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“The Void in China Policy: Why Human Rights Must Be on Trump’s Agenda with Xi at the White House”
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Ranking Member Khanna, Ranking Member McGovern, and Members of Congress:

Thank you for the invitation to testify on the state of human rights in China in advance of General Secretary Xi Jinping’s visit to Washington. I currently serve as U.S. Director of the Committee for Freedom in Hong Kong (CFHK) Foundation, a non-governmental organization established to support freedom and human rights in Hong Kong, and I also serve as a Commissioner on the U.S.-China Economic and Security Review Commission (USCC). My remarks today reflect my personal views and should not be attributed to the USCC.

Next week, General Secretary Xi Jinping is scheduled to arrive at the White House for a formal state dinner. It is only the second state dinner President Trump has hosted for a foreign leader in his second term. The full pageantry of American diplomacy will be extended to a government that this State Department itself has declared responsible for a genocide against the Uyghur people, profits from forced labor, threatens Taiwan and our allies, separates Tibetan children from their families for political indoctrination, imprisons pro-democracy advocates in Hong Kong, and bankrolls the regimes in Russia, Iran, and North Korea.

We understand that the U.S. must engage and negotiate with its adversaries. But there is a difference between clear-eyed diplomacy and unilateral concessions dressed up with the pomp and circumstance of our democracy. Receiving little in return for such an honor sends a message, not just to Beijing, but to our diplomatic allies and to those fighting for freedom in China. It tells Beijing that it will not be held accountable for its abuses at home and its destabilizing actions on the world stage. It tells our democratic friends and allies that America’s commitment to freedom is uncertain. And it tells those fighting for freedom that the world’s most powerful democracy, the “shining city on the hill,” is looking the other way.

This hearing poses a question. Why must human rights be on President Trump’s agenda? The answer is that democracy, freedom, and human rights are not just American values. They are universal values. Our commitment to those values at home and abroad, while far from perfect, makes the world safer and more prosperous. History has shown that a world governed only by “might makes right” is a dark place. The United States has been the world’s indispensable defender of a democratic model that has been admired around the world. And the U.S. Congress has played the essential role in that defense of freedom and democracy in a genuinely bipartisan tradition. Today, the government of the People’s Republic of China represents a threat to global security, to freedom, and to the values we have fought for since our founding and certainly in the post-World War II period.

I want to make three points today.

First, the human rights situation in China and Hong Kong is dire and getting worse. The Chinese government's system of one-party control has entrenched a small, unelected elite that is focused on its own wealth and power by crushing the very people we have spent generations fighting for: factory workers denied a union; young people and students concerned about future; women, ethnic and religious minorities denied their identity; journalists denied a voice; and the largest population in the world not allowed to even question their own leaders without being thrown in prison. This is not a foreign abstraction. It is single-party rule taken to its logical end and it represents everything that liberals and progressives, in particular, have fought against.

Second, President Trump has not done nearly enough to hold the Chinese government accountable for its human rights record, and Beijing is reading his restraint as license to intensify repression at home and escalate its destabilizing activities abroad.

Third, I will offer recommendations for what the Trump Administration and Members of Congress should do about it.

I. The Human Rights Situation in China Is Dire and Getting Worse

The human rights situation in China has worsened, in fits and starts, in nearly every year since the Tiananmen Square Massacre of 1989. The Chinese Communist Party has grown more sophisticated and more ruthless in its methods of controlling the people it governs, and it is doing so with an increasingly powerful set of digital tools. As the Congressional-Executive Commission on China has found in its annual reports, and subsequent independent reporting has confirmed, the human rights and rule-of-law conditions in China have continued to deteriorate as the government and Party increasingly used regulations and laws to assert social and political control over nearly every aspect of Chinese life. That finding is shared by the State Department under both Republican and Democratic administrations, along with non-governmental organizations, academics, and independent journalists covering China.

Hong Kong

Hong Kong, once the freest city in China and one of the freest in Asia, has been transformed since 2020 and is now a city where free expression is criminalized, civil society has been dismantled, and political prisoners, including pro-democracy leaders, journalists, and students, face harassment, prosecution, and long prison sentences. The draconian National Security Law grants sweeping powers to suppress dissent, criminalizing vaguely defined offenses such as “secession,” “subversion,” “collusion with foreign forces,” and “terrorism.” Since that time, nearly 2,000 political prisoners have been detained, many of whom remain imprisoned under conditions that violate international human rights standards.

