



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

43rd PARLIAMENT, 1st SESSION

Special Committee on Canada- China Relations

EVIDENCE

NUMBER 012

Monday, August 17, 2020

Chair: The Honourable Geoff Regan



Special Committee on Canada-China Relations

Monday, August 17, 2020

• (1035)

[*English*]

The Chair (Hon. Geoff Regan (Halifax West, Lib.)): Welcome to meeting number 12 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 of Canada-China relations.

Today's meeting is taking place via video conference.

[*Translation*]

Here are a few rules to follow to ensure that the meeting runs smoothly.

Interpretation in this video conference will work very much like any regular committee meeting. You have the choice, at the bottom of your screen, 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 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 mic.

If members wish to raise a point of order, they must activate their mic and indicate that they wish to make a point of order. If members wish to speak on a point of order raised by another member, they must use the Raise Hand function to let the Chair know that they wish to speak. To do so, click on Participants at the bottom of the screen. When the list appears next to your name, you will see an option to raise your hand.

Make sure you speak slowly and clearly. When you are not speaking, your mic should be on mute. The use of headsets is strongly encouraged.

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

Now, colleagues, we're on to committee business. We have two notices of motion, as well as a motion. We have two from Mr. Genuis and then one from Mr. Harris.

Mr. Genuis, which would you like to do first?

[*English*]

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): I'll proceed into debate on the Tibet motion, because it's not so much a notice of motion. We've already debated it and debate has been adjourned, so now we're coming back to it.

The Chair: Okay. I'll read the motion for the benefit of members and then I'll go to you for debate. I'll keep a list of who else wishes to speak.

The motion was moved by Garnett Genuis during the meeting of Thursday, August 6. Debate was adjourned on this motion and now it's coming back, of course. The motion says:

That this committee call for dialogue between the Tibetan Central Administration and the government of the People's Republic of China with a view to enabling Tibet to exercise genuine autonomy within the framework of the Chinese constitution, and report this motion to the House.

Mr. Genuis.

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

I'll be as brief as possible at the outset. We may be able to proceed on this one quickly.

The rationale for proposing this motion was that it was a specific ask from the witness testimony, and by extension, from the community, and that we as a committee taking this position clearly does make a difference and does propel the dialogue forward. We have an opportunity not only to talk about issues of human rights but to take constructive action that many people feel will drive results in terms of the dialogue moving towards that accommodation and that genuine autonomy. I hope we can take this position and contribute constructively to that outcome.

I'll leave it there. Thank you, Mr. Chair.

The Chair: Thank you very much, Mr. Genuis.

Not seeing any hands up—

Ms. Leona Alleslev (Aurora—Oak Ridges—Richmond Hill, CPC): My hand is up, Mr. Chair.

The Chair: I'm sorry, Ms. Alleslev. We'll go over to you and then to Mr. Harris.

Ms. Leona Alleslev: If I could, I would like to introduce a minor amendment to this motion that, after the word “between”, we insert “representatives of the Tibetan people (His Holiness the Dalai Lama or his representatives and/or the Central Tibetan Administration) and the government of the People's Republic of China”.

• (1040)

The Chair: The clerk may need you to repeat that.

Ms. Leona Alleslev: I'll read it from the beginning. The amended motion would read:

That this committee call for dialogue between representatives of the Tibetan people (His Holiness the Dalai Lama or his representatives and/or the Central Tibetan Administration) and the government of the People's Republic of China with a view to enabling Tibet to exercise genuine autonomy within the framework of the Chinese constitution, and report this motion to the House.

Essentially all we're doing is clarifying that it's not just the Central Tibetan Administration, and that we would want dialogue with representatives of the Tibetan people, which could be His Holiness the Dalai Lama, his representatives or the Central Tibetan Administration. We just wanted to broaden it a bit in terms of who we were saying we would want to have representation and dialogue from with the Government of the People's Republic of China.

The Chair: Thank you.

Ms. Alleslev, did you indicate where the bracket closes? I presume it's after "his representatives". Is that correct?

Ms. Leona Alleslev: No, it would be after "the Central Tibetan Administration". The brackets are around "His Holiness the Dalai Lama or his representatives and/or the Central Tibetan Administration", essentially offering permutations and combinations of three elements—His Holiness the Dalai Lama, his representatives or the Central Tibetan Administration—who would be representing the Tibetan people.

The Chair: The wording that I have for Mr. Genuis' motion was "the Tibetan Central Administration". I presume that's okay. You changed the order but I presume the original order is all right.

Ms. Leona Alleslev: I apologize but I don't know the answer to that. I think Central Tibetan Administration or Tibetan Central Administration....

Garnett?

Mr. Garnett Genuis: It's the Central Tibetan Administration because it's a name.

Ms. Leona Alleslev: The Central Tibetan Administration is correct.

The Chair: That's helpful. Thank you very much.

Before I go to Mr. Harris, I have to ask for debate on the motion to amend the motion.

On that I see Mr. Harris's hand up.

Mr. Jack Harris (St. John's East, NDP): This was something unexpected. I think we're being overly prescriptive here. The idea was that we were endorsing the notion of re-engagement of the Sino-Tibetan dialogue in general terms. Wouldn't it be better here to not get too detailed and in fact just talk about representatives of the Tibetan people and the government of the People's Republic of China?

I would prefer that, because we're getting a bit specific. We're kind of unprepared for this detail, given the fact that we've had only one witness and the debate we had the other day was partly about this issue and the fact that we're happy to endorse the dialogue between the Tibetan people and the People's Republic. By getting

very specific, I think we may be going beyond what we have evidence for. I'm inclined to keep it general and not go into this kind of detail.

The Chair: Mr. Virani and then Mr. Oliphant, go ahead, please.

Mr. Arif Virani (Parkdale—High Park, Lib.): Thank you, Chair.

We're speaking simply to Ms. Alleslev's suggested amendment and not on the main terms of Mr. Genuis's motion. Is that correct?

The Chair: Yes.

Mr. Arif Virani: On Ms. Alleslev's amendment, happily I'd say that I had noted something very similar to the fact that it would be useful to expand the terms of the original text proposed by Mr. Genuis to include something along the lines of "and/or envoys of His Holiness the Dalai Lama". "Envoys" is usually used as a term of art but the term "representatives" works just fine.

I do think it's important that we expand it out. I am in agreement with what Ms. Alleslev has suggested in terms of her recommended changes. The reason, for the benefit of Mr. Harris and others, that I think it is important to zoom out a little bit here—pardon the pun, since we're on Zoom—and to broaden it is that historically this dialogue actually occurred with envoys of His Holiness the Dalai Lama between 2002 and 2005. It came to an abrupt end once the Central Tibetan Administration became a known entity with political power. If we restrict it to just dialogue between the CTA and the People's Republic of China, it might be very simple for that overture to be rejected. If we broaden it, that would allow for more options and permutations, which would be beneficial for the overall objective, which is that this dialogue needs to restart.

I would be in favour of having a broader approach, including the language that Ms. Alleslev mentioned.

Thank you.

• (1045)

The Chair: Thank you, Mr. Virani.

Mr. Oliphant.

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

I'll echo that.

To Jack's specific point, I actually think this makes it less specific and makes it a bit broader. It opens up more options and is a little less prescriptive, so it gives a broader range of dialogue partners. It honours the fact that we want that dialogue to happen and we don't want it to be limited by our prescribing which partner it should be.

I am in favour of the amendment.

[Translation]

The Chair: Thank you very much.

Mr. Bergeron, you have the floor.

Mr. Stéphane Bergeron (Montarville, BQ): Mr. Chair, first, I want to check with you to see if you are able to see raised hands, because as soon as you opened the meeting, I clicked on the Raise Hand button, but you do not seem to have seen it. If you do not see raised hands, I will continue waving, because that might be more effective.

Anyway, back to the meeting. I have a number of comments.

First, I would like to comment on the amendment. Deciding to deal with motions and possible reports on an ad-hoc basis, when we agreed from the outset to have only one report, is an indication of the trouble we are in right now. If we are to continue down this road and have reports on specific issues, I would like them to be considered interim reports, so that we can keep discussing the issue of Tibet, for instance, and not have everything finalized with the motions we are passing today.

We may have put the cart before the horse, as they say. Since the community expects us to echo what the president of the Tibetan administration is saying, we are in a situation where we are almost forced to pass this motion, and I am uneasy with us being in a situation like that today. The motion makes sense, but I would not want it to stop us from going deeper into the problematic issue of Tibet.

That is why I will at least support the motion of which Mr. Harris has given us notice and which suggests that we will continue to discuss and reflect on the Tibet situation. However, once again I would caution us against the temptation to come up at any moment with motions that put the committee in an uncomfortable position, keep us from getting to the bottom of things and, more importantly, keep us from making the connections we need to make between various issues.

Next, I would like to talk about Ms. Alleslev's proposal. I have heard Mr. Harris's arguments and those put forward by Liberal colleagues so far. My initial reaction was to say that having to improve a motion thrown at us on the fly in the middle of a committee meeting, rather than discussing it amongst ourselves, is an indication of the trouble we are in right now.

I would therefore ask you to avoid this type of manoeuvre in the future, as we can clearly see the trouble it puts us in.

• (1050)

The Chair: Thank you very much, Mr. Bergeron.

First of all, I must say I did not see you hit the Raise Hand button.

A few days ago, House of Commons technicians tried to fix the issue. I thought they had succeeded, but apparently they did not. So I am going to ask the clerk to make sure that I can act as co-host, so that I can see the raised hands. It is quite important when we are videoconferencing on Zoom. I have to take care of all of that, while managing allotted speaking times.

[English]

Mr. Harris.

Mr. Jack Harris: Thank you, Chair.

I listened to what Mr. Oliphant and Mr. Virani said, and I think that is correct.

Given the difficulties we're having—I want to echo what Mr. Bergeron just said—the exact wording is not clear because it's not before us.

I heard Mr. Virani use the words “and/or” to allow the greatest possibility, but I'm not sure that's what is in the motion itself. There are envoys, the CTA or the Dalai Lama. Is that the...? Any combination of those is part of the motion. Is the wording accurate for that? That's the question.

The Chair: If I'm understanding your question, Ms. Alleslev's motion to amend would insert after the word “between”, “representatives of the Tibetan people (His Holiness the Dalai Lama or his representatives and/or”. Then after “Central Tibetan Administration”, she would insert a closed bracket. That would be the change she's proposed.

Mr. Jack Harris: Right.

The Chair: I hope we can go to a vote, because our time is getting low here.

Madam Clerk, would you please proceed to a recorded vote?

(Amendment agreed to: yeas 11; nays 0)

Now, we're on to Mr. Genuis' second motion. I'll just read the English quickly since we are low on time. Mr. Genuis' moved that the committee prepare a report on the situation in Hong Kong—

The Clerk of the Committee (Ms. Christine Holke): I'm sorry, Mr. Chair. We need to vote on the motion as amended.

The Chair: I'm sorry. Thank you so much. Please proceed to Mr. Virani.

Mr. Jack Harris: We've had no debate on that motion as amended, either.

The Chair: No, we haven't.

I see that Mr. Virani and Mr. Harris wish to debate on the main motion.

Mr. Virani.

Mr. Arif Virani: Thank you very much, Mr. Chair. I'll keep it brief.

In terms of the Sino-Tibetan dialogue, just for the committee's benefit, this was something that was active and ongoing between 2002 and 2005. Four meetings took place, three in the People's Republic of China and one in Switzerland. It came to an abrupt end shortly thereafter. Since it came to an end, Canada has taken the public position that the dialogue should be resumed. I think resuming it is critical.

It's critical for the rights of Tibetans, who struggle for linguistic, cultural and religious freedom. It's also critical for clarifying misunderstandings about what the Tibetan cause is all about and for clarifying what the middle-way approach seeks to do, which is not a call for rebellion or separatism but a call for autonomy on those bases—religious, cultural and linguistic autonomy—within the construct and the confines of the Chinese constitution. It's simply seeking to fulfill the rights that are already guaranteed under that Chinese constitution. It has been aptly described and articulated by an academic named Michael Van Walt Van Praag, to whom I would commend people.

I've heard the appeals for the resumption of this dialogue from my constituents and from people around the country and from the diaspora literally around the planet. It's critical that we resume it. That is why I and my party will be supporting this motion.

I will say that I think the timing is a bit awkward, in terms of doing it right in the middle of the meeting when we do have other motions to consider, such as Mr. Harris's proper motion about hearing from others on the Tibetan cause, but I will speak to that when the time arrives. I will be casting my vote in favour of this motion, as amended, rightfully, by Ms. Alleslev, because broadening it out is a critical step forward.

Thank you. *Thuk-je-che*.

• (1055)

The Chair: I have Mr. Harris, Mr. Bergeron and Ms. Alleslev.

Mr. Jack Harris: Thank you, Chair.

I'll be brief because I did express my support for this motion the last time it was raised, with the concern that we hadn't heard from other witnesses on the question of Tibet and that we ought not to be setting a precedent of dealing with questions in a piecemeal way. Therefore, I have my own motion put forward, and I understand there's a consensus on that among committee members, but we'll see.

It's important that we continue with our full study, but this is an important issue for the Tibetan community and the Tibetan people, and I think the fact of the matter is that it's before our committee now, even though somewhat irregularly, and I think we should pass it and give it our full endorsement.

Thank you.

[*Translation*]

Mr. Stéphane Bergeron: Mr. Chair, I have nothing more to add to what I have already had the chance to say.

I will therefore be in favour of this motion as amended. However, I would once again caution us against the temptation to make motions unannounced when we agreed to have a full comprehensive report so that we can make connections between the various issues.

[*English*]

The Chair: I have Ms. Alleslev and then Mr. Oliphant.

Ms. Leona Alleslev: My apologies, Mr. Chair, but I didn't have my hand up this time.

The Chair: Okay. Thank you.

Mr. Oliphant.

Mr. Robert Oliphant: I am just going to say that, yes, I support the motion as amended. I think it's important. However, I am looking for a general nodding of heads and an agreement in a gentle person's way that this does not preclude us from continuing study on Tibet. We've heard from only one witness on Tibet. I don't think that's appropriate. I would much sooner, as Mr. Bergeron has said, wait until we've heard from other witnesses. I know Mr. Harris will be bringing something, but I just want to trust that we have an agreement within the committee that this doesn't mean we're done with Tibet and that we will continue. Otherwise, I couldn't vote for this motion.

We've been put in kind of an awkward situation, as Mr. Bergeron said, that we of course want to support this motion, but someone could, at a subcommittee, say, "We've done Tibet, so now let's just move on." I think we need to consider civil society, Canadians of Tibetan origin, officials and all of those things. For a full report on Canada-China, we need those.

I just need to see heads shaking for "yes". I'm getting it from Leona. When we're in a room, we can kind of read body language. I'm seeing it from Garnett. Are we okay with that?

The Chair: I think you have it.

Mr. Robert Oliphant: Okay.

The Chair: I still see hands up for Mr. Harris and Mr. Bergeron, but that may be from their previous...? Yes. Remember to take those hands down once you're done, if you don't mind. I thought they expired automatically, but apparently not.

I'll ask the clerk, then, to proceed to the recorded vote on the motion as amended.

(Motion as amended agreed to: yeas 11, nays 0)

We're now at the end of our half-hour.

Madam Clerk, can you assist me a bit here?

The Clerk: We have our three witnesses waiting in the waiting room, but they've been told that we are doing committee business and it might be a bit longer, so it's up to the committee to proceed in the way it wishes to proceed.

• (1100)

The Chair: Right.

Mr. Genuis, would you like to proceed with your motion?

Mr. Garnett Genuis: Yes, Mr. Chair, I would. Hopefully, if we take an extra 15 minutes, we will have time for my motion and for Mr. Harris's motion. I want to make sure he has the opportunity as well. Since I have the floor, I'll move quickly.

Notice of my motion has been given. It's with respect to having a report at the end of this Hong Kong study. Just to briefly motivate this, we are dealing with urgent, unfolding events. It's important that we report on them to the House of Commons when we're finished this study. We can't wait until the end of a macrodiscussion of Canada-China relations. The ground, in terms of what's happening in Hong Kong, may shift substantially between now and that future time.

