

September 4, 2019

Victoria Tin-bor Hui
Associate Professor in Political Science, University of Notre Dame

Testimony before the U.S.-China Economic and Security Review Commission
“U.S.-China Relations in 2019: A Year in Review”

The Hong Kong Reckoning

Since last year, China watchers have raised the idea of the “[China reckoning](#)” in U.S.-China relations. Analysts have pointed to Beijing’s “[sharp power](#)” infiltration into the domestic politics of the U.S. and other countries; its coercion to force international firms to toe the party line; and its increasingly aggressive gray-zone operations in the Western Pacific.

If international observers had paid more attention to Beijing’s erosion of Hong Kong’s autonomy over the years, an earlier “Hong Kong reckoning” could have led to an earlier “China reckoning.”

Beijing has broken the promise of “Hong Kong people ruling Hong Kong” with a “high degree of autonomy” under the “one country, two systems” model – written in black and white in the 1984 Sino-British Joint Declaration (filed with the United Nations) and the 1990 Basic Law (the mini-constitution for Hong Kong). For two decades since the handover in 1997, Beijing has encroached on Hong Kong’s freedoms and the rule of law while reaping the benefits of the city’s special international status.

International [scholars](#) and policy-makers had until recently taken for granted that all was well in Hong Kong so long as Beijing did not roll out tanks into the streets of Hong Kong in Tiananmen-like fashion. In recent weeks, the prospect of Beijing crushing the Hong Kong protests by rolling out [Chinese troops](#) has made headlines.

This angle, however, distracts from how Beijing has long chipped away at Hong Kong’s autonomy with less visible, nonmilitary, whole-of-society repression akin to the “sharp power” deployed elsewhere.

In order to quell the current protests, Beijing has deployed the Hong Kong police and local thugs without rolling out Chinese troops, used the Hong Kong government to take draconian emergency measures without formally declaring [emergency](#), and wielded white terror without creating bad optics. The U.S. Congress and the U.S. Government should broaden monitoring efforts from Chinese troop deployment to the daily, less visible repressive measures to intimidate Hong Kong.

The Hong Kong government, if it were accountable to the people, could have avoided the escalating crisis. Protestors have 5 demands: withdrawing the extradition bill which would have required Hong Kong to turn over accused offenders to mainland criminal justice; ordering an

independent commission to investigate police abuses; taking back the characterization of the protests as “riots”; dropping the excessive charges leveled against the arrested; and reopening discussions of democratic reform as promised in the Basic Law.

The Chief Executive Carrie Lam “suspended” the extradition bill in June. But she has stubbornly refused to formally withdraw the bill as demanded by [73%](#) of respondents in a representative survey. When a [Reuters correspondent](#) asked Lam if she had the [autonomy to withdraw the bill](#), she had no answer. In a leaked audio, she told business leaders that “[If I have a choice](#), the first thing [I would do] is to quit.” So she apparently does not even have the autonomy to quit her job.

Deprived of the option of easing tensions by addressing protestors’ top demands, the authorities have increasingly relied on Hong Kong’s own police force. This policy has only corrupted what used to be [Asia’s finest](#) police into “[just another mainland force](#)” that now arbitrarily beats up and arrests protestors and passersby. Police abuses have, in turn, galvanized [79%](#) of the respondents in the same survey to call for an independent inquiry.

Yet, the Carrie Lam government seems to have lost command of the police. In a closed-door meeting, she ruled out an independent investigation because “[colleagues of the police force were very much opposed to it](#).” When the Chief Secretary Matthew Cheung, her second in command, apologized that “the police’s handling [of gangster violence in Yuen Long on July 21] fell short of residents’ expectations,” he was publicly rebuked by the [Police Inspectors’ Association](#). One anonymous [statement](#) read: “Matthew Cheung, why do you deserve to represent the police force? If you want to apologize, you should resign. If you don’t step down or apologize to the whole force, you will be a sworn enemy of the police!”

As if that weren’t enough to show that it is Beijing officials rather than Carrie Lam’s administration that is really ruling Hong Kong, the central government’s Hong Kong and Macao Affairs Office has held three rare press conferences to comment on the protests. Spokesman Yang Guang said: “We should relentlessly crack down on... violent criminal acts without mercy, and we firmly support Hong Kong police and judicial authorities in bringing the criminals to justice as soon as possible.”

