

117TH CONGRESS
1ST SESSION

H. RES. 130

Condemning the continued violation of rights and freedoms of the people of Hong Kong by the People's Republic of China and the Government of the Hong Kong Special Administrative Region.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 2021

Mr. MEEKS (for himself, Mr. McCAUL, Mr. BERA, Mr. CHABOT, Mr. MALINOWSKI, and Mr. KINZINGER) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Condemning the continued violation of rights and freedoms of the people of Hong Kong by the People's Republic of China and the Government of the Hong Kong Special Administrative Region.

Whereas despite international condemnation, the Government of the People's Republic of China ("PRC") continues to disregard its international legal obligations under the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong ("Joint Declaration"), in which the PRC committed that—

(1) Hong Kong would enjoy a high degree of autonomy;

(2) for at least 50 years the “social and economic systems in Hong Kong” would remain unchanged; and

(3) the personal rights and freedoms of the people of Hong Kong would be protected by law;

Whereas, as part of its continued efforts to undermine the established rights of the Hong Kong people, the PRC National People’s Congress Standing Committee (“Standing Committee”) passed and imposed upon Hong Kong oppressive and intentionally vague national security legislation on June 30, 2020, that grants Beijing sweeping powers to punish acts of “separating the country, subverting state power, and organizing terroristic activities”;

Whereas the legislative process by which the Standing Committee imposed the national security law on Hong Kong bypassed Hong Kong’s local government in a potential violation of the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China (“Basic Law”), and involved unusual secrecy, as demonstrated by the fact that the legislation was only the second law since 2008 that the Standing Committee has passed without releasing a draft for public comment;

Whereas, on July 30, 2020, election officials of the Hong Kong Special Administrative Region (HKSAR) disqualified twelve pro-democracy candidates from participating in the September 6 Legislative Council elections, which were subsequently postponed for a year until September 5, 2021, by citing the public health risk of holding elections during the COVID–19 pandemic;

Whereas, on July 31, 2020, in an attempt to assert extraterritorial jurisdiction, the HKSAR Government announced indictments of and arrest warrants for six Hong Kong activists living overseas, including United States

citizen Samuel Chu, for alleged violations of the national security law;

Whereas, on November 11, 2020, the HKSAR Government removed four lawmakers from office for allegedly violating the law after the Standing Committee passed additional legislation barring those who promoted or supported Hong Kong independence and refused to acknowledge PRC sovereignty over Hong Kong, or otherwise violates the national security law, from running for or serving in the Legislative Council;

Whereas, on December 2, 2020, pro-democracy activists Joshua Wong, Agnes Chow, and Ivan Lam were sentenced to prison for participating in 2019 protests;

Whereas ten of the twelve Hong Kong residents (also known as “the Hong Kong 12”) who sought to flee by boat from Hong Kong to Taiwan on August 23, 2020, were taken to mainland China and sentenced on December 30, 2020, to prison terms ranging from seven months to three years for illegal border crossing;

Whereas, on December 31, 2020, Hong Kong’s highest court revoked bail for Jimmy Lai Chee-Ying, a pro-democracy figure and publisher, who was charged on December 12 with colluding with foreign forces and endangering national security under the national security legislation;

Whereas, on January 4, 2021, the Departments of Justice in Henan and Sichuan province threatened to revoke the licenses of two lawyers hired to help the Hong Kong 12; and

Whereas, on January 5, 2021, the Hong Kong Police Force arrested more than fifty opposition figures, including pro-democracy officials, activists, and an American lawyer,

for their involvement in an informal July 2020 primary to select candidates for the general election originally scheduled for September 2020, despite other political parties having held similar primaries without retribution: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) condemns the actions taken by the Govern-
3 ment of the People’s Republic of China (“PRC”)
4 and the Government of the Hong Kong Special Ad-
5 ministrative Region (“HKSAR”), including the
6 adoption and implementation of national security
7 legislation for Hong Kong through irregular proce-
8 dures, that violate the rights and freedoms of the
9 people of Hong Kong that are guaranteed by the
10 Joint Declaration and its implementing document,
11 the Basic Law;

12 (2) reaffirms its support for the people of Hong
13 Kong, who face grave threats to their rights and
14 freedoms;

15 (3) calls on the governments of the PRC and
16 HKSAR to—

17 (A) respect and uphold—

18 (i) commitments made to the inter-
19 national community and the people of
20 Hong Kong under the Joint Declaration;
21 and

1 (ii) the judicial independence of the
2 Hong Kong legal system; and

3 (B) release pro-democracy activists and
4 politicians arrested under the national security
5 law; and

6 (4) encourages the President, the Secretary of
7 State, and the Secretary of the Treasury to coordi-
8 nate with allies and partners and continue United
9 States efforts to respond to developments in Hong
10 Kong, including by—

11 (A) providing protection for Hong Kong
12 residents who fear persecution;

13 (B) supporting those who may seek to file
14 a case before the International Court of Justice
15 to hold the Government of the PRC accountable
16 for violating its binding legal commitments
17 under the Joint Declaration;

18 (C) encouraging allies and partner coun-
19 tries to instruct, as appropriate, their respective
20 representatives to the United Nations to use
21 their voice, vote, and influence to press for the
22 appointment of a United Nations special man-
23 date holder to monitor and report on human
24 rights developments in Hong Kong;

1 (D) ensuring the private sector, particu-
2 larly United States companies with economic in-
3 terests in Hong Kong, is aware of risks the na-
4 tional security legislation poses to the security
5 of United States citizens and to the medium
6 and long-term interest of United States busi-
7 nesses in Hong Kong;

8 (E) continuing to implement sanctions au-
9 thorities, especially authorities recently enacted
10 to address actions undermining the rights and
11 freedoms of the Hong Kong people such as the
12 Hong Kong Autonomy Act (Public Law 116–
13 149) and the Hong Kong Human Rights and
14 Democracy Act of 2019 (Public Law 116–76),
15 with respect to officials of the Chinese Com-
16 munist Party, the Government of the PRC, or
17 the Government of the HKSAR who are respon-
18 sible for undermining such rights and freedoms;
19 and

20 (F) coordinating with allies and partners
21 to ensure that such implementation of sanctions
22 is multilateral.

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