Also, everybody knows we're in a minority Parliament. Mr. Blanchet is talking about putting forward a non-confidence motion. We could be in a situation where, at any time, we could go to an election. If that happens, we won't have time to take all of this and put it into a report. I think part of the necessity for an interim report on Hong Kong is the urgency of the situation. It is also the fact that a lot of that work might just end up being lost.

I hope as a procedural matter the committee members will agree that when we finish our hearings on Hong Kong, we will take what we've learned and do our job, namely, advise Parliament, advise the government, based on what we have heard. I think providing that feedback specifically about the situation in Hong Kong will be very important.

That's the rationale for this motion.

The Chair: Thank you.

I have Mr. Oliphant, Ms. Alleslev and Mr. Harris.

Mr. Oliphant.

Mr. Robert Oliphant: Mr. Chair, I am predisposed to support the motion. However, Mr. Genuis's argument actually makes me more nervous about supporting it. He said he wants to do this because the ground could "shift" by the time we actually get to our major report, which means we could have an irrelevant report. I would need a clarification from him on why he thinks it would be better to have a report now, which I had been totally willing to support until he raised that argument counter to having a report now, because I don't want to look like an irrelevant parliamentarian who is making a report for the sake of making a report. That's not why I got elected to Parliament. I got elected to make a difference on public policy issues. If the ground is shifting, why wouldn't we want to make sure that we are going to do it? I'm still predisposed to support the motion, but that argument worries me.

Second, this would really fall under a point of order, Mr. Chair, as opposed to a point of debate. On a point of order, I would like you to rule on how long we will be in this portion of the meeting before we come to an end in order to hear from the witnesses who have been invited. The clerk mentioned 15 minutes, but I didn't hear from you. I think it would be fair for committee members, for our own preparation, as well as for invited witnesses to know when we will end this debate. We might have reached a vote by then or not, but I think it would be fair for us to know that.

The Chair: I'm in the hands of the committee in that regard. Obviously, I'm anxious to get to the witnesses, but the committee members have the right to bring forward a motion and have it debated. That's where we are at the moment. I recognize the desire of some members to do that expeditiously.

By the way, I will let members know that I can see the hands now when they are raised.

Ms. Alleslev.

Ms. Leona Alleslev: Thank you very much, Mr. Chair.

I'd like to echo Mr. Garnett Genuis and perhaps provide some clarification based on my understanding of what he said.

We were thinking that the landscape here at home, as a result of the minority government, might change at any time. We on this committee don't want our work to be lost and not have the opportunity to put it forward for the government to consider, as they or all parties might, if by some chance we found ourselves in an election.

There's no question that committees are incredibly important. We know that this China committee is very important, which is why we brought it back and are doing this incredible study in such an intense and compressed time frame. We believe that what we are learning is of value, and that Canadian citizens want to understand what we have learned. Part of the responsibility we as parliamentarians have is to provide that information in a report that informs and advises not only the government but also the Canadian public.

I would hate for us to just do a study for the sake of a study and not be able to provide that very important feedback in terms of a report that can be used by government and the Canadian public at large on such an important topic. That is why I think there is a sense of urgency, and that is why I think there is substantive value in providing a timely and comprehensive report on this subject so that we don't miss all this great work that we've done over the last few weeks.

• (1105)

The Chair: Mr. Harris.

Mr. Jack Harris: Thank you, Chair.

I want to speak in support of this motion for none of the reasons that Ms. Alleslev just referred to. In fact, if that were the reason, I wouldn't support it. The government is the government until it isn't.

The reason I'm supporting this, contrary to our normal role of "wait until we get it all, and let's talk about the relationship between Canada and China", is that there is a sense of urgency to some of the measures that are being proposed, particularly those that would offer assistance to people who are now affected by these changes in the relationship with Hong Kong and between Hong Kong and Beijing. That's the reason for the urgency, in my view.

We should put what we have on the table so that the government can act, and we can try to influence the course of the government's activities while it is the government. That could be for longer than people think or it could be for shorter than people think, but that has nothing to do with my support for this motion. I think we should do it because it is important, but it is an exception to the overall thrust of having a report at the end, which we are all endeavouring to do. This is an exception as a result of the urgency of the matters before us.

The Chair: Thank you.

[*Translation*]

Before I give the floor to Mr. Bergeron, I want to let him know that, fortunately, I can now see raised hands.

Mr. Bergeron, you have the floor.

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

I totally agree with what Mr. Harris just said. Given what I said a few moments ago about Tibet, I should oppose this motion, which runs counter to the idea that we should have a single, holistic and comprehensive report on the entire situation. However, we have heard a lot of testimony leading us to make recommendations quickly to the Government of Canada, on immigration, for example, and we cannot wait until the end of our study. That's why I am in favour.

However, I reiterate that it is only an interim report, in my opinion. I hope that we will have the opportunity to make the necessary connections between the situation in Hong Kong and other situations, in Taiwan, for example, in the comprehensive report.

I will be supporting this motion for the reason I have just stated, and for that reason alone, because certain things can be done quickly to help activists who want to leave Hong Kong. That is the only reason I feel it is necessary to adopt an interim report on the situation in Hong Kong.

The Chair: Thank you very much, Mr. Bergeron.

[*English*]

Mr. Genuis, your hand is still up. Do you wish to speak again?

Mr. Garnett Genuis: I was going to speak, but I feel that I could make matters worse, and we already have a majority. I think it's probably in my own interest not to say anything further at this point.

The Chair: That can be a very wise approach at times.

Mr. Garnett Genuis: It's one I rarely take, but thank you.

The Chair: Mr. Oliphant and Mr. Harris, I see that your hands are up.

Mr. Robert Oliphant: I'm sorry. I forget to lower my hand, but I agree with Mr. Genuis on that point.

The Chair: Thank you.

Mr. Harris.

Mr. Jack Harris: I want to emphasize that I consider this an interim report as well, although it's not called that, and it should not preclude us from referencing the situation in Hong Kong in our overall report at the end. We should probably make sure that, in whatever report we do prepare, it's directed at basically the here-and-now situation.

• (1110)

The Chair: All right.

I don't see any additional hands. I see Mr. Oliphant's hand up, and Mr. Harris's, but I trust that those will be taken down.

Therefore, I'll call upon the clerk to proceed to the recorded vote, please.

The Clerk: Before I do that, I simply want to confirm that we can go until 2:15 this afternoon but no longer, because there is another committee in that room at three o'clock today.

The Chair: I think we'd better try to be on time.

Madam Clerk, please proceed.

(Motion agreed to [*See Minutes of Proceedings*])

The Chair: Mr. Harris, you have a motion, I believe.

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

I don't think this will take long. I would like to move the following:

That the committee invite officials from Global Affairs Canada to provide a briefing on the situation in Tibet and Canada's relationship at the earliest opportunity as part of its ongoing study on Canada's relationship with China.

I'll speak to it briefly, if you wish.

The Chair: Yes, please do. Then I have Mr. Albas.

Mr. Jack Harris: This has been discussed with the vice-chairs. I believe there will be support for this. It's part of my understanding, and part of my support for the earlier motion, that we would insist and ensure that we hear more about China, in particular from officials as to the history. We got some of it from Mr. Virani today, but I would like to hear the officials give us the story about the relationship and whatever other evidence. I think a good place to start would be with the officials and at the earliest opportunity that presents itself.

Thank you.

The Chair: Thank you.

We'll have Mr. Albas and then Mr. Bergeron.

Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC): I will be supporting Mr. Harris's motion, although I don't think we really even need to have a vote. Quite honestly, I think there will be a consensus and we can move right to witnesses.

On that point, if we are going to have a debate on the motion, if you find it's in order, I would simply say [*Technical difficulty—Editor*] change our mind from the motion that was passed earlier, but I always believe that more information is important. In this committee, we are often asked by the rest of our members of Parliament to know a lot about every issue and every facet.

I will be supporting this. More information is good, in my mind.

[*Translation*]

The Chair: Mr. Bergeron, you have the floor.

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

In light of what I had the chance to explain a few moments ago, I am obviously in favour of this motion. It actually will allow us to go deeper into the problematic issue of Tibet, so that we can include it in our comprehensive report.

The Chair: Thank you very much.

[English]

Mr. Albas, I don't think you're aware your hand is still up. You may want to take that down, please.

Go ahead, Mr. Virani.

Mr. Arif Virani: This is apropos to what Mr. Harris just mentioned and to what Mr. Oliphant said 10 minutes ago. I'm not trying to complicate matters, but we could have some language inserted that allows for the possibility of including other people, such as Human Rights Watch, Amnesty International and Michael van Walt, the academic I mentioned in the earlier part of the meeting. There are a number of people who have expertise in this area. We could have some wiggle room in the language of the current text, so that it's not just one briefing from GAC officials. The potential for further guests or witnesses to speak to it would be welcome.

I'm not picky as to what the wordsmithing looks like, but I would like to allow for that in the text of this motion.

• (1115)

The Chair: It sounds like you're asking Mr. Harris if he's agreeable to that.

Mr. Harris, do you wish to respond?

Mr. Jack Harris: I think this motion doesn't preclude any other witnesses from being called, but I don't know if we want to go into amending the motion at this point. I think this is something that would likely be referred to the subcommittee, and the subcommittee can give consideration to it. I prefer to do it just as is, but I'm not opposed to other witnesses being called.

The Chair: Thank you.

I see Mr. Oliphant.

Mr. Robert Oliphant: I will just add that the agreement we had earlier around other witnesses was what we would take to the subcommittee. We'll hear this, but we'll also look at this debate and be reminded that we were requested to look at Amnesty International or Human Rights Watch or academics or Canadian Tibetans. I think we're in agreement on that.

I'm noticing nodding or nodding off. It looks okay.

The Chair: Thank you very much.

Madam Clerk, please proceed to the recorded vote.

(Motion agreed to: yeas 11; nays 0)

Thank you very much, colleagues.

We need to take a very short pause to make sure we add all of the witnesses.

We'll take as few minutes as possible. If we're lucky, it will be less than five. See you shortly.

• (1115)

_____ (Pause) _____

• (1125)

The Chair: I call the committee 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. All comments should be addressed through the chair.

Interpretation in this video conference will work very much as it does in a regular committee meeting. You have the choice at the bottom of your screen 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 it aligns with the language you're speaking. You may want to allow for a short pause when switching languages. I remind you, witnesses, that if you require French interpretation, you should be selecting the English channel on the bottom of the screen, and vice versa if you need English interpretation.

When you're not speaking, your mike should be on mute, please. The use of headsets is strongly encouraged, as you've seen. I just would say that once we're into questioning by members, they will indicate, I hope, who they'd like to answer the question. When they call on you to answer a question, you don't have to wait for me to call on you. You can proceed, and at the end of the time they have, I will interrupt if I have to and go on to the next member.

I'd like to now welcome our first panel of witnesses. From Georgetown University, we have Evan S. Medeiros, Penner Family Chair in Asian Studies. From the New York University School of Law, we have Alvin Y.H. Cheung, non-resident affiliated scholar, U.S.-Asia Law Institute. From the University of Toronto, we have Lynette H. Ong, professor of political science and global affairs. Each witness will have up to 10 minutes to make an opening statement, followed by a round of questions from the members. We'll begin with Mr. Medeiros from Georgetown University.

Mr. Medeiros, go ahead, please, for 10 minutes.

Mr. Evan S. Medeiros (Penner Family Chair in Asian Studies, Georgetown University): Thank you very much, Mr. Chairman.

It is a distinct pleasure and privilege to be invited to appear before this parliamentary Special Committee on Canada-China Relations. I applaud your focus on Canada-China relations in general and today's topic of Hong Kong. [Technical difficulty—Editor] all of its manifestations, is perhaps the most consequential challenge in global affairs. For nations to respond effectively, all countries need to engage in the very kind of national conversation that your committee is promoting about how to respond to China's rise.

My comments today will reflect my perspective as both a scholar and a former senior U.S. policy-maker. I spent 25 years researching and writing about China as both an analyst at the RAND Corporation and of course as a professor at Georgetown University. For six years I served on the staff of the U.S. National Security Council under President Obama as director for China, and then as special assistant to President Obama and senior director for Asia.

In today's session, I would like to make three broad points about the tragedy that has become Hong Kong.

First, the international community should expect the situation in Hong Kong to get worse before it stabilizes. Beijing's actions in recent weeks are a leading indicator, not a lagging one, of Hong Kong's deteriorating political trajectory under Beijing's hand. On July 31 Carrie Lam announced that the September Legislative Council elections would be postponed for a year. On the same day, Hong Kong authorities issued arrest warrants for six activists based abroad, including a U.S. citizen, for "incitement to secession and collusion with foreign forces". On August 10, just last week, Jimmy Lai and several other media executives were arrested, as was Agnes Chow, former leader of the pro-democracy organization Demosisto.

These actions clearly signal that Beijing has no interest in preserving the basic political freedoms at the heart of the joint declaration, the Basic Law and ultimately the one country, two systems model, which collectively have been so important to Hong Kong's success today. The fact that Chinese internal security and intelligence services will now be able to openly operate in Hong Kong only increases the mainland's ability to use fear, intimidation and ultimately coercion to keep opposition voices silent.

Beijing's overall approach, in my assessment, is to use the national security law to separate politics from business in Hong Kong. It wants to preserve the latter while neutering the former. In short, Beijing wants Hong Kong to remain capitalist, especially the continued functioning of vibrant financial markets, but not liberal in its politics and, therefore, beholden to the Chinese Community Party for political governance.

Ultimately, this strategy will lead to, perhaps in a decade, the diminution of Hong Kong as the centre for finance in east Asia. As the risks and constraints of operating in Hong Kong grow, global financial firms and non-financial corporations will gradually reduce their footprint in Hong Kong as they move some of their operations into mainland China and their non-China operations to elsewhere in Asia. Thus, Hong Kong will gradually become a quirky, nostalgia-laden version of a southern Chinese city, consumed by the fact that its best days are in the rear-view mirror.

My second overall point is that the fate of Hong Kong will assume greater importance in global politics, largely by dint of its impact on U.S.-China relations. China's crackdown in Hong Kong will worsen the suspicion and mistrust at the heart of the U.S.-China relationship. More pointedly, it will fuel an incipient ideological competition between the United States and China. Hong Kong will become a focal point for and symbol of the U.S.-China competition over the value of liberal ideals.

Indeed, Beijing's crackdown on Hong Kong could not have come at a worse time, as the U.S. is and will remain in the process of re-assessing the nature of the China challenge and recalibrating its strategies and policies accordingly. China's treatment of Hong Kong has accentuated the differences in values between the United States and China. This has translated into a perception that China is actively trying to undermine liberal rules and norms globally, which in turn has produced a debate in the United States about whether China represents a systemic rival to the United States and other democracies.

• (1130)

My third and final point is that Canada, the United States and other major democracies need to stay engaged and active on the Hong Kong issue. Our countries' voices and actions matter now and going forward. While our leverage to change the situation on the ground is admittedly limited, there is much that can be done to shape the overall trajectory of Hong Kong, as well as to shape possible future actions by China.

These actions fall into several categories.

The first recommendation is that the United States and Canada should publicly and continually reassure the people of Hong Kong, as well as like-minded countries all over the world, that our governments will stand up for the protection of universal values. The Hong Kong situation will be a long-term challenge, and the international community, especially the United States and Canada, needs to be organized for the long game and not just focused on scoring points against Beijing's excesses right now. The two joint statements by the United States, Canada, the U.K. and Australia to date are important in this regard, as was the G7 foreign ministers' statement. Our countries should broaden this coalition to include others: notably Japan, South Korea and EU countries. The new international parliamentary commissions on China in the U.K., the EU and Japan offer another opportunity to send such signals.

The second recommendation is that the United States and Canada should take coordinated action to signal to China that there are costs for its crackdown. The logic of such actions is to give Beijing pause when it considers additional actions against Hong Kong. The recent decision by several countries to withdraw from or suspend their extradition treaties to Hong Kong was an important first step in this regard. One notable idea being considered is for a group of countries to follow the U.K. in opening their doors to Hong Kong residents who wish to emigrate, or related ideas to offer scholarships to young Hong Kong residents who wish to study in the U.S., Canada, the U.K., Australia and elsewhere.