Judicial independence, which was once a defining feature of Hong Kong's governance, has been severely eroded. Judges presiding over “national security” cases issue rulings that reflect the priorities of the state over the impartial application of law. The prosecution of pro-democracy figures, including Jimmy Lai and Joshua Wong, illustrates the systematic weaponization of the legal system as a tool of political control. Fundamental rights, including

access to legal counsel, the presumption of innocence, and the right to a fair trial, are systematically curtailed.

Jimmy Lai, the 78-year-old founder of the pro-democracy newspaper Apple Daily, has spent nearly six years behind bars, much of it in solitary confinement, and suffers from diabetes and declining health. He has become a symbol of the pro-democracy movement, and his 20-year sentence is the harshest yet handed down under Hong Kong's National Security Law. A CFHK Foundation research report documented in detail how Hong Kong prison authorities have subjected political detainees, including Mr. Lai, to prolonged isolation under conditions that may amount to torture.

Just last week, a Hong Kong court sentenced three brave leaders of the Hong Kong Alliance, the organization that for three decades held the city's annual candlelight vigil commemorating the Tiananmen Square massacre.

- **Chow Hang-tung**, a human rights barrister who abandoned a scientific career to represent persecuted workers and dissidents and who represented herself at trial rather than accept a lawyer assigned to her by the court, received seven years and three months.
- **Lee Cheuk-yan**, a friend of the international labor movement and founder of the Hong Kong Confederation of Trade Unions, for decades the only independent, democratic labor federation on Chinese soil, representing some 160,000 workers before Beijing forced it to disband, received seven years, and
- **Albert Ho**, a solicitor and former chair of Hong Kong's Democratic Party who spent decades representing democracy activists pro bono and helped mainland Chinese human rights lawyers facing persecution, received five years and two months.

Uyghurs, Tibetans, Civil Society, and Advanced Technology

The Chinese government has built the most extensive surveillance apparatus in human history, using facial recognition, mandatory phone monitoring, and predictive policing to track a population of 1.4 billion. Nowhere is this more dangerous than in the Xinjiang Uyghur Autonomous Region, where it has helped authorities detain more than a million Uyghurs, Kazakhs, and other Turkic Muslims in mass internment camps. The State Department under both the Trump and Biden administrations formally determined that this campaign constitutes genocide and crimes against humanity,ⁱ and forced labor tied to this region continues to enter the supply chains of major Chinese and international companies.

In Tibet, the government continues to remove children from their families and place them in state-run boarding schools designed to sever them from their language, religion, and culture, while Tibetans are imprisoned for the mere possession of a photograph of the Dalai Lama. The desperation this produces is real and it does not stay contained inside China's borders: this past July, a 52-year-old Tibetan man, Lobsang Palden, set himself on fire in protest outside the United Nations headquarters in New York City — not in Lhasa, but here, in the country that is supposed to be a refuge from this repression.

China's workers have no independent voice on the job. The All-China Federation of Trade Unions is the only trade union organization Chinese law permits, and it operates under the direction of the Communist Party, not the workers. Workers who try to organize outside that system are regularly crushed. For example, tech workers organized in the past against "996" — a 9 a.m. to 9 p.m., six-day workweek common at Chinese technology companies, precisely because there is no independent institution to enforce China's own labor laws on their behalf.

The absence of the rule of law or an independent civil society means ordinary Chinese citizens have no recourse against the big state-backed corporations that dominate their economy. China's social safety net, healthcare system, and labor protections remain minimal, especially for the migrant workers who power its cities, and that fragility has been laid bare by a real estate collapse that has erased an estimated \$18 trillion dollars in household wealth, since housing made up roughly 70 percent of what Chinese families owned. Youth unemployment has nearly doubled over the past five years to almost 20 percent.ⁱⁱ And as Beijing pours its resources into advanced technology and AI, ordinary people have no right to question the direction of the country or the price the middle class is paying for it. In short, this is not an economic or social justice model to praise or emulate.