With Beijing’s blessings, the Hong Kong police have resorted to an increasingly [bloody](#) crackdown that “[evokes memories of Tiananmen era](#)” without the tanks; they have practiced emergency measures before formally declaring emergency. Recent [news reports](#) highlight that, since the government cannot accept protestors’ demands, the plan is to “arrest as many as possible” “until there is nobody left” ([「拉得幾多得幾多」](#), [「拉到無人為止」](#)). Beijing has additionally stepped up a white terror campaign to silence the larger society.

This testimony chronicles such repressive measures up to September 2.

A Bloody Crackdown by the Hong Kong Police and Local Thugs

On June 12, when protestors surrounded the Legislative Council to prevent it from deliberating on the extradition bill, the police were already [criticized](#) by local and international observers

alike for beating unthreatening protestors with batons and firing excessive rounds of rubber bullets, pepper spray, beanbags, and tear gas.

After Beijing's first press conference on Hong Kong on July 29, the Hong Kong police began to take more draconian actions.

The first tactic has been to restrict the freedom to protest by refusing to issue a “no-objection notice” – essentially, a permit – to organizers. Such refusals were rare for two decades, but the police have repeatedly used this card in the last two months. The police denied a permit for a planned protest in Yuen Long on July 26 and then showed up in force to subdue the “unlawful assembly.” In subsequent applications, the police allowed rallies at parks but denied marches, rendering spillovers to the streets as illegal.

Then, in response to “unlawful assemblies,” police officers have routinely hit protestors with batons and fired tear gas, pepper spray, beanbags, rubber bullets, and even sponge grenades.

Increasingly lethal police operations have resulted in bloodier and bloodier crackdown. On the first “[bloody Sunday](#)” on [August 11](#), officers disguised as protestors [beat](#) up the arrested. [One](#) protester had his face pushed into a pool of his own [blood](#). A woman was [shot in the eye](#) by a [rubber bullet](#), permanently blinding her right pupil. At the Taikoo metro station, protestors were fired at with pepper spray at [close range](#) and chased down the escalator with batons.

Police spokespersons have insisted that the crowd control weapons are not deadly. However, the [UN Human Rights Office](#) and [Amnesty International](#) have accused the Hong Kong police of using them in ways that are prohibited by international standards. The [New York Times](#) has documented how the police have fired some of the 1,800 rounds of tear gas from high above at high velocity, at head level, and at close range, producing “blunt force trauma” from canisters among suspected protestors.

With many cases of police abuses in the streets caught on livestream, the police have also turned their ire toward journalists, directly firing tear gas at them on July 27 and August 3–4.

What is not visible to reporters and bystanders is even more disturbing. Fifty-four of the arrested on August 11 were taken to San Uk Ling, the farthest possible detention center close to the border. [Lawyers](#) who made their way to the remote location were denied access for [12 hours](#). The detained disclosed later that they were stopped from even [contacting families](#). Most of all, some of them were so [brutally beaten](#) that they came out of detention with severe injuries. A young man, in particular, emerged with [brain bleeding](#) that he did not have before detention – the moment of his arrest was caught on film when an officer put a sharpened rod into his backpack. When pressed by reporters, police spokesmen admitted that 30 detainees from August 11 were hospitalized, with 6 suffering from [bone fractures](#). At least 7 detainees from August 25 were hospitalized for [head injuries](#). However, without closed circuit TV (see a [separate case](#)), the police insist that they have always used only the necessary amount of force to restrain the arrested.

It is thus noteworthy that doctors and nurses have protested with the slogan “[Hong Kong police attempt to murder Hong Kong citizens](#).” A [nurse](#) anonymously recounted how one detainee’s wrist was so broken that x-ray showed that it was connected only by skin. The medical sector has also complained about [inhumane rules and procedures](#): that ambulances are not allowed to treat the wounded at protest sites without police approval, that the police arrest suspected protestors at hospitals so that the injured are fearful of seeking medical treatment, and that medical staff are restricted from calling families on patients’ behalf.