The third recommendation is that the United States and Canada should work with the international business community to find creative ways to preserve the unique attributes and identity of Hong Kong to the extent possible. Beijing must avoid actions that substantially undercut the business environment in Hong Kong, especially related to global financial institutions. Thus, it may listen to the concerns of local and business leaders about restrictions such as Internet controls and law enforcement actions that undermine business confidence about operating in Hong Kong. The business community in Hong Kong may be helpful in pushing Beijing to retain some of Hong Kong's vibrancy.

My final point is that the U.S., Canada and other governments should work in coordination to take actions that disabuse Beijing of the belief that it could extend its coercion to Taiwan. I remain very concerned that Beijing could draw the wrong conclusions about the international community's response to Hong Kong, which, over time, could lead it to extend such an approach to Taiwan.

Thank you for the opportunity to present my views today. I'd be happy to answer any of your questions.

• (1135)

The Chair: Thank you very much.

Now, we'll go to Mr. Cheung from the New York University School of Law.

Mr. Cheung, you have up to 10 minutes.

Mr. Alvin Y.H. Cheung (Non-Resident Affiliated Scholar, US-Asia Law Institute, New York University School of Law): Mr. Chair, thank you for inviting me to give evidence today.

My academic work at NYU focuses on authoritarian abuses of law in Hong Kong and elsewhere. I'm also a Canadian citizen of Hong Kong origin, and I practised law in Hong Kong for several years.

You've already heard at length from other witnesses about developments in Hong Kong. I want to underscore the specific importance of these events to Canada. Although my remarks focus on the national security law, or NSL, I should emphasize that other developments, such as the growing politicization of the civil service and widespread impunity in the uniformed services, are also deeply troubling. I will gladly address these topics in questioning.

I will make three points today. First, events in Hong Kong are bad for Canadian businesses operating there; second, events in Hong Kong are bad for Canadian citizens, both inside and outside of Hong Kong; and third, events in Hong Kong directly implicate Canadian foreign policy priorities.

One of the main attractions of Hong Kong for Canadian businesses is the perception that it maintains the rule of law. This is ultimately about not being subject to arbitrary exercises of state power, and it is about being able to anticipate with reasonable certainty what you can or cannot do.

The NSL imposes a parallel legal system on Hong Kong, one with poorly defined offences, unaccountable secret police and harsh penalties. This system will displace the normal legal system whenever the authorities invoke "national security". Simply put, whether

normal law applies to you depends on the whim of the state. Even normal administrative institutions that businesses rely upon, such as the Companies Registry, have been politically captured. Since 2014, several opposition parties, including Joshua Wong's party, Demosisto, have been denied corporate registration, hampering their ability to rent offices or raise funds.

For at least three reasons, political apathy will not protect the business community. First, businesses in Hong Kong face tremendous political pressure to support the NSL publicly. Second, businesses will be forced to choose between complying with the NSL and complying with other regulatory regimes, including U.S. sanctions. Third, normal business matters may increasingly be characterized as implicating national security. For instance, any financial analyst whose conclusions could be interpreted as undermining public confidence in the Hong Kong or Beijing governments may be at risk of being prosecuted under the NSL.

Numerous chambers of commerce opposed the rendition bill in 2019 because they feared anyone present in or transiting through Hong Kong would be rendered to the mainland and subjected to its criminal law system. Having largely failed to bring people in Hong Kong within the reach of mainland criminal law, Beijing has brought mainland criminal law to them.

Events in Hong Kong also have grave consequences for Canadian citizens, whether or not they currently live in Hong Kong. There are over 300,000 Canadians in Hong Kong, and all of them must now live in fear of the possible consequences of violating the NSL, which includes being rendered to mainland China, prosecuted in mainland courts and sentenced to life imprisonment.

Even a brief reading of the NSL will reveal that it defines its offences in extremely broad terms. In the circumstances, there can be no meaningful certainty as to what will or will not be treated as an NSL violation. When the Chinese authorities assert, as they have done repeatedly, that the NSL will only be used against a small number of people, they are implicitly admitting that they have extremely broad enforcement discretion, yet they have said very little about how that discretion will be exercised or regulated. This is antithetical to the rule of law.

The chilling effects of the NSL also extend to Canadian citizens within Canada. As has already been noted by other witnesses, the NSL encompasses acts done outside Hong Kong by people who are not permanent residents of Hong Kong. Consequently, any Canadian who might have to travel to Hong Kong, transit through Hong Kong or take a flight operated by a Hong Kong-based airline now faces considerable pressure to self-censor. Canadian citizens like me should be able to participate in the Canadian political process without fearing reprisals if they travel to or through Hong Kong.

Canadian citizens of Hong Kong descent are at particular risk. Many of them, particularly those living in Hong Kong, are also deemed to be PRC nationals under PRC law. As the PRC does not recognize dual citizenship, these individuals are at risk of being denied consular access in the event that they are detained in Hong Kong.

• (1140)

Evidence also suggests that the PRC has coerced individuals into renouncing foreign citizenship or claims to consular assistance. On June 30 of this year, a PRC court sentenced Sun Qian, a Canadian citizen, to eight years in prison for being a Falun Gong practitioner. She purported to renounce Canadian citizenship in the process, likely due to coercion by Chinese authorities. Similarly, Hong Kong-based booksellers Gui Minhai and Lee Bo, citizens of Sweden and the U.K. respectively, have also purported to renounce foreign citizenship in circumstances suggesting duress.

Canadian citizens with ties to Hong Kong must now consider whether what they say in Canada will be used against them in the event they so much as set foot on a Hong Kong-registered airliner. In addition, protests in Canada expressing support for Hong Kong have been met with counterprotests and provocateurs, and their participants subjected to harassment and intimidation. PRC consular officials in this country have publicly praised such acts of retaliation.

Events in Hong Kong also have implications for Canadian foreign policy.

First, the NSL will inhibit the Canadian government's ability to obtain accurate information about developments in Hong Kong and China. Any Canadian citizen based in Hong Kong may face prosecution for doing what I am doing today.

Second, China's conduct in Hong Kong reflects poorly on its willingness to abide by other international commitments. Since 2014 mainland and Hong Kong officials have publicly and repeatedly declared the Sino-British Joint Declaration to be a dead letter, even though it remains in force until 2047. The failure of the international community, Canada included, to condemn these repudiations has contributed to the climate of impunity under which the PRC now operates in Hong Kong. Against that background, one might reasonably wonder whether the PRC will abide by its other bilateral and multilateral commitments.

Third and most significantly, the ongoing events in Hong Kong are an acid test for Canada's willingness to uphold its commitments.

For the reasons I have set out, the situation in Hong Kong threatens the personal safety of Canadian citizens in Hong Kong and in Canada. It also imperils Canadian businesses in Hong Kong. This country has an obligation to protect them. Perhaps more importantly, how Canada reacts to developments in Hong Kong will speak volumes as to who we are and what values we share. Our government has publicly committed to revitalising the rules-based international order in conjunction with regional, bilateral and multilateral partners. I hope whatever steps the special committee recommends, and whatever steps the government ultimately chooses to take, will

live up to these stated commitments to multilateralism and the rule of law.

I will now be happy to take questions and to deliver supplemental written answers, if need be.

• (1145)

The Chair: Thank you very much, Mr. Cheung.

We'll now go to Professor Ong from the University of Toronto.

You have 10 minutes.

Ms. Lynette H. Ong (Professor of Political Science and Global Affairs, University of Toronto): Thank you, Mr. Chairman. I am grateful for this opportunity to appear before the committee.

Let me begin with a statement of positionality. My perspectives on the situation in Hong Kong have been shaped by my work in and on China, first as a consultant and later as an academic, since the late 1990s. I've been based at the University of Toronto for the last 14 years, the first and only academic position I've ever held.

The national security law has potential widespread consequences. As a China scholar, I think about delivery of content over online platforms and preservation of the rigour and integrity of the courses I teach. I think about the safety of my students participating online, either in Toronto or from their home countries. I think about the feasibility of sustaining my own research agenda. I also think about my Hong Kong-based colleagues who are at the forefront of the battle against the erosion of academic freedom.

The law's potential impact on the wider academic community that engages with Hong Kong and China is profound, but we should also be mindful that this is not the first time the mettle of the Chinese scholarly community has been tested—the last time was in 1989—yet we endure, we adapt and eventually we continue to thrive.

When the law was first proposed, my initial assessment was that it would merely legalize the underground repression that Beijing has applied on Hong Kong for over a decade. My own research suggests that covert repression through proxy or those taken out of the public eye has been ongoing in Hong Kong for some time, such as the kidnapping of banned booksellers and the Yuen Long attack in July 2019.

However, recent events unambiguously suggest that the law has actually emboldened and legalized further crackdown on freedom of speech and civil liberties. Furthermore, because of the law's deliberately vague wording, it has produced a chilling effect on Hong Kong society and beyond. It is a clear violation of the one country, two systems principle in the Basic Law.

However, moving forward, the situation in Hong Kong may go in one of these two directions. One, I think Beijing may intensify its crackdown, further eroding Hong Kong's autonomy and the space for civil society to operate. Two, the repression may taper off after the initial round of harsh crackdowns. One could argue that, because the law is so new, its first set of applications was deliberately harsh in order to set a precedent for, as well as to produce a demonstrative effect on, any would-be violators.

In my view, which of these two ways the situation will evolve in depends on the value of Hong Kong to the Chinese Communist Party elites. Despite the rising competitiveness of Chinese cities such as Shanghai and Shenzhen, the Hong Kong stock exchange remains the most favourable venue for Chinese companies to raise capital.

Furthermore, a recent New York Times investigative report suggests that families of the party elites own more than \$50 million U.S. of luxury homes in Hong Kong. I think this is an indication of the political as well as personal vested interests of Beijing's top elites in the continued prosperity of Hong Kong. These elites, in turn, form the core support base of President Xi's leadership. Losing this critical support will render the leadership vulnerable.

In many respects, Hong Kong and the national security law are a double-edged sword for the CCP leadership. On the one hand, they want to introduce the law to stop violent protests from wreaking havoc on the economy, which will hurt their interests. On the other hand, the law will invite sanctions, which it has from the U.S., that will erode Hong Kong's attractiveness as an international capital centre and a regional business hub.

So far, I think the evidence on Hong Kong's economic competitiveness has been rather mixed. In the past six months, Chinese companies have raised more capital in the Hong Kong stock exchange and deepened its investment in the territory. However, revoking Hong Kong's special trade status has actually raised the tariff levels to which goods coming into and going out of Hong Kong are subjected, to the same levels as those from mainland China. A recent poll by the American chamber of commerce suggests that four out of 10 companies are planning to move their regional headquarters away from Hong Kong.

● (1150)

This brings me to my next point, which is what actions Canada should or should not take.

As an overall, Canada should send a very clear message that we condemn the repression in Hong Kong and that we stand by the people of Hong Kong. However, in my view, whatever punitive measures we come up with need to pay careful consideration to the dual nature of Hong Kong to the CCP leadership.

Hong Kong is the goose that lays the golden eggs, as well as a rebellious child who needs to be disciplined. This is from the CCP leadership's perspective. If we impose measures that further erode the function of the goose, Hong Kong's value will diminish to that of a rebellious entity, which we have seen examples of, and the consequences of that are obvious. To put it plainly, if we kill the goose, we may end up hurting Hong Kong's quest for freedom and autonomy more than helping it.

My second recommendation is that I support Canada opening its doors to welcome immigration and talent from Hong Kong.

My third recommendation is that I would also recommend the Canadian government, as well as the university sector, offer scholarships for students from Hong Kong.

In the short run, I think we should be under no illusion that freedom of expression will return to Hong Kong or that the people of

Hong Kong will be given universal suffrage as promised by the Basic Law. Upon the signing of the Sino-British Joint Declaration in 1984, many western observers had hoped that Hong Kong offered a beacon of hope that democracy would one day arrive in China through Hong Kong. This has proved to be a pipe dream so far.

We should also be under no illusion that maintaining trade with China—and trade alone—will push the country to become more open, as many had hoped when they supported China's entry to the WTO in 2001. Nor should we fool ourselves that if we afford China the respect a country its size deserves, that respect will be reciprocated. The fate of Mr. Kovrig and Mr. Spavor, who have been detained by China for more than 600 days, suggests it is not a country that plays by the rules. The collateral damage of the pandemic, which no country has managed to escape so far, further illustrates the externalities of China's authoritarian political system.

I believe that we cannot properly tackle the situation in Hong Kong without addressing how we should cope with the rise of China. I think these two problems are deeply intertwined, so I am pessimistic in the short run. However, in the medium to long run, I believe the resilience of Hong Kong as a city and its people, shaped by a fiercely entrepreneurial, creative and industrious migrant culture, will prevail. I remain hopeful that a vibrant and free Hong Kong will eventually return.

Thank you for the opportunity to share my perspectives.

The Chair: Thank you very much

I want to thank each of the witnesses for keeping it under 10 minutes, which will allow us more time for questions. Before we start questions, I just want to alert members that we probably won't have time for the full two rounds in either this or the second panel, because I'm going to try to balance the two and get us at least close to our time.

We'll begin with Mr. Genuis in the first round for six minutes.

Mr. Genuis, please go ahead.

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

Thank you to the witnesses.

The Chinese government often tries to use a bogus cultural argument to justify its repression, and for that reason, their efforts to snuff out freedom in Hong Kong are part of a strategy to try to take away freedoms enjoyed by Chinese areas. Of course Taiwan is a similar counter-example. Taiwan shows how Chinese culture is very much compatible with freedom and democracy. I was very struck by the sense that this is one step into Hong Kong and the next step will be Taiwan. We saw a similar pattern of action with, let's say, Nazi Germany going into Czechoslovakia and then to Poland.

Mr. Medeiros, you spoke about Taiwan. How do we arrest this process? How do we respond to the situation in Hong Kong in a way that deters this next step into what likely is the next aggressive action plan by the Xi Jinping regime?

Mr. Evan S. Medeiros: Thank you very much. It's an excellent question, and I share your concern about what conclusions Beijing might draw.

I think it's important to keep in mind that this is not the prelude to World War II, as there are important historic differences in the situation.

I raised the Taiwan question because I was concerned that if there is insufficient solidarity in the west about the situation in Hong Kong, then if the situation over Taiwan deteriorates in the future, Beijing could come to the conclusion that the costs were worth bearing, that they really weren't that high, and that America, Canada, the U.K. and Australia would eventually get over it.

However, Taiwan is a very different situation, largely because it's physically separated from the mainland and because it would probably take some kind of major military action to bring about the type of situation in Taiwan that China has with Hong Kong. Most basically, it has sovereignty, and the international community recognizes it has sovereignty.

In terms of deterring actions on Taiwan, it fundamentally comes down to a military security type of issue, which is a large feature of U.S. defence policy.

• (1155)

Mr. Garnett Genuis: If I could just follow up, I understand there are always differences when you try to make analogies to historic events.

Is the western response to Russia's invasion of Ukraine perhaps a better analogy? Perhaps Putin had larger designs, but inflicting significant economic and other consequences on Russia because of that invasion didn't stop the annexation of Crimea, however, it slowed down what might have been intended as a larger advance.

Do you think that lesson is applicable, in the sense that a strong, coordinated, international response—and Canada played a leadership role in response to Russia's invasion of Ukraine—maybe doesn't stop the current aggression, but it's more likely to deter future aggression by showing that aggression has high costs?

Mr. Evan S. Medeiros: Basically, I agree.

Fundamentally, it comes down to the best diplomatic, economic and military mechanisms that will give Beijing pause about taking future actions.

Mr. Garnett Genuis: Okay.

Mr. Evan S. Medeiros: Something that I've written about was my concern that the moderate international response to the Russian invasion of Georgia didn't cause the invasion of Ukraine, but it definitely created an enabling environment. It was one of the contributing factors.

Mr. Garnett Genuis: Yes.

Mr. Evan S. Medeiros: I think we need to be mindful of that with Hong Kong, but as I and others have stressed, you don't want to shoot the hostage. Killing Hong Kong right now in your effort to deter some notional Chinese response to Taiwan in the future doesn't support either our values or our interests.

Mr. Garnett Genuis: Thank you so much. I think the point on Georgia is very interesting.

I want to ask you one more question about multilateral response.