What Comes Next

The human rights situation in China is not likely to improve on its own, and artificial intelligence will make it worse. The same AI capabilities that Chinese technology firms are racing to develop for commercial and military use are also being folded into the government's surveillance and social-control apparatus, allowing authorities to process, cross-reference, and act on the daily movements, purchases, associations, and speech of 1.4 billion people in something close to real time. What once required an army of censors and informants can increasingly be done automatically, at a scale and speed no democracy would tolerate at home. An authoritarian government's early and enthusiastic embrace of AI-driven social control should concern anyone who cares about civil liberties.

II. President Trump's Record on Human Rights in Hong Kong

President Trump has, at times, personally engaged on these issues. During the 2024 campaign, he promised to secure Jimmy Lai's release, telling radio host Hugh Hewitt: "One hundred percent, I'll get him out. He'll be easy to get out."ⁱⁱⁱ China human rights activists were encouraged when Marco Rubio, who spent years in the Senate as one of Hong Kong's most consistent champions, took office as Secretary of State, and in March 2025 the State Department imposed sanctions on six additional Chinese and Hong Kong officials responsible for transnational repression and for undermining Hong Kong's autonomy.^{ivv} The President has raised Mr. Lai's case with Xi Jinping on multiple occasions, including during his May 2026 trip to Beijing, and his personal intervention secured the release of Pastor Ezra Jin, the underground church leader.

There is a long, bipartisan tradition of U.S. presidents and secretaries of state using their personal standing to secure the release of political and religious prisoners in China. Presidents Bush, Obama, and Biden, and Secretary Clinton, have all done so. Whenever a President

intervenes personally on behalf of a prisoner of conscience, that deserves acknowledgment and credit.

But in the months since, the Administration's trajectory has moved in the wrong direction. Despite President Trump's promises, Jimmy Lai remains in solitary confinement. Secretary Rubio, once one of the loudest voices for Mr. Lai and for Hong Kong in the Senate, has said little publicly on the issue since taking office. Secretary Bessent's Treasury Department has not sanctioned a single financial institution facilitating Hong Kong's role as a hub for Russian, Iranian, and North Korean sanctions evasion.

And in July, the Administration took what our own organization publicly called a "shocking" step, allowing the 2020 national emergency declaration underlying its Hong Kong sanctions program to lapse, lifting sanctions on nine Chinese and Hong Kong officials, including Hong Kong's own Secretary for Justice who oversees the prosecution of Jimmy Lai, and transferring an additional 39 sanctioned officials off the Specially Designated Nationals and Blocked Persons (SDN) List to the NS-MBS List, which carries fewer compliance requirements and is often not screened by financial institutions, effectively easing these individuals' access to financial services.^{vi}

We are appreciative that Ranking Members McGovern, Khanna, and Meeks, along with Senator Merkley, led a letter to President Trump calling on him to explain why his administration allowed the national emergency underlying Executive Order 13936 to lapse, resulting in the lifting and weakening of sanctions on Chinese and Hong Kong human rights abusers. There has not been an adequate response from the administration for this unilateral concession.

Whether intentional or not, Beijing does not appear to believe there will be any consequences for further repression or destabilizing activities. When authoritarian governments face no consequences, they become bolder. Beijing appears to be treating the current framework of "strategic stability" in the U.S.-China relationship as license to accelerate its prosecution of pro-democracy advocates, confident that the Trump Administration will not let human rights disrupt the broader relationship. The *Wall Street Journal* Editorial Board wrote a few days ago that the Hong Kong government is embarrassing President Trump on the eve of Xi Jinping's U.S. visit and that "Mr. Xi's message to Mr. Trump is that he can ignore the U.S. President with little fear of paying any price for it."^{vii}

III. Recommendations

To President Trump: recalibrate, and close the deal on Jimmy Lai

It is time to recalibrate the actions of the last several months. Frankly, the most realistic and achievable outcome available right now is the release of Jimmy Lai and hopefully some of Hong Kong's other political prisoners. Securing Jimmy Lai's release, a 78-year-old, ailing publisher whose only "crime" was reporting the truth, would be a genuine and lasting human rights victory, one that Republicans, Democrats, and allies around the world could celebrate together. Failing to secure his release, after this much personal investment, would be embarrassing for the President personally and would undermine the Administration's

credibility and position. If Hong Kong's political prisoners are not released, sanctions should be reimposed and expanded, the Hong Kong Economic and Trade Offices should be closed, and Hong Kong should be designated a Primary Money Laundering Concern jurisdiction given its documented role in facilitating sanctions evasion for Russia, Iran, and North Korea.

