook or Instagram will send a chill throughout Hong Kong society.

We're learning that these students have had their computers and phones seized and, under this new law, they can be compelled to answer questions. Can you comment further on the reach of this law and the risk it poses for the freedoms of Hong Kong's citizens? Also, will this mute and halt the momentum of protests?

• (1345)

**Mr. Alex Neve:** I think the reach is far-reaching, and it is exactly in its purposefully vague terminology that scenarios such as the one that we've spoken about in the press release are playing out. These are not just predictions as to what might happen. This is actually how things are playing out.

I guess the one thing I would highlight is, while of course we're deeply concerned because of what has happened to those four individuals—and Amnesty and Human Rights Watch and other organizations will certainly be following closely—I think equally we're very concerned about what we often refer to as the chill that it unleashes.

It's not only the penalties and punishments that are going to follow for the four individuals here. It's the thousands and thousands of others who will self-censor, who won't share their views on social media and who won't display public banners because they've heard about what happened to those four, and they're just very, very fearful. That is really the overarching intention of this kind of an initiative.

**Ms. Jean Yip:** How can Hong Kong still show their dissent? It's going to be difficult.

**Ms. Sophie Richardson:** I think some of the most evocative gestures since the law went into effect were things like people going out onto the street or members of the LegCo holding up blank pieces of paper as a gesture to say, "We're speaking, and we're not going to use the very words that might get us arrested, but we're not going to pass up the opportunity to make this gesture."

I also want, very quickly tying a few threads together, to remind this group that we wrote last year about one of your colleagues, MP Jenny Kwan, whose own WeChat posts about the Hong Kong pro-democracy protests were censored.

**Ms. Jean Yip:** Going on another limb here, can you tell us about the status of refugees, asylum seekers and migrants seeking to exit Hong Kong at this time, including the difficulties or barriers they may face? Is there a risk of their being arrested under this new law while trying to leave Hong Kong?

Ms. Richardson.

**Ms. Sophie Richardson:** We don't have particular figures of how many people are trying to leave, but I think, if I may speak very broadly here, people are forced to make some very difficult calculations about how the law is going to affect their lives, whether leaving might draw unwanted attention to family members who remain behind, whether they have the means to emigrate and what they would do in some other country.

I think it's also often a very difficult choice for people to decide to claim asylum as opposed to trying to find some sort of status that keeps open the door to being able to return, if that's desirable for whatever reasons. I think in that sense, some of the points that Alex made earlier about clarifying what opportunities are available to people, what status is on offer, what could be expedited and whether it's essentially a one-way street would be extremely helpful to people thinking through the trade-offs that they're going to make.

**Ms. Jean Yip:** Thank you.

[Translation]

**The Chair:** We only have 30 seconds.

Mr. Dubourg, you have the floor.

**Mr. Emmanuel Dubourg (Bourassa, Lib.):** Thank you, Mr. Chair.

I would first like to take the time to greet the witnesses and thank them for their presentations and the work they do.

Here's my concern. Mr. Neve talked about recommendations, and the people who were on the previous panel talked about the threats they were receiving. Ms. Richardson has proposed the creation of a cabinet position.

Mr. Neve, could you briefly tell us whether that could be helpful?

**The Chair:** Mr. Dubourg, I'm sorry to interrupt you, but unfortunately there's no time left for the answer.

Mr. Bergeron, you have the floor for two and a half minutes.

**Mr. Stéphane Bergeron:** Thank you, Mr. Chair.

A few moments ago, I referred to the incarceration of Jimmy Lai. That is extremely worrisome.

Earlier, we saw that the GAFSA companies, the big web companies, had reacted to the tightening of control in Hong Kong. For example, Apple backed down, while Facebook seemed to want to keep its operations as they were.

Beyond the controls already carried out by the Chinese authorities on the various social media, should we expect more controls in the coming days and weeks? Will we see more compromises from the GAFSA companies currently operating in Hong Kong?

• (1350)

[English]

**Ms. Sophie Richardson:** I'm very sorry. I'm going to have to defer that question to someone who speaks French. I don't, and I'm not getting the translation.

Alex.

**Mr. Alex Neve:** I didn't hear. Did you comment, Sophie?

**Ms. Sophie Richardson:** I was hoping that somebody who speaks French could answer that question. I don't speak French and I'm not getting the translation, so I'm not precisely sure what the question was.

**Mr. Alex Neve:** It's a concern about whether we're going to see more and more intensification of the crackdown through social media, Facebook, etc.

I think the short answer is yes. That's clearly one of the very specific intentions of having such a broad law as this. I think we're already seeing that some of the initial moves are absolutely going after people. The case of the four young activists that was highlighted in Ms. Yip's question, for instance, is about Facebook posts. We're going to see more and more of that, and it's very concerning.

**Ms. Sophie Richardson:** I agree entirely with Alex on this matter.

**The Chair:** Thank you very much.

[Translation]

Thank you, Mr. Bergeron.

**Mr. Stéphane Bergeron:** Mr. Chair, I simply want to point out that my time has been reduced because of interpretation problems. I did not think you were going to cut it from the response time of the various witnesses.

**The Chair:** I added about 15 seconds, Mr. Bergeron.

In my opinion, that was well within the time it took. I have done my best to be fair to everyone.

[English]

Now we have Mr. Harris.

You have two and a half minutes.

**Mr. Jack Harris:** Thank you, Chair.

I just want to put a general question to both Mr. Neve and perhaps the others.

China, of course, has a terrible reputation for its improper judicial system and for a lack of fairness and respect for human rights generally. Are we dealing with something quantitatively different in the case of the special security law for China that requires special additional attention, or is it the behaviour itself that's taking place that we need to be active about?