Everybody on this committee believes and every party believes that we want to have a multilateral response. My concern is that sometimes people use the need for multilateralism as an excuse to say we shouldn't act first or we need a multilateral response, so let's sit around and wait for something multilateral to happen. What I heard you say is that responding in a multilateral way means that we start with the coalitions we have and seek to expand them, so we'd be prepared to taken action right now in concert with the United States. We seek to enlarge those coalitions, but we don't wait for some mythical complete coalition to emerge.

What are your thoughts on that?

Mr. Evan S. Medeiros: Generally, I agree.

The fact that the U.S., the U.K., Canada and Australia have already started to act is a good thing. I think adding South Korea, Japan and others is smart. I don't think it's a question of inaction; it's a question of how you go bigger and broader in terms of participation.

The Chair: Thank you.

Mr. Fragiskatos, you have six minutes.

Mr. Peter Fragiskatos (London North Centre, Lib.): Thank you, Mr. Chair, and thank you to the witnesses.

I want to begin with Professor Medeiros. Professor, I only have six minutes, as you know.

Can you spend a couple of minutes on the following? It's a question not directly relating to Hong Kong, but it's important because I think Canada's foreign policy choices, even with respect to Hong Kong, will be shaped by the evolution of the U.S.-China relationship.

Recently you gave an interview to NPR in which you said the following about U.S.-China relations: “[The two countries have] gone through some very difficult times in 1989 after the Tiananmen massacre, but it looks like we're increasingly on a trajectory to a long-term strategic competition.”

Where do you see the U.S.-China relationship going? As I said, I think it shapes Canada's foreign policy choices indirectly, even with respect to Hong Kong.

• (1200)

Mr. Evan S. Medeiros: Thanks. It's a great question.

I spent my entire professional career studying the U.S.-China relationship, and then, when I was at the National Security Council, I was fortunate enough to basically be at the control panel. My considered judgment today is that the relationship is on a trajectory toward not only strategic competition but perhaps strategic confrontation if the Trump administration continues in the different direction. I worked for President Obama, so I have a lot of differences with the current trajectory, but you have to understand that there are structural problems at the heart of the U.S.-China relationship. We have differences over security issues like Taiwan, and U.S. forces in east Asia. We have differences over economic issues. We have differences over technology and increasingly on questions of ideology. Those are hard-wired differences in the relationship that have to do with interests and identity.

What I see is that we're in a period of greater divergence than convergence in our long-term interests. Combine those structural differences with the fact that we have lots of issues to argue about, such as Hong Kong right now, growing Chinese coercion over Taiwan, the South China Sea, and then, of course, technology policy, which seems to be in the news every day. As a Democrat who worked for President Obama, I am deeply concerned about the trajectory of the relationship.

Mr. Peter Fragiskatos: Thank you very much.

I have another question for you, and then I'll turn the same question over to Professor Ong, if I may.

We do hear about the need for multilateral approaches to be taken here. I think that's quite warranted. It's one thing to say that, though; I think the more important questions are these: What should a coalition of like-minded countries actually focus on? What areas, what specific actions, are most likely to have an impact on the Chinese regime's actions? What are they most likely to listen to? What particular tools can this coalition look to put in place?

Mr. Evan S. Medeiros: My view is that it needs to be issue-specific. You can't make an omnibus statement. That's generally not how international diplomacy works. On the Hong Kong issue, the question is this: What do you want to accomplish? Which countries' interests converge enough to put a coalition together? I mentioned the four earlier. Then, what can those four countries agree on in terms of practical steps, whether it's naming and shaming, actual sanctions, or opportunities like immigration and scholarships?

The way I see it, it's very issue-specific. It's all about what steps you can take to accomplish common goals. I think we're already seeing this on Hong Kong because of the agreement to withdraw from extradition treaties and to cut down on law enforcement cooperation. In the United States, at least, there are debates about taking steps similar to those of the U.K. on immigration. Perhaps Canada is interested in doing the same.

Mr. Peter Fragiskatos: Thank you very much.

Professor Ong, I did say that I wanted to ask you that question, but Professor Medeiros put his finger on something that he'd mentioned in his introduction, so I want to take it in a different direction, if I could.

We heard today at this committee, and we've heard in previous meetings, about the need for Canada to look to policies that would have our country continue to provide refuge to individuals fleeing persecution, in this case, Hong Kong. What are your thoughts on that approach? Perhaps you can expand on that, looking specifically at Hong Kong and the issues that a number of political activists continue to face there. Is this an effective way for Canada to exert some impact on the Hong Kong issue and to help Hong Kongers who are facing great difficulty?

Ms. Lynette H. Ong: Thank you for the question. It's an important one.

In my view, the battle of Hong Kong is not a short-term game. We need to have a long-term trajectory. We need to be patient with it. Canada is a country that protects and preserves the liberal order. I think we should be helping to sustain the movement and the battle against a very huge authoritarian regime. Opening our door to ac-

tivists, to people who have suffered and fought in the battle, and to talent from Hong Kong I think will go a long way toward helping in this fight in the medium to long run.

This is what we should be thinking about.

• (1205)

Mr. Peter Fragiskatos: Thank you.

The Chair: Thank you very much, Mr. Fragiskatos.

[*Translation*]

We now go to Mr. Bergeron for six minutes.

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

I thank the witnesses for contributing to the committee's work with their most insightful comments.

I will follow up on my colleagues' questions about the international coalition.

Mr. Medeiros, you are wholeheartedly calling for a kind of solidarity among the Western democracies to influence decisions in Beijing, particularly between the United States, Canada and a number of other Western democracies.

However, under the Trump administration, we see the United States blowing hot and cold with China, sometimes showing its teeth and at other times clearing the air. John Bolton, former national security advisor to the Trump administration, even revealed recently that Donald Trump had asked the Chinese authorities to help him win the election by purchasing products in certain states that are key to the election.

Under the circumstances, is it even possible to form a coalition like that with the United States? For example, how are the Taiwanese to feel, because they may well be a bargaining chip, so to speak, in the U.S. authorities' political calculations?

[*English*]

Mr. Evan S. Medeiros: Thank you very much. It's an excellent question, Mr. Bergeron. I'll take it in two parts.

First, regarding U.S. policy, my view is that international coalitions are much more credible when a member of the coalition, such as the United States, acts consistently. One of my concerns about the Trump administration's foreign policy is on this question of values and democracy promotion. They've been deeply inconsistent, which undermines American credibility and ultimately reduces the ability to forge coalitions in situations like Hong Kong and then to be credible in the eyes of Beijing.

I hope that in the future, perhaps after the election and regardless of its results, America re-embraces democracy promotion, because it's only through America being credible that we can build these more consistently reliable coalitions on these kinds of issues.

Regarding your question on Taiwan, the simple fact is Taiwan cannot and should not be a bargaining chip. It's not a very effective bargaining chip, and I think ultimately we would be betraying our commitments to our values and to the 24 million people who reside on Taiwan. Ultimately, if we started treating Taiwan as a bargaining chip in the Canada-China or the U.S.-China relationship, all we really would be doing is handing a substantial amount of leverage to Beijing and letting them know that we're indifferent about the future of Taiwan, which in my view is certainly not in American interests.

I think a question for you and other members of this special committee is how you want to deal with the question of Taiwan, because I think Taiwan too often is treated and seen as a pawn in the U.S.-China relationship, when in fact Taiwan should be treated in and of itself.

Of course, America has a very special relationship with Taiwan. I understand that, and that's not necessarily applicable to your situation, but I think there are things that you can do, and perhaps should do, on the question of Taiwan, that are independent of the Canada-China relationship. That would then bolster your credibility in your dealings with the Chinese.

● (1210)

[Translation]

Mr. Stéphane Bergeron: Thank you, Mr. Medeiros.

On the issue of sanctions, you co-wrote an article with Michael Green in which you say that sanctions are more likely to harm the Hong Kong economy than the Beijing economy. I would like to seize on that idea of yours to ask Ms. Ong this next question.

You mentioned that Xi Jinping's power is on somewhat shaky ground right now. Could international sanctions reassert Xi Jinping's authority over the Chinese or, on the contrary, undermine his credibility with his own people?

[English]

Ms. Lynette H. Ong: Thank you for that question. It is an important one.

I think that sanctions could have implications that go both ways. I would imagine that sanctions may be spun by the regime to shore up nationalism. They could be spun and framed as foreign sanctions versus China, and that will in turn help to bolster the regime. I think that sanctions that hurt Hong Kong and that in turn hurt the Beijing leadership might actually not help us to achieve our objective at all.

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

[Translation]

Thank you very much, Mr. Bergeron.

[English]

Now we have Mr. Harris for six minutes.

Mr. Jack Harris: Thank you, Chair, and thank you to our witnesses for their presentations.

Dr. Medeiros, I'm interested in your comments on this matter.

You talked about American foreign policy, and I have before me an article from over the weekend talking about Secretary of State Pompeo's speech in the Czech Republic last week. In his remarks, in the same speech, he said, "What's happening now isn't Cold War 2.0." He talked about the challenge of resisting the CCP threat as being in some ways much more difficult; saying that the CCP is "enmeshed in our economies, in our politics, in our societies in ways the Soviet Union never was", and made other references. All the references, apparently, to China were not to the People's Republic of China or to the government but to the Communist Party.

The language in his speech about it not being a cold war seems to me rather ideological in nature and not diplomatic in terms of a strategic action by a state vis-à-vis another state. Is that language helpful, or are we really talking about an ideological battle with the Communist Party, as opposed to dealing with authoritarianism or anti-democratic activity, etc.? Could you comment on that, please?

Mr. Evan S. Medeiros: Sure, Mr. Harris.

The way I think about the U.S.-China relationship is that there are four principal areas of strategic competition: security, economics, technology and, increasingly, ideology.

The ideology dimension has come to the fore in recent years because of actions such as the promulgation of the national security law in Hong Kong, and also because of the way in which the Chinese have been promoting their view of political and economic governance abroad, which has raised the question and produced the debate in the United States about whether there is a systemic competition of ideas between America and China, somewhat like what happened with the U.S. and the Soviet Union.

I myself have not come to the conclusion that it is existential for the United States that China represents the kind of threat that the Soviet Union did, but I believe the Trump administration has come to that conclusion. They believe that China is trying to tear down the democratic world and replace it with the China model, if in fact there is a China model.

I think we need to be aware of the differences in values. We shouldn't be pulling punches, because there are big differences and China engages in behaviour that promotes its values, but do we really want to make it a cold war? There are some huge differences between the previous Cold War and the emerging U.S.-China strategic competition. I think what's important is to put boundaries around the ideological dimension of the U.S.-China relationship in order to put it in the context of the other areas of strategic competition.

● (1215)

Mr. Jack Harris: I was concerned, Chair, about whether such characterizations and cold war references are actually helpful in building coalitions.

Professor Ong, you referred to the Chinese Communist Party in terms of the strategic interests of its leadership and the elite and how that would affect the kinds of actions that are being taken, which I see as a different thing.

You have said in the past, in talking about working together with other countries, that the United States and Canada have different interests, or that they do not always have the same interests, and that we need to chart an independent course of foreign policy with China. We have shared interests, but there are areas where policies should diverge, particularly given that Canada is a lesser power. I wonder if you could elaborate on that a little bit and perhaps describe some of those differences.

Ms. Lynette H. Ong: China's relationship with the U.S. is very different from the type of relationship it has with other western liberal nations. With regard to U.S. and China relations, I think they are strategic competitors. I don't think Canada and China are necessarily strategic competitors. The U.S. sees China's rise in technological dominance and in other sectors as that of a rising competitor, whereas for Canada I think in some areas there's more scope for collaboration. In other areas, though, we should also be very mindful of the authoritarian nature of this political system and what that might do to Canadian interests.

I think the strategic calculation of being a competitor or a collaborator, and in what sectors that sort of calculation should apply, is very different when it comes to the perspective of the United States and Canada. That is why I think under the Trump administration the rhetoric is really not helping in putting together a united front and a concerted effort and push against China. If there's a change in the presidency in November, I'm more hopeful of an effective coalition against China. A western coalition without the United States is actually doable, but it's not as effective.

Mr. Jack Harris: Thank you.

The Chair: We will begin the five-minute round with Ms. Alleslev, please.

Ms. Leona Alleslev: Thank you very much, Mr. Chair.

Thank you to all the witnesses. As each of you has pointed out, our ability to take appropriate action in terms of our own foreign policy and as members of the multinational community is entirely dependent on the accuracy of the information we have with which to understand the situation and chart a path forward.

Toward that end, Mr. Cheung, you made some very important points around the threats to Canadian businesses operating in China, as well as the threats to Canadian citizens here on Canadian soil, from various forms of influence and coercion from the People's Republic of China. As parliamentarians, it's our responsibility to provide some information and advice and a course of action. We need to perhaps put in place legislation that would mitigate or at least protect in some regard Canadians on Canadian soil from the influence of the People's Republic of China and to protect to some extent those Canadian businesses operating in China.

Could you provide us with some recommendations, some specifics, on what type of legislation and what actions Canada could take to achieve those two very important goals?

• (1220)

Mr. Alvin Y.H. Cheung: In that connection, I would endorse some of the suggestions made by previous witnesses. In particular, that would be the creation of a point person within the government to address issues regarding threats to Canadian businesses operating

in China and Canadian citizens in Canada. Beyond that, it would be the creation of a register of foreign lobbyists, not in the interest of inhibiting people from expressing what they like but to make sure that people are properly informed as to who is saying what, and for what reasons they might be doing so.

Ms. Leona Alleslev: Could you cite any examples of those types of threats that you're aware of that have occurred for Canadian businesses in China? Would you have any idea of whether the situation is escalating or is pretty much the same?

Mr. Alvin Y.H. Cheung: I cannot speak directly to what's happening with Canadian businesses in the mainland. As far as Hong Kong is concerned, I've seen reports thus far relating to the British financial institutions HSBC and Standard Chartered. I would expect that similar pressure would be applied to Canadian institutions, although, again, I cannot speak with any certainty as to whether that has already happened.

Ms. Leona Alleslev: You also mentioned how important it is for us to have accurate information and that there are all kinds of pressures against those who would provide us with that accurate information to not do so, because of the threats and consequences that they may face.

How do we know and what can we do to ensure that we are getting the right information accurately and in a timely fashion, so that we can make appropriate and informed decisions?

Mr. Alvin Y.H. Cheung: Fundamentally I think that a large part of the problem is that when people feel threatened—as the reports that many other witnesses have referred to in the past in relation to harassment intimidation of activists in Canada mentioned—they try to get help from one particular governmental department or bureau, yet they are sent to another and another and another until eventually they give up. There should be ideally a one-stop shop.

Ms. Leona Alleslev: Are you suggesting an integrated, whole-of-government approach, not only with a point person but with coordination among all of the departments, so that we understand all the fronts that information is coming in from and all the pressures from all corners?

Mr. Alvin Y.H. Cheung: That would be a fair characterization, yes.

Ms. Leona Alleslev: Thank you very much.

The Chair: We will move to Ms. Zann for five minutes, please.

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

While we're speaking with Mr. Cheung, I would like to ask him a couple of questions about his views on some of these issues.

Back in April of this year, Mr. Cheung, you wrote on the website Just Security that, "On first observation, the decay of Hong Kong's autonomy has been abrupt." In your view, however, recent events you said were long in the making. You identified three factors that have contributed to the erosion of Hong Kong's autonomy:

...the Beijing and Hong Kong governments' abuse of "advocating independence" as a political and legal cudgel; the growing role of the Liaison Office; and the political capture of a previously professionalized civil service apparatus.

What events, developments and decisions would you say have led to the erosion of Hong Kong's autonomy since 1997? What were the warning signs that perhaps the world has missed? How did the international community including Canada respond, and how do we deal with this issue now? It's a bit of a long question.

Mr. Alvin Y.H. Cheung: It's a complex set of questions with an equally complex set of answers. To make a long story short, key events since 1997 would include the abuse of the power to interpret the basic law that was vested in the Standing Committee of the National People's Congress. Since 1997 on only one occasion has that power been exercised at the request of a Hong Kong court. That should have been cause for alarm back in 1999 when the first interpretation was issued. It should have been cause for much more alarm in 2016 when it was used to pre-empt the decision of a Hong Kong court regarding the disqualification of legislatures. Yet not very much has been said on the occasion of each interpretation and that has, in part, led us to where we are now.