To Secretary Rubio: recommit

Senator Rubio was a champion for Jimmy Lai and for Hong Kong's democracy movement in the Congress. We are calling on him to recalibrate the Administration's China human rights policy and to reengage directly and publicly. So far, on this issue, he has been largely sidelined. We need his voice and his direct involvement.

To Members of Congress: speak out, provide funding, and cosponsor legislation

Ahead of the President's trip to Beijing in May of this year, the House of Representatives passed H.Res. 1259 calling on President Trump to prioritize the release of Jimmy Lai and other political and religious prisoners during his engagement with Xi Jinping.^{viii} Congress deserves credit for that leadership and for speaking with one voice at a moment that called for it. That is exactly the model this Congress should follow again as Xi Jinping arrives in Washington next week: bipartisan, public, and unrelenting in the message that a state dinner is not something Beijing gets simply for showing up.

There are specific actions members of Congress should take.

First, speak out whenever pro-democracy advocates are persecuted or the Chinese government violates human rights. It takes only a social media statement, but the Chinese government is watching closely and calibrating its actions accordingly. We know this because they write aggressive responses and target and sanction those of us in the advocacy community when there is a strong U.S. response. We follow developments in China closely and regularly alert your offices when key events happen. Even when you cannot pass a bill or marshal the full weight of the U.S. government, you can speak out for those fighting for their freedoms. And it is much better than the alternative. There is nothing worse than silence.

Second, fully fund efforts to support human rights and democracy abroad. The most important power Congress holds is the power of the purse. The dismantling of USAID's democracy promotion initiatives has been a gift to the Chinese government, which has tried and failed for years to undermine these programs especially in the Asia-Pacific region. Members should reclaim and reappropriate funding for Democracy and Governance initiatives, support a stronger State Department Bureau of Democracy, Human Rights, and Labor (DRL) and the Democracy Fund with stronger guardrails against partisan misuse, and ensure full funding for the National Endowment for Democracy and Radio Free Asia. The Countering PRC Influence Fund should be streamlined so that U.S. ambassadors in the field can compete and counter Chinese activities more quickly in third countries.

Last, cosponsor legislation that ensures the Chinese and Hong Kong governments know there will be consequences for further repression and the persecution of pro-democracy advocates, including:

- **The HKETO Certification Act (H.R. 2611/S. 3655).** Sponsored by Rep. Chris Smith, Rep. Jim McGovern, Sen. Jeff Merkley, Sen. Dan Sullivan, Sen. John Curtis, and Sen. Tim Kaine. This bill passed the full House 413–3 in the last Congress, but there has been no movement in the current Congress.

Hong Kong is no longer autonomous from the People’s Republic of China under U.S. law. Despite this policy change, Hong Kong government officials continue to enjoy a slew of privileges, exemptions, and immunities through their quasi-diplomatic outposts that promote Beijing’s narratives and propaganda; counter-lobby against human rights legislation; and court federal, state, and local officials, as well as business leaders and others. In the UK and Germany, individuals connected to the Hong Kong government through HKETOs and the similar Hong Kong Trade Development Council (HKTDC) have been arrested on charges of espionage, which may be occurring here too.

Further, the Hong Kong government has taken the brazen and unprecedented step of imposing monetary bounties on Hong Kong pro-democracy advocates residing in the U.S., including an American citizen. It has also detained and imprisoned family members of U.S.-based advocates on false charges. Foreign officials operating in our country should not be allowed to take such actions without consequences or, at minimum, without losing their privileges, exemptions, and immunities.

