



*The Assault on Freedom of Expression in Asia*

Testimony before the  
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My name is Joey Siu, the policy advisor to Hong Kong Watch. I was born in North Carolina and moved to Hong Kong when I was seven years old. I became a student activist and served as the Vice President at City University of Hong Kong's Student Union. In September 2020, I was forced to flee the city under risks of persecution with the National Security Law.

### **Increasing Threats to Freedom of Expression in Asia**

As democracy movements ignite across Asia, we are witnessing an escalation of assault on free expression in the region. From the crackdowns on social movements in Hong Kong, Thailand and Myanmar, to the tightening control over Tibet, East Turkestan and mainland China, governments have been resorting to every conceivable means to limit the people's right to free speech, assembly and expression, by enacting draconian laws and policies, persecuting journalists and human rights advocates, prohibiting assemblies and media.

I will be highlighting the situations in Hong Kong, Tibet and East Turkestan.

### **Freedom of expression dismantled in Hong Kong**

The **National Security Law** was passed by China's National People's Congress and came into force in Hong Kong on July 1st 2020. As stated in the legislation, any permanent resident of the Hong Kong Special Administrative Region or any foreign person who are convicted under offenses of "secession", "subversion", "terrorism" or "collusion with foreign forces" would face up to life-time imprisonment.

Making use of the draconian legislation together with old colonial laws, widely-criticized ordinances, police aggression and COVID-19 restrictions, the Hong Kong government is in the process of dismantling freedom of expression in the city.

#### *Free Speech and Assembly*

Under the National Security Law, pro-democracy rallies, protest slogans and symbols, and anti-government criticisms are strictly proscribed. On July 31st 2021, protester *TONG Ying-kit* became the first person to be convicted under the National Security Law and was sentenced to nine years of imprisonment for "inciting session" and "terrorism". In verdicts passed down, the

prosecutors made clear that the protest slogan on the banner he held, “**Liberate Hong Kong; Revolution of Our Times**,” weighed heavily in determining his sentencing, meaning that his expression of support for the protests was now considered criminal. Hundreds more face similar sentencing under the National Security Law which is now having a profound chilling effect on free expression.

Aside from offenses under the National Security Law, activists continue to face trumped-up charges under colonial-era laws. Earlier this month, prominent pro-democracy figure *TAM Tak-chi* was convicted of “seditious speech” under British colonial-era laws, for organizing street booths and chanting anti-Hong Kong police slogans. The Hong Kong Government has only begun to use this archaic colonial legislation in the last two years. Alongside the National Security Law it represents a significant blow to free expression.

Pro-democracy assemblies, including the city’s annual **June 4th Tiananmen Massacre commemoration** are also banned. *Albert HO*, *LEE Cheuk-yan* and *CHOW Hang-tung*, Hong Kong’s prominent democracy figures and core members of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China were arrested and convicted with “inciting and participating in an unauthorized assembly” under the widely-criticized **Public Order Ordinance** for organizing the June 4th Candlelight Vigil back in 2020.

COVID-19 restrictions are also used to repress political activities that do not align with the government’s stances. As the world stands in solidarity with Ukraine against Russia’s invasion, three people were fined by the Hong Kong police for participating in an absolutely peaceful small-scale pro-Ukraine demonstration.

### *Free Press*

Since the beginning of the pro-democracy movement in 2019, journalists have been heavily exposed to danger. According to a survey conducted by the *Hong Kong Journalists’ Association*, of the 222 journalists who responded, only 28 said they had not been treated violently by the Hong Kong Police Force while covering the movement. Not only did reporters encounter frequent attacks and harassment from the police force, they were also threatened by

government-backed pro-Beijing gangs. On July 21st 2019, former journalist *Gwyneth HO* was injured while live-streaming coverage of the pro-Beijing gangs' indiscriminate attack against civilians at Hong Kong's Yuen Long station. She was struck and knocked to the ground and had to receive stitches for her wounds. Later on, television producer and journalist *CHOY Yuk-ling*, who investigated the Yuen Long incident and exposed police failures, was convicted and fined.

Starting from 2019, at least 18 journalists have been arrested while 12 remain in jail awaiting trial. Hong Kong's leading pro-democracy figure and media tycoon *Jimmy LAI* is one of them. On August 10th 2020, over 100 police officers raided the office of **Apple Daily**, Hong Kong's largest pro-democracy paper and arrested *Jimmy LAI*, his sons and numerous senior executives on suspicion of "colluding with foreign forces" under the National Security Law. He was granted bail and again detained on December 21st 2020. With senior executives jailed and assets frozen, Apple Daily was forced to close on June 23rd 2021.