Other events would include, of course, the 2003 demonstrations, but also the Beijing government's subsequent reactions. I referred in that Just Security article to something that was written in the party journal *Study Times* by a liaison official in 2008 referring to a "second governance team". That warning was not taken seriously at the time. As it turns out, having not been called out on it, the liaison office has taken whatever opportunities it had to broaden its role. In that sense, I would say there have been numerous warning signs, some of which I refer to there.

The responses from the international community on the whole have not been terribly helpful. I don't think that any particular country has covered itself in glory. The U.K. in particular, as the other signatory to the joint declaration, has done what the last governor, Governor Patten, referred to as the equivalent of writing reports that said "*rien*" when the Bastille was stormed.

So what do we do now? I think it is incumbent upon the international community to say enough is enough. Any healthy relationship involves the setting of clear boundaries and I think the time to do that with the PRC is long overdue.

• (1225)

Ms. Lenore Zann: Thank you.

When did you see China, rather than just being a Communist regime, becoming somewhat of a capitalist regime as well? It seems to be a mix now. It is using both to compete in the world, but now also to control the people. When did you see all of that starting to change?

Mr. Alvin Y.H. Cheung: The PRC's transition to state capitalism has been happening for a very long time now. I would argue that the PRC has not been communist, in the strict sense of the term, for a very long time. As such, I am skeptical of the claim that it has an ideology beyond ethnonationalism. To that extent, I really don't think it should be construed as an ideological fight.

The Chair: Thank you.

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

Mr. John Williamson (New Brunswick Southwest, CPC): Thank you, Mr. Chair.

Thank you very much to our witnesses. You've presented a number of excellent points today, and some good recommendations.

Professor Ong, I'm curious to get to some more of your thinking. You seem to be at least partially hopeful that there is an ability to reverse the takeover we're now seeing in Hong Kong. You said that it will take time, but you seem to hold out that hope. Could you address that briefly?

If that's the case, should we view Hong Kong not so much by going back to the Cold War but as a Poland, going forward, with that resilience we all know is alive in Hong Kong in the people? Could you comment on your reasons for hope?

Ms. Lynette H. Ong: My reason for hope is that we want to preserve Hong Kong the way it is for as long as possible, because the rest of mainland China looks very different. The rest of mainland China operates within the great firewall. We speak of repression in Hong Kong; it is nothing like the style and extent of the repression in mainland China. As long as Hong Kong stays different—and I mean as liberal as it is now—I think it will offer a beacon of hope as well as an example to the rest of mainland China.

In fact, when Sun Yat-sen first proposed the idea of the republic, he came up with the idea when he was in Hong Kong because he saw that the ways in which Hong Kong operated were very different from the rest of mainland China.

I also think that we should take a longer-term view of history. No regime will last forever. The more repressive it is, the more long-lasting it will—

• (1230)

Mr. John Williamson: Yes, I think that's a good point.

I'm going to turn now to Professor Medeiros.

I take your point that what we're seeing in Hong Kong is not a prelude to war and that we have to be careful. Not only does Canada have about 300,000 citizens in the territory, but there are millions of like-minded friends in Hong Kong, literally millions. I think the talk of a cold war is overstated because of, as Mr. Cheung just said, the ethnonationalism we see on display in China.

I'd like your thoughts. Should we think of what we're seeing in Asia now as more akin to what we saw with respect to Imperial Japan: a nationalist population and government, an expansionary state and a military regime that does not have civilian oversight? If that's the case, should the attention now not turn completely to Taiwan? Taiwan is the nation island. China wants it, and it has long made this clear. Do we not need to stick together on this, particularly with the Taiwan Defence Act in the United States? If this is not managed properly, unlike Hong Kong, this could lead to a real clash in the South China Sea.

Could I get your comments on that? You have just over a minute to respond.

Mr. Evan S. Medeiros: Okay. I'll give you my lightning response.

First and foremost, yes, we need to stick together on this question of how to address the China challenge in east Asia, especially when it comes to Taiwan.

I think there are some useful and interesting analogies between China today and the Japanese military and militarization, but keep in mind that the PLA, the Chinese military, is a party-run army, so there's actually quite a bit more civilian control over it per se, and I think Xi Jinping, through his anti-corruption campaign, has been able to re-establish a lot of authority. The Chinese economy is a lot more globally integrated than Japan's was. Nonetheless, the nationalist component of it and the fact that the military is more capable give me a lot of concern. That's why thinking about a China strategy as a series of coalitions of the willing to address specific issues with like-minded partners is perhaps the best way to approach different and unique challenges going forward.

The Chair: Thank you very much.

We will go to Ms. Yip for five minutes, please.

Ms. Jean Yip (Scarborough—Agincourt, Lib.): This question is directed to Professor Ong.

We have heard from you that the Hong Kong stock market is the best way to raise capital. Also, four out of 10 companies are planning to leave their headquarters and go elsewhere.

How dependent is China on Hong Kong as a financial hub?

Ms. Lynette H. Ong: They are quite dependent, but they are not without options.

My point is that we want to keep the dependency of Chinese capital on Hong Kong going, because as long as they are dependent on Hong Kong, they won't impose harsher repression on Hong Kong of the kind we have seen elsewhere in China, such as in Xinjiang and Tibet.

Moving forward, what we are likely to see in Hong Kong's financial and business sector is a bit of a complication. We have the emergence of underwriting and prominence of Chinese companies in Hong Kong on the one hand and the withdrawal of western firms, particularly U.S. firms, on the other hand. Mind you, Chinese companies are there because they have ready access to U.S. dollars and all the convenience of Hong Kong. If we take that away by using sanctions or whatever punitive means to punish Hong Kong, we might in turn punish Chinese companies. I think that would in turn push the Chinese government to explore other options for doing business with the rest of the world, keeping Hong Kong out of the equation, and that would be bad for Hong Kong.

• (1235)

Ms. Jean Yip: How can Canada help the Canadian businesses there?

Ms. Lynette H. Ong: We should just keep doing business in Hong Kong the way it is. Of course, there are a lot more restrictions now than there were a couple of months ago, but I think business goes on as usual.

I think we should also keep doing business with China. It is only by maintaining the ties and engagement that we can keep the hope going.

Ms. Jean Yip: Is there any way that the international financial community could bring some further pressure to bear?

Ms. Lynette H. Ong: In the short run, businesses tend to be directed by where their interests and profits lie, but I believe that in

the medium and long term, if governments guide businesses widely—that is, if we design suitable institutional designs—this would actually guide the incentives of businesses and help to steer the businesses away from authoritarian regimes. By imposing labour qualifications and imposing certain standards on businesses that they have to meet, we can slowly guide business from authoritarian regimes.

Ms. Jean Yip: That sounds hopeful.

My next question is directed to Professor Medeiros.

If you were asked to predict how U.S.-China relations might change under Trump's administration to possibly Joe Biden's come November, what would you say, and how will Canada benefit?

Mr. Evan S. Medeiros: It's hard to predict what the changes will be. I worked very closely with Vice-President Biden, including the very initial steps to build the relationship between Vice-President Xi Jinping and Vice-President Biden from the White House in 2011, so I saw how Vice-President Biden thinks about China. I would imagine that the first thing to change would be the tone, dropping the overtly confrontational cold war rhetoric and getting back to the business of strategic competition. I think that the frame of strategic competition would likely continue. It would probably be focused much more on improving America's own strength and its abilities to ensure America runs faster, but nonetheless strategic competition would continue to be the frame.

I think Vice-President Biden would also look to do a lot more with allies by reinvesting in and reconceptualizing alliances and working more multilaterally.

[*Translation*]

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

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

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

I am going to make a quick comment. We heard the views of Mr. Medeiros and Ms. Ong on the possible impact of sanctions in reaction to the adoption of the national security law.

Because we will eventually be called upon to make proposals to the Canadian government, I would like Mr. Cheung's point of view on the utility of sanctions and what kind of sanctions should be introduced to have a marginally positive impact.

[*English*]

Mr. Alvin Y.H. Cheung: Thank you very much.

I think what we've seen so far with the U.S.-imposed Magnitsky-style sanctions on designated Hong Kong and mainland officials is that they are having an effect, and that financial institutions, including PRC state-owned financial institutions, are scrambling to comply with them.

In the event that Canada were to consider imposing sanctions, ideally in conjunction with like-minded countries, Magnitsky-style targeted sanctions directed at people who have planned or instigated atrocities and human rights violations in Hong Kong would stand the best chance of not affecting the general Hong Kong population.

• (1240)

[Translation]

Mr. Stéphane Bergeron: Mr. Medeiros and Ms. Ong, would you like to respond to what Mr. Cheung said?

[English]

Ms. Lynette H. Ong: If I could intervene for a second, I agree with Professor Cheung on his point. I would just like to add that I think the Magnitsky act would impose inconvenience on Hong Kong officials, but I have no doubt in my mind where their loyalty lies, where their political loyalty lies.

Having said that, I think sanctions also serve important signalling purposes. I think the importance of signalling should not be overlooked, but the actual impact could be rather limited, because short-term inconvenience could often be overcome by some creative measures.

The Chair: Thank you, Mr. Bergeron.

Mr. Harris, you have two minutes and 30 seconds.

Mr. Jack Harris: Thank you, Chair.

Ms. Ong, you talked about how we deal with the financial aspects of Hong Kong. As I see it, China wants to show that it can repress the people of Hong Kong with the security law and still obtain the benefits of the financial advantages of having Hong Kong in place. It's a bit of a tightrope to me. How do we move China towards a rules-based system while keeping Hong Kong in the same situation as it is?

I take it you see that what the U.S. is doing by erasing the difference between financial measures towards Hong Kong businesses versus mainland businesses is not effective, but what would be effective in terms of moving the dial towards the expectation that China should follow these rules, or is that a long-term strategy rather than a short-term one?

Ms. Lynette H. Ong: I see it as a long-term strategy. We should really be working with like-minded countries and our allies—including the United States, ideally—to come up with long-term strategies that would help to bring about some long-term changes.

I do believe that the fate of Hong Kong, including what the people on the streets of Hong Kong are asking for—universal suffrage and freedom of expression—is not a question of Hong Kong alone. It is also a question about Beijing. It's really a question about the government in mainland China. I think the two questions are inherently intertwined.

Mr. Jack Harris: Dr. Medeiros, could you comment in terms of long-term and short-term measures?

Mr. Evan S. Medeiros: I think we have to be mindful that our leverage on the Hong Kong question is generally very limited because of the geographic proximity, the size of China's economy vis-

à-vis Hong Kong, etc., so as I said, I think we have to play the long game.

I think we have to have modest expectations and we have to come up with creative approaches, which means creative approaches that don't exist yet with the international business community, especially international finance, including banks in Canada, and then think about issue-specific coalitions.

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

This concludes our first panel.

On behalf of the committee, I want to thank you very much. We very deeply appreciate your time today, and I'm sure we're all sorry for having kept you waiting as we dealt with some important business of the committee.

The committee will now suspend while we arrange for the next panel. Please be ready in four or five minutes.

Thank you very much.

• (1240)

(Pause)

• (1245)

The Chair: I call the meeting back to order. Welcome back, colleagues and witnesses.

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. I should say, however, that once we get into the questions from members, the members will indicate who is to answer their question and you won't have to wait for me to call upon you as they go to you.

I remind you that all comments should be addressed through the chair.

Interpretation in this video conference will work very much as it does in a regular committee meeting. You have the choice, at the bottom of your screen, of 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.

As a reminder to witnesses, if you require French interpretation, you should be selecting your English channel on the bottom of your screen, and vice versa if you need English interpretation.

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

The use of headsets is strongly encouraged.

I would now like to welcome our second panel of witnesses. We have, as an individual, Stéphane Chatigny, lawyer; on behalf of Human Rights in China, Sharon Hom, executive director; and, from the University of Surrey, Malte Philipp Kaeding, assistant professor in international politics.

• (1250)

[Translation]

We will begin with Mr. Chatigny's opening remarks.

You have the floor for 10 minutes.

Mr. Stéphane Chatigny (Lawyer, As an Individual): Certainly, Mr. Chair. Thank you.

I would like to thank the Special Committee for hearing my comments today on Canada-China relations and the current situation in Hong Kong.

I have been a lawyer since 1992, and I had the unique experience of living in Hong Kong for 10 years, from 2008 to 2017.

In my law practice, I specialize in economic immigration to Canada and, more specifically, the Quebec government's immigrant investor program. I have helped over 2,000 program applicants, mainly owners and officers of private companies established in mainland China, Taiwan and Hong Kong. The applicants have told me how they became wealthy in China and neighbouring countries. In under 30 years, China has become the world's second largest economic power, now rivalling North America and the European Union in a number of industrial sectors.

For all those years, I lived in Hong Kong, a democracy with 7.5 million inhabitants, never fearing the state. I also travelled in Taiwan, another Asian democracy with 23 million inhabitants, again, never fearing the state.

The people of Hong Kong and Taiwan are brave and determined. Like Canadians, they want to freely elect their government and continue to live in a transparent and predictable legal environment that upholds the values, freedoms and democratic safeguards set out in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Basic Law of Hong Kong and the Constitution of Taiwan.

As several witnesses before me have pointed out, Canada has close ties with Hong Kong, and the current crisis there requires decisive, coordinated action and attention from the Canadian government.

When you live in Hong Kong, you live on the corrosive periphery of a harsh authoritarian regime and a system of government that runs completely counter to the democratic values that every Canadian lawyer upholds and defends.

When I would return home to Hong Kong after a trip to mainland China, I would breathe more deeply, as if relieved, gripped by the impression that, for a few days, I had found myself under a glass dome, in a social environment swarming with over-policed, indoctrinated, neutralized individuals, to whom the Chinese Communist Party allows only a limited spectrum of life reduced to an economic existence.

Recently, thanks to powerful algorithms and a growing sea of data, China has been subjecting individuals and businesses on its territory to a social credit rating system that takes into account such things as online browsing and comments.

Hong Kong's national security law of July 2020 extended that freedom-crushing glass dome over Hong Kong's democracy. The Communist Party of China is therefore starting to set up its ecosystem of repression and hyper-surveillance well before July 2047, in violation of the 1984 Sino-British Joint Declaration.

That ecosystem has led to self-censorship, a protective reflex that, it seemed to me, has become deeply rooted in the inhabitants of mainland China, especially since denunciation is encouraged and even arranged.

A veritable Trojan horse in the Hong Kong legal system, the national security law is already leading the people of Hong Kong to self-censor. Individuals and organizations are closing their social media accounts in a hurry, removing the yellow square and the books liable to stir up anger. The legislation has therefore created a fear of the state that was not there before. In the end, the communist regime will confine the people of Hong Kong also to a limited spectrum of life reduced to an economic existence.

This summer, I came across the January-February 2008 issue of *Foreign Affairs*, entitled "Changing China". Twelve years later, it actually made me smile. Hoping to change China means hoping to convince its ruling class to reform their political and economic governance and lead them to respect the rule of law, human rights and the market economy. That has turned out to be a little naive when we look at the facts over the past 20 years.

The gullible and reckless instincts of the Canadian government, businesses, research facilities and educational institutions have at times been appalling.

From my early years in China, I have been hoping to hear statements like the one French President Emmanuel Macron made in March 2019, declaring an end to the European Union's naive relations with China.

Western sympathy for and commitment to this noble and beautiful civilization have endured despite its repressive and predatory regime, have not turned into trust. Quite the opposite is true, and in the end, its peoples are being deprived of a more bountiful relationship.

• (1255)

Since 2014, President Xi Jinping has urged his people to pursue "the Chinese dream of a great national rejuvenation". The legitimacy and sincerity of the call seem indisputable for the country long known as "the sick man of Asia".

However, the current propaganda has led to almost fanatical and xenophobic nationalism in a society deprived of reliable and critical information. The propaganda also finds fertile ground in the national education that emphasizes the century of Chinese humiliation at the hands of foreign powers.

Henceforth, Canada must assume that the Chinese regime, in its pursuit of a characteristically Chinese socialism, is profoundly opposed to many Western values.