- **The Hong Kong Judicial Sanctions Act (H.R.733/S.1755).** Sponsored by Rep. Young Kim, Rep. Jim McGovern, Sen. Dan Sullivan, Sen. Jeff Merkley, Sen. John Curtis. In recent weeks, Hong Kong prosecutors and corrupt judges have quickly moved to impose verdicts and draconian sentences on pro-democracy activists including Joshua Wong, Albert Ho, Lee Cheuk-yan, and Chow Hang-tung. There has been no U.S. government action in response. The legislation requires the Administration to determine whether specified Hong Kong officials and judiciary members meet the criteria for the imposition of sanctions under U.S. laws or executive orders, including the Global Magnitsky Human Rights Accountability Act.
- **The Jimmy Lai Way Act (H.R.2522).** Sponsored by Reps. Chris Smith, Tom Suozzi, John Moolenaar, and Raja Krishnamoorthi. As a symbolic show of support for freedom and human rights, the bill would designate the street outside the Hong Kong Economic and Trade Offices (HKETOs) in Washington, D.C. as “Jimmy Lai Way.”
- **The Jimmy Lai Day Act (H.Res.930).** Sponsored by Reps. John Moolenaar, Raja Krishnamoorthi, and 30 total bipartisan cosponsors. The resolution commemorates the birthday of Jimmy Lai as “Jimmy Lai Day” for his role in advocating for free press, religious freedom, and democracy in Hong Kong. The resolution calls on the People’s Republic of China and Hong Kong authorities to release Jimmy Lai and all other Hong Kong pro-democracy advocates from prison.
- **The Stop CCP Money Laundering Act (H.R.3264/S.1339).** Sponsored by Rep. Joe Wilson, Rep. Jimmy Panetta, Sen. John Curtis, and Sen. Jeff Merkley. Hong Kong is the world’s foremost hub for illicit finance, money laundering, and sanctions evasion for entities providing support to Russia, Iran, and North Korea. The legislation requires

a determination of whether reasonable grounds exist to designate Hong Kong as a Primary Money Laundering Concern (PMLC) jurisdiction under U.S. law. A PMLC designation authorizes the Treasury Department to pursue special measures against Hong Kong as a jurisdiction to prevent illicit transactions, such as requiring U.S. financial institutions dealing with Hong Kong to disclose the beneficiaries of accounts opened by Hong Kong individuals or companies in the U.S., as well as the customers of Hong Kong banks using the U.S. financial system to clear dollar transactions.

Thank you again for the opportunity to testify today. I look forward to your questions.

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END NOTES

ⁱ U.S. Department of State, “Determination of the Secretary of State on Atrocities in Xinjiang,” Press Statement of Secretary Michael R. Pompeo, Jan. 19, 2021, <https://www.globalsecurity.org/wmd/library/news/china/2021/01/china-210119-state01.htm>; reaffirmed in the Department’s Country Reports on Human Rights Practices for China through 2024.

ⁱⁱ Caixin Global, “Analysis: Youth Unemployment Surge Exposes Cracks in China’s Economic Transition,” Sept. 19, 2025, <https://www.caixinglobal.com/2025-09-19/analysis-youth-unemployment-surge-exposes-cracks-in-chinas-economic-transition-102363893.html>; household wealth estimate from Invezz, “China GDP 5% growth masks worst property price crash in 15 years,” Apr. 29, 2026, <https://invezz.com/news/2026/04/29/is-chinas-economic-resilience-masking-a-real-estate-collapse/>.

ⁱⁱⁱ The Heritage Foundation, “Trump Should Secure Jimmy Lai’s Release,” citing Trump interview with Hugh Hewitt, Oct. 24, 2024, <https://www.heritage.org/china/commentary/trump-should-secure-jimmy-lais-release>.

^{iv} NPR, “Pastor freed from prison in China weeks after Trump requested his release,” July 5, 2026, <https://www.npr.org/2026/07/05/nx-s1-5882784/pastor-freed-prison-china-trump-request>.

^v U.S. Department of State, “Sanctioning Those Undermining Hong Kong’s Autonomy,” Press Statement of Secretary Marco Rubio, March 31, 2025, <https://www.globalsecurity.org/wmd/library/news/china/2025/03/china-250331-state01.htm>.

^{vi} Reuters via U.S. News & World Report, “US Lifts Some Hong Kong Sanctions Imposed by Trump, Autonomy Status Unchanged,” July 17, 2026, <https://www.usnews.com/news/world/articles/2026-07-17/china-says-us-will-restore-hong-kongs-special-trade-status>; South China Morning Post, “Is the end of US sanctions on some Hong Kong officials an olive branch?” <https://www.scmp.com/news/hong-kong/politics/article/3361121/end-us-sanctions-some-hong-kong-officials-olive-branch>.

^{vii} Wall Street Journal Editorial Board, editorial on Hong Kong and the Trump-Xi summit, September 11, 2026

^{viii} H.Res. 1259, 119th Congress, passed House May 13, 2026, <https://www.congress.gov/bill/119th-congress/house-resolution/1259/text>.