Other forms of treatment are no less appalling. Some of the detained complained of being given [salty toilet water](#) for drinking. Several women disclosed that they were strip-searched, a practice normally reserved for drug addicts. [Three underage students](#) have been put in juvenile centers rather than released on bail to families.

With more than [1,100 people](#) arrested so far, the police are charging them with more serious crimes such as rioting, assaulting the police and possessing weapons in addition to the lesser one of “unlawful assembly.” Rioting is an unlawful assembly of three or more people where any person “commits a breach of the peace” and it carries a maximum sentence of 10 years.

Most alarming, police forces are credibly suspected of [collusion with criminal gangs](#) who have assaulted both reporters and protesters. In a July 21 incident, hundreds of suspected triads dressed in white shirts indiscriminately beat locals with wooden sticks and metal rods at the Yuen Long train station. The police [did not show up](#) until after the gangsters had left, and senior officers were filmed speaking with the men in white shirts prior to the attack. [Zachary Wong](#), a local district councilor, has received death threats for speaking to the media about police-gangster collusion. A month later, only [2 were charged of rioting](#). As the police can be counted on to look the other way, there have been more cases of thug attacks: in Tsuen Wan on August 5, in North Point on August 5 and 11, in Wan Chai on August 18, and Tseung Kwan O on August 20. On August 29, thugs beat up [Max Chung](#), who organized a protest against the Yuen Long gangsters, and [Jimmy Sham](#), convener of the Civil Human Rights Front which has organized various massive peaceful protests.

This biased enforcement of the law and complicity with lawless attacks on protestors has turned Hong Kong into a police state, even a mafia state.

Emergency Measures Without Declaring Emergency since August 30

Until August 30, the bloody crackdown targeted at [700 to 1000 core protesters](#) (though the police have been so indiscriminate that the arrested include a pilot, medical volunteers, social workers, NGO observers, and passersby). Since August 30, the police have extended its sweep.

The authorities were particularly worried about [August 31](#), the fifth anniversary of a Beijing decision to stifle universal suffrage that had sparked the Umbrella Movement of 2014.

The day before on August 30, the police arrested Joshua Wong and Agnes Chow (as well as Ivan Lam who was arrested absentia) of the Demosisto party; legislators Jeremy Tam of the Civic Party, Nok-hin Au of the Democratic Party, and Chung-tai Cheng of the Civic Passion; district

councilor Rick Hui; Andy Chan of the pro-independence Nationalist Party; and former student union leader Althea Suen. One legislator is charged with assaulting the police for using a loud hailer at a high volume that hurt officers' ears; another is charged with obstructing police operation by mediating between the police and protestors. This wave of arrests involves better known activists but not core protestors, so it is widely seen as a preemptive move to suppress protest turnouts the next day.

Late on August 30, an off-duty officer endured [bone-deep wounds](#) after he was stabbed by three masked men. The attack was attributed to violent rioters. Netizens found it curious that while the attack happened at 23:21pm, a pro-government newspaper the *Oriental Daily* published the story only [20 min. later](#) at 23:41pm.

To further intimidate the public, the police for the first time imposed a total [ban](#) on a peaceful march organized by the Civil Human Rights Front on August 31. This did dampen participation in an "illegal assembly," so that tens of thousands rather than millions took part. Yet, some were [first-time protestors](#) outraged by the police ban.

The police took even more draconian measures against daring protestors on August 31. They deployed water cannons with blue dye for the first time, leading analysts to draw analogy with martial law under the [apartheid regime](#) in South Africa.

When some officers dressed up as protestors were identified in Causeway Bay, uniformed police surrounded and held up reporters so that no photos or live streams could be taken.

The police stormed into the Prince Edward metro stations with batons and pepper spray. Many people were hit on their heads. Sixty-three people were arrested from the incident. The early horrifying scenes were caught on [live streams](#) and [videos](#). The police later [ordered reporters to leave](#) the station. Medical staff were not [allowed in](#) for 2.5 hours. On that night, the police acted more violently than even gangsters in Yuen Long on July 21.

Pro-government voices have been advocating the imposition of emergency to put an end to the escalating protests. However, if the Hong Kong police are already taking away citizens' right to protest, arbitrarily arresting democratically elected law-makers and activists, indiscriminately beating up passengers inside train stations and train cars, banning reporters from covering police abuses, denying medical workers access to the wounded, breaking the bones of the arrested in detention centers and more, then the Hong Kong government has effectively adopted emergency measures even if it has not formally declared emergency.