In September 2013, the U.S.-based magazine *Mingjing* published a document intended for the 18th National Congress of the Chinese Communist Party entitled “Communiqué on the Current State of the Ideological Sphere: A Notice from the Central Committee of the Communist Party of China's General Office”. The document points out that the ideological struggle is a constant battle and warns against incorrect ideological tendencies, activities and positions, such as promoting Western constitutional democracy, universal values, civil society, neoliberalism and the West's view of the media.

It seems unrealistic to go on believing that China will change in the way we want it to change. In the 21st century, the greater risk is of the communist regime changing us in a way we do not want to change.

From this point, it is becoming critically important for Canada to ensure that our relations with China, which is now a major global player, do not lead us to relativism or to compromise the form and significance of our own standards, values and interests.

The regime in China has a holistic approach to its relations with Canada, where multiple, sometimes totally unrelated issues might be used as pressure tactics, even when they clearly flout international standards, such as detaining Kevin and Julia Garratt in 2014, and Michael Kovrig and Michael Spavor in 2018.

Every time we do not speak up or do nothing, each time we compromise our values, standards and interests, the regime becomes more comfortable with using intimidation. Canada must stop the Chinese regime from achieving its objective, that is, self-censorship and compliant behaviour.

Together with our allies, we need to develop and maintain an ever-stronger coordination of international, interdisciplinary and inter-departmental vigilance and action with respect to the Chinese regime's behaviour. This is particularly so in matters of human rights and interference in foreign political life, intimidation on foreign soil, the erosion of civil and political rights in Hong Kong and Taiwan, the theft of intellectual property, industrial espionage, artificial intelligence and commercial, scientific and educational partnerships that put Canada's autonomy, security or economic interests at risk.

That vigilance will help ensure that our foreign, trade and national security policies towards China increasingly reflect the realities and identities of 37 million Canadians, including the 300,000 Canadians living in Hong Kong.

Let us make sure that China does not change us.

Thank you.

• (1300)

The Chair: Thank you very much.

[*English*]

Now we will go to Ms. Hom for 10 minutes, please.

Ms. Sharon Hom (Executive Director, Human Rights in China): Thank you for this opportunity to testify before the committee. It's really an honour and a challenge to follow the witnesses who offered such powerful, expert views last week and this morning, in

particular in highlighting the ongoing critical developments in Hong Kong that will impact Canadians at home and in Hong Kong. I think that COVID-19 has made it quite clear that the impacts on the health and stability of the world and the region will not stay within its borders.

I am a Hong Konger by birth and a holder of permanent Hong Kong residency. I'm also a professor of law emerita at the City University of New York School of Law. I taught law for 18 years, including training Chinese lawyers, judges, law teachers and legal cadres over the course of 10 years, beginning in the late 1980s.

My organization, Human Rights in China, was formed in March 1989 to support the 1989 democracy movement. Within an international human rights framework, we support human rights defenders and civil society groups to advance human rights protections. We have had a presence in Hong Kong since 1996.

The last time I was in Ottawa was in 2012, for the World Parliamentarians' Convention on Tibet conference. Ms. Zann's question this morning about warning signs triggered that for me. In fact, Beijing's policies, militarization and comprehensive securitization, including national security laws and the tactics of social repression and control, were deployed decades ago and signalled clearly the writing on the wall for Hong Kong, if there were the political will to read it.

I want to begin with an overarching point. Then I will proceed to a few pickup comments to tunnel down on the national security law, and then I would like to jump to recommendations, hoping that through the questions we can have a more detailed discussion.

My overarching point is that it's very important for this committee, in its report or whatever concrete product comes out of this set of hearings, to pay attention to the control of the narrative. The Hong Kong headlines that are declaring the death of Hong Kong, the end of Hong Kong as we know it, one country but no future, and so on, are indeed dire descriptions grounded in sobering daily evidence of the onslaught on the rule of law, the values and the way of life of Hong Kong, an onslaught that has indeed resulted in censorship, a chilled atmosphere, etc., but I want to urge on all of us, when talking about Hong Kong, caution in repeating or highlighting this partial narrative of hopelessness, especially one that is prematurely declaring a future not yet written.

It's important for the public conversation in Canada, and in the recommendations of the government, that although the right to peaceful assembly has been almost gutted in Hong Kong, Hong Kongers are not silent and have not given up hope. You can see the front page of the *Apple Daily* for the new Lennon Wall. Hong Kongers online are saying, “We are still alive. Stop declaring us dead. We need solidarity and concrete support, not funeral dirges.” Mr. Williamson's question on whether there was reason for hope was best answered by an activist: “It's not that we have lost. It's just that we have not yet won”, recognizing the long road ahead.

So let's not consciously or unconsciously adopt official Beijing narratives that contribute to the work of the official propaganda outlets.

There's been a lot of reference to and discussion on the national security law, and the general critiques have extensively discussed how it's contributing to the ecosystem and how it's being imported into Hong Kong from the mainland, but I want to add a couple of quick points.

One point is that the new Office for Safeguarding National Security, the OSNS, is made up of personnel sent by the mainland to supervise all the national security work. Not only are they not subject to Hong Kong jurisdiction, but they also hold an ID document of certification issued by the office, and any vehicle used by the holder is not subject to inspection, search or detention by Hong Kong law enforcement officers. There was an incident just a few days ago with Ted Hui, a Hong Kong legislator. He was being followed for days, as were other legislators, by people in unmarked or dark cars. He went to ask who they were and why they were following him. The car hit him and he called the police. The police arrived and tackled Ted Hui, the legislator, to the ground, and the car that hit him, which they did not stop for any questions, was escorted away. This is really very concerning.

- (1305)

The other requirement that I want to highlight, which hasn't been highlighted, is that the heads of the new departments of national security in the Hong Kong police must swear allegiance and to observe the obligation of secrecy. This is not very good for transparency and to address impunity, and for the good governance that's required for the business community, or for the protection of Canadian citizens, for the protections of all persons in Hong Kong.

Finally, we are really seeing, under the implementing regulations for article 43, that an already unaccountable Hong Kong Police Force has now been strengthened in the ways in which it can carry out its arrests.

I'll speak to extraterritoriality in a minute.

I think that Canadians and this committee will fully appreciate the problems of translation. The national security law in Hong Kong is the only law in Hong Kong SAR that has only the Chinese version as the legally authoritative version. However, if you look carefully at the English "translation" of the Hong Kong SAR government, there are errors, omissions and misleading translations into English.

For example, article 1 in Chinese, after listing the kinds of problems addressed by the law, has the term *dang*. *Dang* is not in the English. What is *dang*? It means "and other". In other words, it's not a comprehensive list of what is being targeted by the law.

Also, in other provisions, *gung tung*, joint liability, is not in the English.

Also, in articles 9 and 10, "universities" does not exist in the Chinese. It has *hok haau*, schools. That is a problem because of the whole academic freedom debate now. In what way does the law apply to higher education institutions?

The other one that's misleading is that in Chinese, *hoeng gong tung baau* is translated as "Hong Kong people". That is not Hong Kong people. *Hoeng gong tung baau* is Hong Kong compatriots, carrying all the resonances of the party.

On the implementation concerns, as I'm running out of time, I want to say this quickly. It is as if, in the rush to pass this law through, they took off in a plane and now they don't know how to land.

Many of the procedural and substantive issues, which I hope you can ask questions about, were not thought through or addressed. One of them, for example, is that we have a civil law system on the mainland predominantly, and a common law system in Hong Kong. It is trying to now merge jurisdiction, under article 55, for cases that will be tried on the mainland with a "Legalistic-Fascist-Stalinism" system, as described by China expert Barmé. Even the Supreme Court of Canada ensures that your judges have expertise in both civil and common law, and none of that exists.

Because I am out of time, let me jump to recommendations.

I have five recommendations for the committee to consider, and for the government.

First, all of the recommendations—working multilaterally, joint sanctions, targeted sanctions, safe haven, etc.—are extremely important and have been repeated very powerfully.

I have one national suggestion regarding the Confucius institutes. Recognizing that there are controversies—and I don't want to jump into domestic controversies—you may consider whether you want to adopt the Swedish approach, which is to close them all, or whether you want to adopt the U.S. approach, which is to designate them as "foreign missions". This would send a message that's consistent with Canadian values and your commitment to freedom of expression.

We are out of time.

Regarding admonitions on using international human rights norms, institutions and values—this is to Mr. Harris's question on how we move China towards a more rules-based system—yes, it's long-term, but there are immediate opportunities. One is that the national security law of Hong Kong is the only mainland law that explicitly incorporates the ICCPR into the law. If we take article 4 seriously, we should look at opportunities, and the list of issues that has been issued by the standing committee as normative international concerns that the Canadian government can use. There is the Human Rights Council election. China is running. You should take a position on that. You can also use more extensively the existing platforms, the Inter-Parliamentary Union and the IPAC, of course.

I'm sorry, but I'm out of time. Please ask me questions about all the things I was not able to get to.

Thank you.

• (1310)

The Chair: Thank you very much, Professor Hom.

Now we'll hear from Professor Kaeding, please, for 10 minutes.

Dr. Malte Philipp Kaeding (Assistant Professor in International Politics, University of Surrey): Thank you very much.

It's a great honour and privilege to have the opportunity to testify at this important and very timely hearing. I thank the committee very much for inviting me.

I have conducted research on Hong Kong for almost 20 years now. In recent years, I have researched the localism and independence movement. I will use a political psychology approach here to outline how recent events in Hong Kong really question the existing perception or, as Ms. Hom mentioned, narrative about China. I think it helps to establish a new narrative on China-Canada relations, which would facilitate all the actions for Canada in terms of diplomacy, sanctions and refugees, which my esteemed colleagues have already outlined in detail during past hearings.

We already know that the PRC cannot be trusted to keep its international commitments. It uses its own narrative to devalue treaties and international institutions. Beijing, as you have heard already, began in Hong Kong, as early as 1997, abolishing elected councils, changing the electoral system and derailing democratization by imposing Chinese-style democracy. After the 2014 umbrella movement, there was no real hope for democratic reforms as promised in the Basic Law.

The question now, of course, is, why this heavy-handed introduction of the national security law, with all these arrests, disqualifications and postponement of legislative elections? I argue that the actions of the Beijing regime are actually driven by fear. The arrest of Jimmy Lai and Agnes Chow, the raiding of Apple Daily, the arrests of the group of teenagers just debating independence—they all, of course, should intimidate Hong Kongers. At the same time, they show the domestic Chinese audience that the regime is very tough on the so-called separatists colluding with foreign forces.

We have to understand that the regime in Beijing rules by fear, but it is also ruled by fear itself—fear of cracks in its ruling elite, fear of economic downturns and fear of growing dissatisfaction in its own population. That's why, despite disqualifying opposition candidates for the Legislative Council elections, the Hong Kong government still postponed the election. Beijing was afraid that it would be unable to bus thousands of pro-Beijing supporters from the mainland who are still registered voters in Hong Kong. The pro-Beijing government heavily relies on the allocation of these votes. Without them, it cannot guarantee the outcome of complete control in Hong Kong. Even worse, it cannot communicate the outcome to its Chinese citizens.

We know that Xi has to be very tough on Hong Kong, because Beijing was completely surprised by the anti-extradition movement last year. It fears most the protestors' radical tactics and attitudes. The protest repertoire, including the main slogan, was inspired by the so-called localist movement. I want to talk a little bit about that.

The localists want to protect Hong Kong's democratic values and unique cultural identity. In the early to mid-2010s, they saw China

breaking all its promises and undermining the one country, two systems framework more and more blatantly. The localists were really among the first to question the relationship with China and to verbalize the distrust of Beijing and its promises. Some called for a referendum on Hong Kong's future, and some called for Hong Kong's independence.

I did a lot of very secretive interviews with the entire leadership and a lot of followers of these localists. A lot of them, of course, identified themselves as solely Hong Kongers and not Chinese. The most important part was that they were not afraid to pay an extremely high personal price for the protection of Hong Kong. After the success of localists in the 2016 Legislative Council election, a lot of them were driven into bankruptcy and exile and were sentenced to long prison terms. We have heard about Edward Leung, who is still serving a six-year prison term.

The suppression of the localists really intensified hopelessness in the society. Ms. Hom already mentioned this sentiment. Localists offered Hong Kong independence as a kind of hope for their own supporters, allowing them to cope with the negative emotions experienced through Chinese pressure. This initially very far-fetched idea of Hong Kong independence is now uniting the younger generation after a crackdown on the current movement. In other words, Hong Kong independence is a psychological coping mechanism that results from the repression by the Hong Kong and Beijing governments.

• (1315)

The second thing I want to highlight about the current movement is that it replicates some of the ideas and repertoire of these localists. One key element is the idea of self-sacrifice, or what they talk about as burnism or mutual destruction, meaning, "If I have to burn, you have to burn with me." This identifies, really, that many of the mainland Chinese—cadres, businessmen or middle-class families—use Hong Kong for their own private security, getting a different passport or parking their assets overseas, because of the permanent uncertainties of the Chinese system. You're never safe when you're inside China, no matter what you're doing.

At the heart of burnism is the rejection of the CCP's instrumental approach to the Hong Kong liberal system. The idea of mutual destruction transforms the Hong Kong people's fear of authoritarian erosion into a concrete fear for the Chinese elite: first, by creating an unpredictable economic and political situation in Hong Kong through protests and so forth, and second, by denying Hong Kong as a safe haven through international sanctions, etc.

As you remember, there was very little reaction when China was criticized for its treatment of the Uighurs. China didn't do very much when it was criticized, but once Hong Kong was targeted, the Xi administration went so far as to implement this national security law with all this extraterritorial scope, and you can argue that it even legalizes hostage diplomacy. The overreaction we see does confirm, I think, China's fear.

I want to conclude here with what it means for Canada. With Hong Kong and the U.S. closing doors for China's ruling elite, Canada might be a target destination. If this is not addressed, then Canada's democratic system will be quickly confronted with authoritarian erosion and the CCP's political mobilization, like what happened in Hong Kong.

I think Canada should be aware of the fears of the Chinese regime. This is about the narrative Ms. Hom mentioned. If we see that China itself is actually afraid, we'll see that the Chinese regime is not almighty and there are many potential cracks in the ruling coalition. This new narrative would be a good basis to work in alliance with like-minded countries, to speak up and limit the undermining of democratic and open institutions by authoritarian regimes.

With Canada's strong legacy of creative and very effective diplomacy, I am very confident that Canada has the responsibilities and means to protect Hong Kong people and our shared faith in democracy.

Thank you very much for your kind attention. I am looking forward to answering any questions.

The Chair: Thank you very much, Professor.

We will now go to the first round of questions.

Leading off for six minutes is Mr. Williamson, please.

Mr. John Williamson: Thank you, Mr. Chairman.

To our witnesses, thank you for joining us today. You've all added some really solid and good information, as well as insights.

I'll start with Ms. Sharon Hom.

First, thank you for stiffening my spine. Sometimes my questions are rhetorical, but it's always good to hear the reasons for hope and the reasons why we need to do more, not less, for the people of Hong Kong, while we also consider how best to help our friends in neighbouring Taiwan.

I thought earlier today that Professor Ong had some really good points about Hong Kong still being the golden goose for mainland officials and for the country. This means the territory is not going to suddenly or quickly—or even, perhaps, gradually—become just another Chinese city, because of the wealth and prosperity that would be lost. This will benefit both dissidents and activists in Hong Kong to continue their struggle for freedom and human rights.

You asked for a few minutes. Could you maybe give us in 90 seconds all the things you wanted to say but didn't have a chance to? I will cut you off after 90 seconds because I, too, am on the clock and under the mindful eye of our own Big Brother here.

• (1320)

Ms. Sharon Hom: I won't say everything I could say, Mr. Williamson, but thank you so much for that question.

Hong Kong is indeed the golden goose, but Beijing does not keep that golden goose on a free-range farm. That's number one. Unless the renminbi replaces the U.S. dollar as the major currency in global settlement, Hong Kong will continue to be important, and

not only for the fact that Hong Kong people will resist to the end that they will not ever be another Chinese city. That's important.

Another thing I want to add this morning is that what is good for Canadian business, or what is good for all business, is a rule of law. You need information. The market can't function without information. When you have vetted information, controlled information, and censored media, you don't have a real competitive marketplace. I think we should emphasize that. It's not only for human rights people that we need transparency, accurate information, rule of law and independent courts; it's important for all the stakeholders in Hong Kong.

