

118TH CONGRESS
2D SESSION

H. RES. 1277

Responding to the promulgation of the Safeguarding National Security Ordinance, under Article 23 of the Basic Law, by the Hong Kong Special Administrative Region Government on March 19, 2024.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2024

Mr. SCHIFF submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Responding to the promulgation of the Safeguarding National Security Ordinance, under Article 23 of the Basic Law, by the Hong Kong Special Administrative Region Government on March 19, 2024.

Whereas the People’s Republic of China (PRC) agreed in the Sino-British Joint Declaration of 1984 that the PRC would resume the exercise of sovereignty over Hong Kong in 1997, with the condition that the territory’s capitalist system and way of life would remain unchanged for a period of 50 years, enjoying a high degree of autonomy, except in foreign and defense affairs, that the Basic Law of Hong Kong articulates a principle of “managing Hong Kong by Hong Kong people”, and that the city will ultimately move toward “universal suffrage”;

Whereas Hong Kong continued to thrive as a Special Administrative Region, under the “one country, two systems” framework, with its semidemocratic governance and its freedoms of speech and assembly, until the PRC began to exercise greater political control over the territory from 2004 to make democracy increasingly unlikely, in contravention to its previous agreements;

Whereas the PRC, in 2014, began limiting voting choice for Hong Kongers to a list of Beijing-approved candidates, which led to the popular protests known as the Umbrella Movement;

Whereas the PRC, without the consent of Hong Kongers, imposed a new National Security Law on Hong Kong in 2020, which significantly curtailed the ability of Hong Kongers to openly express dissent and communicate with journalists without fear of political persecution;

Whereas the Hong Kong authorities, within 2 months of the passage of the new national security law, arrested and convicted Jimmy Lai, a British citizen and the founder of Apple Daily, one of the most popular prodemocracy publications in Hong Kong at the time, claiming that he had allegedly colluded with foreign forces;

Whereas the PRC dismantled Hong Kong’s democratic institutions in 2016 and 2020 by disqualifying opposition legislators, and then, in 2021, overhauling the electoral system by sharply reducing the number of directly elected seats to Hong Kong’s Legislative Council, effectively ensuring that only pro-Beijing politicians could win a seat on the Council and further disenfranchising Hong Kongers from their ability to seek free and fair representation;

Whereas the Hong Kong Legislative Council, now dominated by the influence of the PRC through its pro-Beijing members, further undermined democratic values by passing the Safeguarding National Security Ordinance, referred to as the “Article 23 legislation”, on March 19, 2024, doing so with extraordinary speed, which will give the Government broader authorities to seek out and punish political activists and severely curtail freedoms of speech, including that of journalists and foreigners, with the threat of heavy prison sentences;

Whereas the restrictions on basic freedoms have diminished the status of Hong Kong as a leading global financial hub, which has consequently experienced a massive outflow of foreign capital, weak performance of initial public offerings and low trade volume on the Hong Kong Stock Exchange, and continued decline of the Hang Seng Index;

Whereas the people of Hong Kong should have the ability to exercise basic human rights, such as the freedom of expression, without the fear of political persecution, under the laws of a government that represents their collective and democratic will through at least 2047, if not further; and

Whereas the international community has responded to the passage of the Article 23 legislation with strong condemnation, represented by a letter signed by 90 cross-party international parliamentarians and public figures, including 14 Members of Congress: Now, therefore, be it

- 1 *Resolved*, That the House of Representatives—
- 2 (1) stands with Hong Kongers in their demand
- 3 to protect their basic human and civil rights and the

1 dignity to freely express themselves without fear of
2 political persecution;

3 (2) condemns the passage of the Article 23 leg-
4 islation and the further erosion of democratic values
5 and institutions in Hong Kong;

6 (3) reiterates that Hong Kong laws, including
7 the Article 23 legislation, do not have jurisdiction in
8 the United States nor in other countries outside of
9 the People's Republic of China;

10 (4) urges the Hong Kong authorities to—

11 (A) refrain from an abusive implementa-
12 tion of national security laws to silence critics
13 and political opposition;

14 (B) show deference to the freedoms that
15 Hong Kongers continue to seek and are guaran-
16 teed under the Basic Law and the Hong Kong
17 Bill of Rights Ordinance;

18 (C) revise and amend the new Article 23
19 legislation to ensure it is consistent with inter-
20 national human rights standards; and

21 (D) vacate the convictions of those pre-
22 viously charged with the national security law
23 and expeditiously release all political prisoners;

24 (5) calls on the President of the United States
25 to—

1 (A) exercise the authorities under the
2 Hong Kong Human Rights and Democracy Act
3 (Public Law 116–76) to employ targeted sanc-
4 tions against those officials that are complicit
5 in using the provisions of the Article 23 legisla-
6 tion, or other legal authorities, to undermine
7 basic rights and freedoms in Hong Kong; and

8 (B) provide moral and diplomatic support
9 to Hong Kongers who face political threats, in-
10 timidation, or imprisonment; and

11 (6) encourages other members of the inter-
12 national community to condemn the process of un-
13 dermining the freedoms in Hong Kong, in con-
14 travention to the Sino-British Joint Declaration of
15 1984, to impose targeted sanctions and to provide
16 their full support to Hong Kongers.

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