A White Terror

Less bloody but no less repressive is a widening white terror. International media have extensively covered how Beijing has used [Facebook, Twitter, and YouTube](#) to spread disinformation about the Hong Kong protests. There should be more attention to how Beijing also is seeking to punish dissenters among moderate, [middle-class professionals](#).

The protests have enjoyed extensive societal support. One million marched on June 9, 2 million on June 16, and 1.7 million on August 18. Many professional groups have organized protests one after another: medical staff, social workers, journalists, civil servants, lawyers, airlines crew, teachers, accountants, surveyors, architects, financial sector staff, and many more. While Beijing cannot order individuals to toe the party line, it can [raise the costs](#) of sympathizing and participating for common people:

- Beijing, in particular, forced Cathay Pacific Airways to [choose](#) between its China business and its employees. It was told on August 9 to ban crew members who supported the protests in general and the strike on August 5. The pressure led to the resignation of the CEO Rupert Hogg and his deputy Paul Loo Kar-pui, and the sacking of pilots and ground staff. Among the 20 or so already fired, some merely shared social media posts. Rebecca Sy, the former chairwoman of Dragon Airlines Flight Attendants' Association, was fired on August 23 for pro-protest contents on her social media. The airlines subsequently instructed its employees to [blow the whistle](#) on one another.
- The big four accounting firms in Hong Kong are pressed to identify employees who placed an [advertisement](#) in the pro-democracy Apple Daily newspaper in support of protests on August 16. Mainland Chinese internet users have warned them against "[becoming the next Cathay Pacific](#)."
- Hong Kong's tycoons and big firms have been placing front-paged advertisements in local newspapers to publicly pledge their support for the Hong Kong police. Even U.K.-headquartered banks [HSBC and Standard Chartered](#) PLC have followed the pack.
- The [Airport Authority](#) fired two pro-protest managers on August 5.
- The Hong Kong [railway MTR Corporation](#) was criticized for letting protestors to arrive at and leave protest sites at will. It has suspended service to stations near protest routes since August 24.
- The police have complained about uncooperative [medical staff](#) and disclosed their personal information on pro-regime platforms.
- Officers of various [university student unions](#) have received death threats.
- [Priests](#), who have led prayer and hymn service at protest sites, have received death threats.
- [Teachers](#) are targeted by China's *People Daily* for polluting young minds. Pro-Beijing voices in Hong Kong are agitating for recruitment based on patriotism.
- [TVB](#) has fired over 20 staff for pro-protest posts or post-it notes.
- [Radio Television Hong Kong](#) was surrounded by a pro-Beijing rally on August 24.

One [social media meme](#) has this message: HK's television stations, railway corporations, airlines, and police no longer belong to Hong Kong people because the Hong Kong government does not belong to Hong Kong people.

Beijing is expected to further tighten control over all branches and all levels of government as it did in the aftermath of the 2014 Umbrella Movement. At the time, its efforts to rein in Hong Kong already went far beyond charging movement leaders of "inciting nuisance" and sentencing them up to 16 months in jail. Beijing handpicked the Chief Executive and filled top positions with loyalists in the civil service, law enforcement, judicial institutions, and university councils. To curb the power of the Legislative Council, the Chief Executive banned some opposition candidates from running for office and disqualified others after they had been elected. To further

undercut the courts' lingering independence, the Standing Committee of the National People's Congress took the unusual step of issuing a binding interpretation of local oath-taking requirements while a case to remove legislators who had disrespectfully stated their oath was still pending. And to dominate the city's 18 district councils, Beijing's Liaison Office intensified support for its loyalist candidates.

Hong Kong's Last Stand

Just as the post-Umbrella repression did not extinguish dissent, the current combination of bloody crackdown and whole-of-society white terror will only stiffen Hong Kong people's resolve to defend the freedoms that they have grown up with.

If the authorities have tried to isolate the thousand or so core protestors from the broader society, the blanket repression has only united them.