The second question follows up on Mr. Neve's suggestion about the inadequate enforcement of laws within Canada for interference. Do we need a legislative response as well as getting the authorities to be more forceful in the coordination of matters? Mr. Mulroney, for example, has suggested a registry of foreign agents, etc. If you'd care to comment on that, it would be appreciated.

**Mr. Alex Neve:** With respect to the question about whether law reform is needed regarding concerns here in Canada, in the report I'm going to be sending to you that is one of the things we've signalled. The report didn't come down one way or the other as to whether a specific legal reform is needed. We did point to some examples from other jurisdictions, including Australia, for instance, where there are laws beyond what we have in Canada that would perhaps open up greater recourse for individuals who have been through this and, therefore, I think that's worth exploring.

With respect to whether this national security law is a game-changer or qualitatively different, I think it obviously is a game-changer for the people of Hong Kong. However, the backdrop is that on mainland China national security laws have existed for a long time and I think all three of our organizations have filled reports with all of the violations that stem from that.

**Ms. Sophie Richardson:** I'll just add that the national security law in many ways is not distinct if you're comparing it to other mainland laws. But let's recall that Hong Kong is a jurisdiction that has long enjoyed an independent, highly professional judicial system that protected the rights to a fair trial and had respected prosecutors and a reliable, incredible police force gathering information. A lot of that began to change in the last couple of years, and the NSL really guts that system.

• (1355)

**The Chair:** Thank you very much.

We have five minutes remaining, and that goes to Ms. Alleslev.

**Ms. Leona Alleslev:** My question is to Ms. Richardson, because I, too, find the cabinet-level position suggestion really critically important.

Could you give us some more specifics about what your concept is, and maybe even go so far as to give it a title so that we can have a short-form discussion about what that might be?

**Ms. Sophie Richardson:** I haven't gotten around to a title yet. I promise to follow up on that.

I think the idea really is reflected in many threads of our conversation here. We are no longer just talking about human rights violations in Hong Kong, the threats that Uighurs face or the challenges for civil society in China. We are also talking about the kinds of

abuses that take place as a result of Chinese government policy or action in other countries, including Canada.

There isn't a focal point in the Canadian government or any other. Let me be clear: This isn't a criticism of Canada and it's not a suggestion that we would make to only Canada. It's one that we'll be driving with a number of different governments, especially for the governments that have incredibly complex, deep, thick ties, not just with the Chinese government, but those that have communities of people who are of Chinese descent or people who are interested in China.

I think governments have failed to recognize that those people are under threat and that there are other kinds of threats to people in their own countries as a result of Chinese government policy. As Alex and Amnesty have very eloquently documented—and as we've experienced in taking up certain kinds of issues ourselves—it's very hard for somebody who is standing in Canada, who is experiencing Chinese government harassment, to figure out where they're supposed to go with that. To shrug or pass the buck from one agency to the next is not a gratifying solution and, really, I think the failure to respond only encourages more of this kind of behaviour.

We've done a lot of work about universities in Canada, the U.S., Australia and the U.K., and their capitulations to Chinese government pressure, or it's probably more accurate to say, their failure to stand by their principles of academic freedom and independence when there is significant Chinese government or state-owned enterprise money at issue or when critical revenue streams that come in the form of international students from China are at issue. There is a lot of deferring and saying, well, maybe we'll work this out, or the problem will change over time, which is, I think, generally the problem with lots of governments and their policies with China over the last 20 years. The people have hemmed and hawed and hedged and did not really grapple with the fact that this is a highly abusive authoritarian regime that does not keep abuses at home and that is increasingly carrying out these operations overseas, including weakening the institutions that protect rights worldwide.

I would envision a system that pulls all these threads together and looks at domestic, bilateral and multilateral responses to all of these different kinds of problems.

**Ms. Leona Alleslev:** I want to explore that just a bit more.

Would it be fair to characterize it in the sense that China certainly has a whole-of-country approach to achieving the objectives they're trying to achieve through the national security law, through the foreign interference, through the undermining of international multilateral institutions?

We, then, in return should also have a whole-of-government perspective, where we're looking at it with a sovereignty, a security, an economic, an academic and a human rights lens so that we have that central point of contact so that we can understand the integration and the interdependence of all of those things and understand how they're working in coordination. Is that fair?

**Ms. Sophie Richardson:** I think you just wrote the job description.

Beijing's approach is not a whole-of-government approach, implying that it's merely a domestic matter. It's a whole-of-globe approach.

**Ms. Leona Alleslev:** That's fair.

**Ms. Sophie Richardson:** I think one of the most urgent needs for rights-respecting governments in the coming few years is to map out for the coming decade, at least, which is hard for democracies to do, how to present a counterweight to these threats, rather than individual, piecemeal, this government doing this, that one doing that. Sometimes things happen—

• (1400)

**Ms. Leona Alleslev:** Could I say that it's not only legislation but also enforcement, policy and procedures, and civilian and corporate attitudes and behaviours?

**Ms. Sophie Richardson:** It's all of the above.

I have not yet written something on this. You're prompting me to commit to doing that and sharing it with you.

**Ms. Leona Alleslev:** Please do, and I would ask, of course, for you to table it back to the committee.

I sincerely thank you for all the research and homework that you've already done.

**Ms. Sophie Richardson:** You're welcome.

**The Chair:** That's a very good way for us to conclude.

I know that all colleagues would echo that and thank all of the witnesses. We are very grateful to you for appearing today.

Our next meeting will be at the same time on Thursday.

Thank you all, colleagues. This meeting is now adjourned.

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