Following Apple Daily's closure, under mounting political pressure and continuous assault from the government, almost all independent pro-democracy media outlets in Hong Kong have been forcibly shut-down. An increasing number of reporters are fleeing the city.

#### *Access to Internet and Censorship*

Online expression and internet access are also under tightening restrictions. In May 2021, access to several anti-government websites were found blocked in Hong Kong. Last month, the same happened to our organization and later on this month, we received a letter from the city's Police Force, requesting contents related to our "Free Political Prisoners" and "International Lifeboat" campaigns to be removed from the website. With an accusation from the National Security Bureau of "colluding with foreign forces to endanger national security", we became the first overseas group to be targeted under the National Security Law but we will not be the last.

Fearing date-back charges with the National Security Law, most independent pro-democracy media outlets have to delete their previous articles and reportings as they shut down. The only remaining media outlets have no choice but to heavily censor themselves to lower the risks of being targeted and persecuted.

Censorship fears have also foreshadowed the cultural industry. Tiananmen Massacre themed artwork created by the famous dissident artist *Aiweiwei* was taken down and exhibitions were canceled for obvious political reasons. Last year, the Academy Award ceremony was banned in Hong Kong as the documentary “*Do Not Split*” which I took part in was shortlisted for the Best Documentary Short Subject. Earlier this year, the documentary “*Revolution of Our Times*” came out and unfortunately, it is also completely inaccessible in Hong Kong.

### **Tibetans and Uyghurs’ Freedom of Expression Taken Away**

Although we hear almost nothing in the news about the situation inside Tibet, according to *Freedom House’s Freedom in the World 2022* report, Tibet was just ranked - **for the 2nd year in a row** - as the least-free country in the world, in a tie with South Sudan and Syria. This is because Tibet is one of the most strictly-monitored regions in the world with heavy police presence and surveillance that has created an almost complete information blackout.

Sadly, we can see how effective this blackout is after a popular 25-year-old Tibetan singer *Tsewang Norbu* self-immolated in front of the Potala Palace in Lhasa last month. The Chinese government quickly took control of the scene and restricted information from being reported and circulated. It took Tibetans in exile and human rights groups **over three weeks to confirm the news** and up until now, no photos or videos or any additional information have been released.

In January, the prominent Tibetan language-rights activist *Tashi Wangchuk* - who had just recently been released from six-years of imprisonment for speaking out against Beijing’s discriminatory language policies - again courageously spoke out for his people and has been facing another arrest.

Because Beijing does not allow any foreign media presence in Tibet, it is incredibly hard and time-consuming for people outside the region to obtain first-hand information on what is going

on there. The escalating restrictions on freedom of expression, including heavy censorship and cutting-off the Internet and mobile communications, makes it almost impossible for the Tibetan people inside Tibet to relay information to the outside world or even to circulate news among themselves.

The Chinese Communist regime's "anti-extremism" policies in the Uyghur region is yet another example illustrating the horrific assault of freedom of expression. With all-round surveillance systems installed across the region, not only do Uyghurs in the region cannot express their opinions freely, they cannot express their faith or culture as well.

Over 1.5 million Uyghurs were arrested for reasons including practicing their faith, engaging in cultural events, and expressing in their own Uyghur language, and detained in internment camps, experiencing political indoctrination, horrendous sexual and physical abuses, with absolutely no room for free expression.

Prior to his disappearance, Professor *Ilham Tohti* was a prominent academic at Beijing's Minzu University. He founded the website *Uyghur Online* in 2006 to promote discourse between Han people and the minority groups in China. He wrote about culture, politics and socioeconomics and used his platforms to highlight the Uyghurs' plights and to call for the public's attention to the Chinese government's systematic persecution of his people. However, despite the fact that he never advocated for independence of the Uyghur region or similar ideas, he was still disappeared by the Chinese government in 2017 and have been incommunicado since.

## **Recommendations**

As freedom of expression continues to be under assault across Asia, it is important that the United States fulfill our obligations and demonstrate leadership in defending our shared beliefs.

*Provide Necessary Humanitarian Relocation Channels*

As assaults on freedom of expression escalate, it is crucial that the United States offer necessary humanitarian relocation channels for people with well-founded fears of persecution, especially the politically-exposed journalists, activists and protesters.

*Enhance Support to Media*

The United States should enhance its support to our government-funded media services, for example, *Radio Free Asia* with reasonable resources and increasing fundings to ensure the continuous coverage of developments in relevant regions. The government should also consider supporting media agencies proximate to oppressed regions in democratic countries in Asia, including Taiwan and Japan.

*Construct Global Alliance to Defend Free Expression*

Beyond individual actions, it is also crucial that the United States continue to work with like-minded partners and to lead a multilateral coalition of allies to defend free expression against the encroachment of authoritarian regimes in a collective manner.