If anything, the lessons from the Umbrella Movement and the harshness of the current clampdown have convinced Hong Kong people that this struggle is the "last stand" with "no retreat." They are fast losing even the basic freedom from fear – the fear of getting beaten by the police in train stations and the fear of getting fired for simply saying "Go, Hongkongers (香港人加油)!"

What the intensifying suppression has achieved is to fuel escalation. Some protestors believe that escalation necessarily means countering police brutality with their own violence. At the same time, some protestors understand that the best counter to the police's intensifying bloody arrests is to focus on nonviolent methods. The more repressive the police become, the more necessary it is to avoid their hard blows. One of the more prominent protest slogans is: "it is you [Carrie Lam] who taught us that peaceful marches are ineffective." But nonviolence does not have to mean only peaceful rallies and marches. Concentration of protestors is vulnerable to police and thug violence. There are more and more calls for dispersed actions that do not require the police's no-objection permit. Students and workers have staged another general strike on September 2 and 3. Going on strike may not get one arrested, but could still get one fired. Consumer boycott is another method that is not just less vulnerable to physical arrests and attacks, but also conducive to job creation. Hong Kong people are developing apps that facilitate targeted boycott of pro-Beijing businesses and targeted support of pro-democracy entities, and platforms that connect pro-democracy employers with pro-democracy employees. There are further calls to shout protest slogans out of the window at 10pm every night so that the voices of dissent can echo through every neighborhood.

Stand with Hong Kong

At the moment, we do not know how the protests will unfold. What the determined Hong Kong people have achieved so far is to expose the lie that Beijing has kept its promises to Hong Kong. Beijing has completely violated "one country, two systems" with or without rolling out Chinese troops, with or without formally declaring emergency. Beijing has reduced "Hong Kong people ruling Hong Kong" into "Beijing appointees ruling Hong Kong." Beijing has even taken away the last thread of freedom – freedom from fear.

If there is anything left to “one country, two systems,” it is the people of Hong Kong – it is their will to keep defending what they have grown up with.

Hong Kong people stand for universal values, democracy and human rights. As Hong Kong people make their last stand, the world’s democracies should stand with them.

Hong Kong protesters have called for the US Congress to pass the Hong Kong Human Rights and Democracy Act as quickly as possible.

Protestors have called for international condemnation of police abuses, and for closer monitoring of the not always visible white terror.

Hong Kong people have called for closer international monitoring of the right to protest, the right to have access to lawyers and families, and the right not to have your bones broken in detention.

Hong Kong women have called for investigation into abuses of their dignity – they should not be subject to strip search and even sexual harassment during arrest.

Hong Kong medical staff have called for international humanitarian assistance. They want to fulfil their professional duty to provide emergency care at protest sites without police approval and in-hospital care without the police arresting their patients. They do not want to be arrested for simply possessing [scissors and saline](#) – these are tools and not “weapons.”

Beijing has accused the U.S. and other governments of meddling in China’s internal affairs and fomenting the protests in Hong Kong. Beijing wants to blame “black hands.” Chinese leaders should understand that this movement has massive popular support.

If foreign governments are paying attention, it is Hong Kong people who have been crying out for support. They have won the attention of international media with their determined protests. They have filed many “We the People” petitions. They have crowd-sourced funding to place full-paged advertisements in major international newspapers.

Chinese officials should also remember that it was Deng Xiaoping who in the mid-1980s lobbied western capitals and invited them to grant Hong Kong its special status on the basis of the promised high degree of autonomy.

Beijing should also understand that it is its own policy – the threat of using the PLA and the actual deployment of Hong Kong police and thuggish violence – that has stirred up the world’s “Hong Kong reckoning.”

Beijing’s best response is to stand with Hong Kong. Carrie Lam said that Beijing cares about its “[international profile](#)” and doesn’t want to forsake all the efforts of building up China as a responsible power. The “Hong Kong reckoning” has magnified the “China reckoning” in the U.S. and the rest of the world. The best strategy to reverse the current bipartisan consensus and global consensus on China’s bullish behaviors is for Beijing to honor its promises to Hong Kong

as outlined in the Hong Kong Basic Law and the Sino-British treaty. Standing with Hong Kong is the real win-win. Let the Hong Kong government withdraw the extradition bill, open independent investigation into police abuses, drop rioting charges, and deliver the promise of universal suffrage as stipulated in the Basic Law.