I want to say that I'm glad you're.... We want to stiffen your spine. As we say—I believe this is also rapidly becoming censored—*Ga yáu*, “Add oil!” Just keep going. This is very important.

Mr. John Williamson: Right.

Ms. Sharon Hom: Mr. Harris asked this morning about how we move China into a rules-based system and about how we get China moving more to where we want it to go.

Mr. John Williamson: I'll have to cut you off in about 15 seconds, but go ahead.

Ms. Sharon Hom: I think the question is not where we want it to go. It's how we support Hong Kong people to get the Hong Kong government to be where they want it to go. It's not what the U.S., the west, or the multilaterals want; it's what we want. I think that's the question.

Mr. John Williamson: Thank you.

Professor Kaeding, I thought your insight was unique. You provided a possible glimpse into the thinking of mainland officials. The point you made that Beijing cannot be trusted has some serious implications, because if a partner cannot be trusted, that means they have to be dealt with as untrustworthy.

What, then, should Canada's policy be? Should it be, then, for Canadian trading, to have commercial relations with both mainland China and Hong Kong, but also have the internal fortitude to denounce and speak out when Beijing is out of step, something that unfortunately we're not seeing now? Is it the combination of both trade, which is mutually beneficial to both parties, and speaking out, finding our voice in Canada and perhaps following in the footsteps of Australia and some of the other Asian nations that are closer to mainland China? What say you to that?

Dr. Malte Philipp Kaeding: Yes, I agree with you that we can't go back to what is now called this new cold war and completely shut ourselves out, but I think it's very, very important to speak out, and to do it, as many of my colleagues mentioned, in alliance with others so that there is collaboration and acknowledgment that we have to speak together—the free countries, as it is said, with the European Union, the U.S., New Zealand and Australia—to highlight when China moves beyond what is acceptable in the international rules-based society, and to just be aware that institutions can be amended through interpretation by the Chinese.

Mr. John Williamson: Right. That would mean, of course, that when you speak out, there might be some blowback on commercial relations, but that's just the price of standing up.

[Translation]

Basically, Mr. Chatigny, you do not believe there is much that Canada or its allies can do to change Beijing. Did I understand you correctly?

The Chair: You have 20 seconds left to respond.

• (1325)

Mr. Stéphane Chatigny: Thank you for the question.

Actually, I believe that the allies can succeed in changing China if they coordinate their efforts. The point I wanted to make is that we must keep China from changing us. That is one of the premises of my message.

Now, are we still able to change China? If we want to, we must stop being naive. As long as we remain naive, we will not change China.

Mr. John Williamson: Thank you very much.

The Chair: Thank you, Mr. Williamson.

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

[English]

Mr. Robert Oliphant: Thank you very much, Mr. Chair.

Before I follow up on Mr. Williamson's questions, which I thought were really very fine questions, there are just a couple of quick things.

Ms. Hom, I would appreciate something in writing from you with respect to some of your legal analysis: the translation issues, etc. If you would be willing to do that, the committee could really benefit from your legal mind on this. It's something a bit different; we've had some generic comments on the law, but you were getting specific and we don't have time here to do that. I want to make that request through the chair.

Mr. Chatigny, again, I would like to plumb the depths of your immigration knowledge. If you have some specific immigration suggestions for us, vis-à-vis this new context with Hong Kong, I think we'd very much appreciate your expertise at the committee. If you're willing to give us anything in writing, even a letter, of some of your key points on immigration, that could be helpful for us.

Following up on Mr. Williamson's very good questions, the other half of the goose with the golden eggs was that we are challenged to find a way that strongly condemns the actions of Beijing on

Hong Kong. We have to find a way to do that with impact, yet we've heard before today that the impact obviously needs to be targeted and can't hurt the people of Hong Kong. Professor Ong, this morning, suggested that if in fact we went too far on that, we could actually ruin Hong Kong's advantages for Beijing to want to keep it successful.

I would like your comments on that, Ms. Hom, and maybe Mr. Kaeding's as well, if we could do that.

Ms. Sharon Hom: Thank you.

On July 5, Human Rights in China released a bilingual, annotated version with initial comments on the law, and we can send you that. We are now preparing an updated annotation on surfacing all of the translation problems, with comments. We'll be happy to send you that as well, because we think the devil is in the details. Particularly if you're being prosecuted under the law, the high-level stuff is not going to help, and as policy-makers you really need to get in to the weeds.

Second, on the response of targeted sanctions, it is important that you know that when we say "targeted".... One thing on Magnitsky-type sanctions is that Hong Kong groups, Hong Kong people and Hong Kong researchers have created massive databases and issued reports that have named individuals, in particular including the United Front, which was kind of more shadowy in the last five years. I would urge the committee to look at some of those reports. We can send you some citations, but the annex is very interesting, because individuals are listed.

When we think of targeted sanctions, they should be targeting individuals who have taken both a leadership role and the lead role in implementing the propaganda, in implementing the pressure, the intimidation, the surveillance of Canadians and of ethnic Chinese, not just in Canada. We know what that has been. This is not a new phenomenon for us, or for myself personally. I think that would be helpful—

Mr. Robert Oliphant: I'm just going to cut you off there. Thank you.

Mr. Kaeding, you can comment on that as well if you like. I have a good answer, but I have another question for you as well. If you could be short, do you have any comments on that one?

Dr. Malte Philipp Kaeding: Just very briefly, I completely agree with Professor Hom that individual, targeted, wide-reaching...so the more people, the better. I disagree with Professor Ong that this will be detrimental to Hong Kong's economy.

Mr. Robert Oliphant: Based on what evidence?

Dr. Malte Philipp Kaeding: That it's exactly what the movement is trying to achieve. We will not target normal banking operations; we will target red capital, which is the United Front people.

• (1330)

Mr. Robert Oliphant: Sure. Thank you.

The main question I have for you is this: How homogenous is the movement in Hong Kong that you have talked about as localism? When I have looked at the world, in any kind of movement around anything there are usually people with different goals, but they coalesce around a movement to get their different goals. How homogenous is the Hong Kong movement, and what are the divisions?

Dr. Malte Philipp Kaeding: Very briefly, the localist movement is one part of the anti-extradition movement. I tried to say that it has inspired a large part of last year's movement, but the localist movement is not the same. Inside the localist movement, you have a spectrum of people: people wanting a referendum, people wanting independence, some people just wanting to go back 10 years. The movement last year was surprisingly homogeneous on the key main goals, these five demands we have heard quite a lot about.

Mr. Robert Oliphant: Very good.

Thank you, Mr. Chair.

The Chair: Thank you very much, Mr. Oliphant.

[*Translation*]

Mr. Bergeron now has the floor for six minutes.

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

I would also like to thank the witnesses for once again providing extremely topical insight to inform our reflections on the current situation in China, particularly in Hong Kong.

I would like to give Mr. Chatigny some time to share his extensive experience in immigration matters.

After the events in Tiananmen Square, Canada worked to encourage activists to leave. We are now facing a number of hurdles. The first one is obviously the current pandemic. As a result of the pandemic, Canada has suspended most of its operations related to visas, settlement and so on. I would say that the second hurdle is the fact that the Chinese authorities are threatening to prevent activists from leaving. The third possible hurdle is that not everyone in Hong Kong will necessarily be able to afford to leave the area and come to Canada.

Based on your experience, through our committee, what would you recommend the Canadian government do to make it possible for activists to leave, given the various obstacles?

Mr. Stéphane Chatigny: Thank you for the question, Mr. Bergeron.

As I said in my presentation, my immigration expertise is primarily focused on the Quebec government's immigrant investor program.

With respect to the first obstacle, that is, the pandemic that has put all immigration programs on hold for the time being, that is in fact the case for all programs. So I don't have any specific recommendations to make on that.

When it comes to immigration, I believe that the Department of Immigration, Refugees and Citizenship has a great deal of expertise. In my opinion, the main recommendation is to act swiftly and address this issue immediately.

Mr. Stéphane Bergeron: Thank you, Mr. Chatigny.

I would like to go back to Mr. Kaeding's comments about what led the Chinese government to intervene in Hong Kong with the national security law. Apparently it was motivated by fear on a number of levels, including fear of the independence movement. However, I understand from what you said that the Chinese government's intervention made people, especially young people, more firm in their resolve to gain independence.

Did I understand your remarks correctly?

[*English*]

Dr. Malte Philipp Kaeding: Thank you so much for the question.

Yes, exactly, this is my main argument, that because of the ongoing suppression, going on for a couple of years now, the localist movement created the idea of independence as a hope to cling on to, as a psychological coping mechanism. More pressure now, through the national security law clampdown last year, will only fuel this independence movement.

• (1335)

[*Translation*]

Mr. Stéphane Bergeron: I have to admit that I found what you said extremely refreshing. In fact, we often face the challenge of China being the emerging superpower and we cannot do much to force the Chinese government's hand. However, you identified the fundamental element: fear. With fear comes vulnerability, which, I believe, provides a way in for us.

I have one last question for you. You mentioned a survey that I found interesting. It showed that a lot of Hongkongers identify more with Hong Kong than China. That struck me, given that Hongkongers share a longstanding cultural heritage and history.

How would you explain the fact that many Hongkongers no longer feel Chinese?

[*English*]

Dr. Malte Philipp Kaeding: Yes, we can see that over time the Hong Kong identity has been rising, especially in these times when the pressures are felt more. Among young people, over 80% now completely identify as Hong Kongers, not Chinese at all. They even try to ethnically distance themselves.

There is often the idea that their core values are very, very different from those of mainland China. As you said, there's a different language, which is very important, a different historical experience and a different lifestyle. These all come together to create this Hong Kong identity. A lot of young people have this memory, through their parents, and now this has all been destroyed by the Chinese influence.

The Chair: Thank you very much, Mr. Bergeron.

Mr. Harris, you have six minutes, please.

Mr. Jack Harris: Thank you, Chair.

Thank you to the three witnesses for giving us this very penetrating and significant analysis.

I will start with you, Mr. Chatigny. You mentioned that you assisted over 2,000 business immigrants to come into Canada through Quebec and their program. Can I ask you whether or not their entry into Canada was part of, or was seen by them as part of, China's expansion throughout the world business-wise, or would they see that as an individual step for themselves? I'm sure it's an individual question, but is there a general trend there? Is this part of China's strategy of increasing its business interests elsewhere?

[Translation]

Mr. Stéphane Chatigny: No. I rarely had the impression that Chinese businesspeople were immigrating to Canada as part of an economic expansion strategy or philosophy. Most of the time, it's simply a matter of bringing their family members here and getting their children into the best schools and universities in the world. Canada is certainly an excellent product in that respect, in the eyes of the immigration industry.

As you probably know, the wife and children usually come to Canada, while the applicant stays in China to continue running their business there.

[English]

Mr. Jack Harris: Thank you. That answered my question.

We are looking at Hong Kong, the role of Hong Kong, and the 30 years during which China expanded rapidly to become a significant power. Obviously, to some extent that was dependent upon the finances raised in Hong Kong. Do you have a comment on whether that would change now? Is it needed, given the already rapid expansion that we have? Is China less dependent on Hong Kong and the finances there?

[Translation]

Mr. Stéphane Chatigny: Thank you for the question.

With regard to Hong Kong's economic ties with China, I do have some data. First of all, 70% of initial public offerings on the stock exchange still come from Chinese companies. In addition, the import-export business between Hong Kong and China is now down to around 5%. If memory serves, it was 29% a few years ago. So it has gone down considerably.

The immigrant investor program has very few applicants from Hong Kong, but that will likely change in the coming years.

• (1340)

[English]

Mr. Jack Harris: Thank you.

Professor Hom, I was interested in your question regarding what Hong Kongers want versus what we want. You may have mis-characterized my suggestion. What we want to see is the rule of law playing a more important role, hopefully, in Canada's relation to the world. That would obviously include human rights to the strongest possible degree.

In terms of the list of things that people are campaigning for—universal suffrage, the five demands, the local government aspect, the legislative demands, freedom and all those things—they're all part of the same, as I see it. Are you suggesting that we ought to

find specific things on the agenda and look for ways to support them?

Ms. Sharon Hom: Thank you.

I wasn't casting any imperialist intentions on anyone through those questions, but, apropos of the question, which is relevant, as of July 7, 2020, there were 15,246,481 people who had participated in 1,096 protests. This is all being documented and tracked on a regular basis by Hong Kong people and groups supporting analysis and research of what's happening.

Are they monolithic? No, they are quite diverse in age and background. There are the young.... You should note that 80% of those arrested in the movement last year were young—not the Communist Party's definition of young, which goes up to 40 or 45, but young as in under 30. There are social workers, civil servants, journalists, medical workers. There is a rapid growth of trade unions in Hong Kong as a result of the movement. So there are many things happening, and the movement is diverse.

You've heard over and over “be water” and “leaderless”, but the bottom line is that there are the five demands, of which only one has been, reluctantly and painfully, responded to, and the other four are still demands: end of impunity for police violence, universal suffrage as promised in one country, two systems, and respect for rights and freedoms.

You can see that there were over 500,000 who voted democratic in the primaries, and the massive victory of 17 of the 18 districts taken over by pan-dems. They were all a vote of confidence. This is what Hong Kong people want, and those are pretty strong signals.

Mr. Jack Harris: Thank you, Professor.

I want to thank you, in particular, but also all three of you for giving us some hope that efforts are continuing, which Canada should support.

The Chair: Thank you, Mr. Harris.

Now we'll go on to the second round.

Mr. Albas, please go ahead for five minutes.

Mr. Dan Albas: Thank you, Mr. Chair.

I'd like to say thank you to all our witnesses for their testimony today.

Mr. Chatigny, if you wouldn't mind, I'll start with you.

I am concerned about the safety of the 300,000-plus Canadians who reside in Hong Kong. I'm also concerned that the Canadian government may or may not be ready in case many of them decide to come home, and many may not have proper documentation, for example a Canadian passport.

I believe you've mentioned that the communist regime in China may exert some control over who can leave based on what travel documents they have. Is this a concern, and how does the Canadian government address it quickly?

[Translation]

Mr. Stéphane Chatigny: Once again, I must point out that my immigration expertise is limited to Quebec's immigrant investor program.

Beyond that, I believe that most expertise can currently be found inside the government, specifically in the Department of Immigration, Refugees and Citizenship.

[English]

Mr. Dan Albas: Okay. We've had in this committee former ambassador Mulroney come and talk to us about the need for Canada to take action, obviously working with allies, but to also, more importantly, rethink our foreign policy framework when it comes to China.

Now, just the way this has all happened in Hong Kong, it begs the question of whether or not China even respects its own policy of one country, two systems. I'm also concerned about what that may mean for other parts of that policy, including Taiwan.

I'll ask Professor Hom first, and then maybe I'll ask the other two to also speak to it.

Do you believe that Taiwan will be the next target after Hong Kong?

• (1345)

Ms. Sharon Hom: I can't presume to be inside the mind of authoritarian General Secretary Xi Jinping, but clearly Taiwan was in the minds of the Chinese leaders in 1984. The whole idea of one country, two systems was so that Taiwan would be convinced that this was the solution to the reunification with the mainland. That's because Deng Xiaoping thought that in 50 years the mainland would catch up and be more open and reformed. However, since 2013 those hopes have been very sadly dashed by what Xi Jinping has done.

But enough of that. I think Taiwan has very clearly looked at Hong Kong and said, "One country, two systems—not for us." I think that's exacerbating the cross-strait tensions, because now it's very clear. The President of Taiwan has said clearly that they are not going to come back. They said that they can't declare independence. Well, they don't need to declare independence. It's already a country. Although geopolitics is not my area—I'm just a human rights lawyer—I think Canada should consider strengthening international support and recognition of ways to have diplomatic engagement with Taiwan that gives strength to Taiwan.

It's not just Taiwan; we saw it in the region of the South China Sea. Japan is kind of nervous. Everyone's nervous in the region. Getting away with not following the rule of law, trashing your own international obligations and ignoring international standards, not just in human rights law but under the international maritime law, under treaty law and under all of this, poses a danger to not only the 300,000 Canadians but really the 7.4 million people living in Hong Kong and in the region.

It is very important to hold the line on Hong Kong. We are the front line to defend the region.

Mr. Dan Albas: Yes. I appreciate your testimony.

Mr. Kaeding, you haven't had a chance to speak in my intervention. What do you think in terms of Taiwan? Will it be next?

Dr. Malte Philipp Kaeding: I agree with Professor Hom that it's very difficult to predict.

What I have tried to say is that because China is driven by all these fears, it could be very likely a miscalculation on one level in the Chinese regime, where they're saying, okay, maybe we have to please Xi Jinping; or Xi Jinping is worried about domestic unrest or the dropping of the GDP and then tries to deflect, feeding the hypernationalism in China. Unintended consequences, or maybe intended consequences, do happen.

So I don't think it's a specific strategy to take Taiwan next, but it's always on the list of something to be resolved.

[Translation]

The Chair: Thank you very much, Mr. Albas.

I will now give the floor to Mr. Dubourg for five minutes.

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

It is now my turn to welcome all the witnesses taking part in this meeting today on such a crucial matter.

I do not have a lot of time, but I would like to direct my first question to Ms. Hom.

Ms. Hom, you have 18 years' experience as a professor. You have trained judges and lawyers in various institutions. I would like you to continue sharing your knowledge with us.

In a May 2020 interview with the *Hong Kong Free Press*, you said that change always starts with the people, not with government-enacted reform.

In the context of this new national security law, do you still believe that demonstrations by the pro-democracy movement in Hong Kong will get results?

• (1350)

[English]

Ms. Sharon Hom: I need to retire for real so that I can reflect on the whole experience of the past many years.

Just quickly, one thing that's very important from the training work I did on the mainland is that you need to build the personnel infrastructure. You don't just build rule of law with no people. That's why it was very important to train the young lawyers and the young teachers. Indeed, they are the ones who are now having to carry and fight that steep challenge of legal reforms on the mainland. They are indeed still doing that.

I'm very intimidated that this committee, more than any government committee I've ever appeared before, has actually gone and read our writings and then come back and thrown our writings back at us. I think that's the human rights part. Intellectually I have a certain degree of pessimism, but as a human rights lawyer and activist, we really don't have the luxury of pessimism. Our job is to make sure that we provide solidarity and create a safe space for Hong Kongers to be able to continue the work. The Hong Kong student union took out a full-page ad saying that they would die, they would give their lives, for freedom, with a powerful opening letter that quotes Hannah Arendt on totalitarianism. Even in these dire circumstances, you are seeing these students, these young people, continue to speak out.

I have to add that on the mainland, where we have now seen more than 75 years of real repression in the ecosystem, you have support for Hong Kongers. They are being prosecuted. They have gone to prison. They have suffered harassment. Douban is the largest online social media platform for reviewing films and social media. They have millions of people. Someone just posted, despite all of this repression, a comment reviewing the national security law in Hong Kong. They had the nerve and courage to give it one star. To me that shows, "Why do we think we'll win? Because you can't kill us all."

The big cartoon is the rooster: You can kill all the roosters, but it won't stop the dawn. It just won't. That's a fact.

Mr. Emmanuel Dubourg: Thank you so much. I have just one more question, if I have the time.

[*Translation*]

You trained those lawyers. You even said that a number of sections and aspects of the new legislation were poorly translated.

How are these young lawyers going to protect or defend the demonstrators? Can Canada provide support for the situation?

[*English*]

Ms. Sharon Hom: That's a terrific question and a terrific place to look. Canada was involved in many legal exchanges, rule of law exchanges, just like the U.S. and just like the EU. In those legal exchanges, if you're going to engage and do something helpful, then think about technical support. Mainland lawyers do not know Hong Kong common law. Hong Kong lawyers do not know mainland socialist legalities, or in whatever version you want to say it. We need to have some training on that.

I would also note that Hong Kong legal academics have been engaged since July 1 on organizing legal, detailed workshops on how we elaborate and understand...and we should be supporting those efforts.

The Chair: Thank you very much.

Thank you, Mr. Dubourg.

Now we have Mr. Genuis for five minutes, please.

Mr. Garnett Genuis: Thank you so much, Mr. Chair.

Thank you to the witnesses. I think this has been a really inspiring panel.

Professor Hom, thank you for your call to optimism. We've seen how people-powered movements have been able to bring about incredible change in environments where maybe it wasn't expected. I think the courage you speak of from these Hong Kong protesters can be an example for us as parliamentarians. Sometimes we hear people say, well, we should be cautious, because we should be afraid of the consequences if the Chinese government retaliates, but we have this inspiring example of people who are aware of major consequences to their own lives and security and yet are courageously standing up for justice and freedom.

I would note as well that we just celebrated 75 years since victory in the Pacific, honouring Canadian soldiers who gave their lives for the freedom of Hong Kong. I hope that we as a committee, and as parliamentarians, continue with their example in mind, as well the example of these protesters.

I wonder if you could speak to the potential positive downstream effect of the stand being taken by people in Hong Kong. We've talked about the downstream negative effects of how the Chinese government might follow up what's happening with action in Taiwan and elsewhere. What about the downstream positive effects when people stand up for their fundamental rights inside of Hong Kong? What is the likelihood that this will impact people's response to abuses of human rights on the mainland?

• (1355)

Ms. Sharon Hom: Thank you, Mr. Genuis. I'm so sorry I missed meeting with you in February when I was speaking in Vancouver. I'm so glad I get to finally see and meet you, and I hope we have some follow-up opportunity.

First, there are actually downstream positive effects for everyone in the movement, and when we see them, each voice, each ad, each action is so inspiring to us.

The second is that downstream affects us, and that's why Beijing censorship must control it. It has the downstream positive effect of inspiring mainland human rights defenders and just ordinary citizens on the mainland.

Third, it's not just a downstream effect flowing one way; it's one big global trend against authoritarian regimes. We see it in Belarus and we see it against police violence in the U.S. and also in Tibet and in the Uighur movements. These are all mutually inspiring each other and learning from each other in terms of strategies, but I think the Hong Kong movement has been particularly inspiring because Hong Kong people have taken on, against all odds and incredibly, what the diplomatic community views as impossible to take on because the diplomatic community is too cautious.

I would say that the time for naïveté is indeed over, but it's also clear that the time is over for the 30-year assumption that the strategy of engagement with China was working. I think it's time for a reset of that strategy, and at the core of that strategy should be people.

Mr. Garnett Genuis: Thank you very much.

I wonder if you can follow up on the question of sanctions as well, because there have been discussions in both panels about sanctions. I didn't hear any of our witnesses today say they were against targeted Magnitsky sanctions. I heard concerns about making sure that our sanctions were targeted against human rights abusers, that we weren't imposing broad, poorly targeted sanctions against a whole economy. Frankly, the trend in sanctions anyway is to be focused on those who are guilty while trying not to impact those who are innocent.

Do you want to comment on how we can effectively target sanctions to not impact the wrong people but to impact those who are responsible for repression?

Ms. Sharon Hom: I agree with Mr. Kaeding that they should be as broad as possible on targeted individuals, and those would be individuals who are in the United Front, in the police, in the administration of the the Hong Kong SAR.

I also want to direct you to the fact that extensive lists of individuals and what they have done have already been compiled by Hong Kong people. I would urge the committee to review those lists and, when you urge targeted sanctions, to pick your targets, because I'm telling you there are hundreds.

The second part of targeted sanctions is that threatening a sanction is not good enough. There has to be an actual follow-through, and you have to actually see it.

Third, mainland leaders in Hong Kong have literal investments in the outcome in Hong Kong that protect their invested, privileged positions in real estate and everywhere. I think they need to be targeted broadly, and these individuals have all been identified.

Mr. Garnett Genuis: Yes.

The Chair: Thank you very much.

Mr. Garnett Genuis: That's the key to Magnitsky sanctions, right? They're targeting the individuals, not the people.

Thank you, Mr. Chair.

The Chair: Thank you, Mr. Genuis.

Now we'll go on to Ms. Zann for five minutes, please.

Ms. Lenore Zann: Thank you very much.

I'm sorry to keep asking questions of the same witness, but I am very curious.

You had mentioned, Madam, that there were also a number of people in mainland China who were concerned about what is going on in Hong Kong. I mentioned at another committee the other day that I had also seen on television interviews with people living in the Republic of China who did not seem to think that this new law was particularly a problem, who felt it was more to protect China as a whole and to protect them.

Could you please elaborate on just how much people in mainland China actually know about what is going on and what the majority of thought is when it comes to the changes that the government is trying to implement in Hong Kong?

• (1400)

Ms. Sharon Hom: I think that if we say that 7.4 million people in Hong Kong are quite diverse, certainly over a billion people are also quite diverse—

Ms. Lenore Zann: Of course.

Ms. Sharon Hom: You should keep in mind that when you see mainlanders being interviewed on public TV, you should be aware of what they can say. Of course, some of them actually do believe in wolf-warrior diplomacy, but I also believe that when anyone is speaking on TV, any forced confession will tell you that you have to be very cautious about what you say.

What I do think is an indication, despite the fact that this was my point, is that you are seeing ordinary mainlanders such as taxi drivers—not activists—posting on social media in support of Hong Kong people and getting picked up. I think that's an indication of how powerful it is—how, despite all the censorship, you can't shut down the information flow, even with the law, even with all the apparatus of law and security and the technology apparatus. We didn't even talk about the technology aspects of all this, and perhaps that would be a good follow-up hearing.

So that's extremely important. We have actually looked at and tried to compile cases of mainlanders who support this. I think it's quite shocking and encouraging that one person.... Mainland law requires real-name registration. This means that when you post online or do anything online in the mainland, you have to register with your real name, which means they can track you down and they know your IP address, so that one person who posted a one-star review of the Hong Kong national security law was really courageous to do that.

You can say anything you want in China, as long as it's consistent with the party narrative. The minute you even question or characterize it, you could run afoul of it with charges of incitement, sedition, disloyalty, being anti-China, etc.

I'm not sure if I answered the question.

Ms. Lenore Zann: Thank you very much.

I'm a bit confused, because earlier you mentioned that we should be very careful and not completely cut off Hong Kong and act as if they are dead, to realize that the environment is thriving in trying to be as democratic as possible against great odds. You also mentioned that we should not be creating certain sanctions that will hurt all of the Chinese people.

When you're talking about targeted sanctions, are you only talking about targeted sanctions and not suggesting that we do broad, sweeping sanctions in, say, agriculture or seafood exports to China and things like that?

Ms. Sharon Hom: I'm not an economist or an expert on any of those things. We haven't taken any really strong position on general sanctions, because I think that requires expertise beyond that of human rights. However, one of the Confucius Institutes that is about to close down exports lobster to China. They're not going to close down because of the problem of lobster.

I know there are other interests, but targeted sanctions—I said this already and I don't want to repeat it in this limited time—can work if you target more than the twelve. There's actually a meme circulating in Hong Kong, and I won't say it because of the words, but it's based on the film *Ocean's Eleven*.

When I said not to cut off Hong Kong, what I was trying to emphasize is that, yes, urgent humanitarian solutions, which everyone is focusing on, to get those out who need to get out—

The Chair: Thank you—

Ms. Sharon Hom: I'm urging you to pay attention to the situation of those who choose to remain or can't leave. That's what I meant.

Ms. Lenore Zann: Thank you very much. Thank you for that clarification.

The Chair: Thank you, Ms. Zann.

[*Translation*]

Mr. Bergeron now has the floor for two and a half minutes.

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

First, regarding sanctions, perhaps I am setting the cat among the pigeons, but it appears that, if one wants to harm the goose that lays the golden egg, meaning the People's Republic of China, it may actually be worth considering sanctions that will affect Hong Kong's economic efficiency. In any event, the witnesses may wish to comment on the issue.

In addition, following up on my colleague Mr. Dubourg's question, Ms. Hom, I wonder what role Canada could play in terms of legislation, based on its experience with bilingualism and bilingualism. What kind of assistance could it provide?

• (1405)

[*English*]

Ms. Sharon Hom: First, support the legal experts, particularly in Hong Kong, who are in the universities and in the law schools doing very concrete technical work and thinking constructively about what can be done to interpret, apply, implement and narrow the law. As we know, the national security law and criminal law, under common law jurisprudence, must be interpreted and applied as restrictively and narrowly as possible, not broadly. That is just a general rule.

Second, in terms of support, I think we need to focus on the things you can do—not just to punish, threaten and condemn, but to proactively and constructively support. For example, China is an observer member of the Arctic Council. Canada is important at the Arctic Council. I think the way to think about it is that it's just like environmental sustainability. Canada and other countries engage in environmental sustainability analysis and assessment of all of your trade and other actions. You need to do this with human rights. You need to integrate it into investment. You need to integrate human rights due diligence, or else you haven't exercised due diligence, either as a government policy or for companies.

[*Translation*]

The Chair: You have 15 seconds left.

Mr. Stéphane Bergeron: Perhaps Ms. Hom would like to comment on harming the goose that lays the golden egg.

[*English*]

The Chair: You have only a couple of seconds.

Ms. Sharon Hom: Put simply, I do not believe in harming Hong Kong generally. I think that just goes without saying. The trick is how to do razor-tight surgery and not beat people with a bat.

The Chair: Thank you very much.

Mr. Harris, you have two and a half minutes.

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

I hope you can hear me. I had to switch to a cellphone. My service phone ran out of battery power.

The Chair: We do hear you.

Mr. Jack Harris: Okay.

Mr. Kaeding, it's been suggested by earlier witnesses that Hong Kong could go either way. We've seen arrests of high-profile people in this quick crackdown—not that others haven't been arrested too, mind you. The law itself is open to a terrific amount of selective enforcement. It could go either way. It could keep up or taper off.

You can't predict, of course, but does it matter what reaction we would have? Would our reaction as Canadians have any effect?

Dr. Malte Philipp Kaeding: Of course you're right that we don't know how they will apply this, but I think we can see that what Carrie Lam said at the beginning, that it would be only a very small number of people, is not true. It is broader than we had all feared. Without a reaction from Canada and like-minded countries, I think they will assume that this is now accepted, that they have been successful in intimidating Hong Kong people and actually getting what they want from Hong Kong without any reaction from the international community, so I think there should be a reaction by Canada.

Mr. Jack Harris: Thank you.

Professor Hom, could you add to what you said before? You've been quoted as saying that you have “faith” in the long arc of history bending towards justice. I think that's a very hopeful and purposeful comment. You also said that Hong Kongers “know they have to play the long game”. Jimmy Lai, even since his recent arrest, has talked about the fact that tactical changes might have to take place in order to be effective and creative in the longer run.

Can you tell us what the next steps might be for the pro-democracy movement and what we should be watching for and encouraging in whatever way we can?

The Chair: Keep your response to 15 seconds, please.

Ms. Sharon Hom: Take article 4 of the national security law and ICCPR protection seriously. In particular, with regard to article 55 jurisdiction of cases that are brought to the mainland, they cannot be under the mainland criminal security law and the criminal procedure law, which they will be subject to, but we need to have the international community and Canada speak out to ensure that any case that is taken to the mainland must first comply with due process protections under article 4 of the national security law and ICCPR.

They're being cautious about that right now. The first case they bring in will generate, and should generate, international scrutiny—

• (1410)

The Chair: Thank you, Professor. We're over Mr. Harris's time.

We've come to the end of our second panel and the end of the meeting.

First of all, to the witnesses, thank you so much on behalf of all the members. We are very grateful for your presence, your time and your testimony.

I can see members applauding from their distant locations.

I want to remind members that our next meeting is Tuesday, August 25, at 11 a.m. eastern time.

For those of us in Nova Scotia, that's noon, of course. For Jack it's a little later; half an hour later.

Thank you so much. The meeting is adjourned.

Published under the authority of the Speaker of
the House of Commons

SPEAKER'S PERMISSION

The proceedings of the House of Commons and its committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the Copyright Act. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the Copyright Act.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

Also available on the House of Commons website at the following address: <https://www.ourcommons.ca>

Publié en conformité de l'autorité
du Président de la Chambre des communes

PERMISSION DU PRÉSIDENT

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la Loi sur le droit d'auteur. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre des communes.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la Loi sur le droit d'auteur.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante :
<https://www.noscommunes.ca>