

Congress of the United States
Washington, DC 20515

November 13, 2024

The Honorable Antony J. Blinken
Secretary of State
U.S. Department of State
2201 C St. NW
Washington, D.C. 20520

Dear Secretary Blinken:

We are writing to express our concern about the health, welfare, and human rights of political prisoners in Hong Kong. We have received testimony from lawyers, friends, and family of political prisoners, indicating that they face torture, mistreatment, poor food, extreme heat, denial of religious materials, and the inability to file complaints about their treatment. We request that the Consul General in Hong Kong seek to evaluate prison conditions and determine whether Hong Kong is violating its laws and international human rights obligations relating to prison conditions. We further ask that the Department brief us on prison conditions in Hong Kong, U.S. efforts to gain the release of political prisoners, and actions taken by the U.S. Government to hold the Hong Kong government accountable for carrying out arbitrary detention.

We also urge you to call on the United Nations High Commissioner for Human Rights Volker Türk to hold an urgent discussion on the human rights situation in Hong Kong at the U.N. Human Rights Council, as requested by over 50 U.N. independent human rights experts more than four years ago. We ask that U.S. diplomatic representatives in Geneva work with like-minded countries to shine a bright light on the deteriorating rights and rule of law environment in Hong Kong and press the High Commissioner to investigate conditions in Hong Kong and seek access by relevant Special Rapporteurs to Hong Kong prisons and political prisoners.

Our concern about prison conditions was in part piqued by the recent case of Owen Chow and his lawyer. Chow received additional jail time for trying to deliver through his lawyer an ombudsman complaint concerning the destruction of books on Buddhism sent to him from his family. The prosecution charged that Chow had circumvented the

procedure requiring that prison officials screen outgoing materials. Chow's lawyer Phyllis Woo was named as a co-defendant and was ultimately fined.

The United Nations Standard Minimum Rules for the Treatment of Prisoners require penal institutions to provide inmates and their legal counsel an unimpeded complaint process that ensures confidentiality and prompt resolution, standards that are reflected in Hong Kong's Prison Ordinance. These safeguards are either disregarded or not implemented in Hong Kong, and penalties are meted out for simply trying to raise religious freedom concerns.

The Hong Kong authorities' attempt to prevent the outflow of information is deeply troubling, especially for prisoners like Jimmy Lai and other prisoners with age-related health concerns. Lai, for example, has been subjected to prolonged detention in solitary confinement for over three and a half years, including restricted access to sunlight, and has been denied independent medical care. Younger political prisoners also face acute risks that go unreported, as we have gathered evidence that prison officials mistreat and torture younger prisoners to send a message to Hong Kong's youth about their political activism.

A recent article reported credible allegations that physical and sexual abuse took place in at least one juvenile detention facility.¹ Former detainees at the facility reported that prison guards would carry out abuses, sometimes using inmates as proxies, by means including sexual assault, beating, slapping, and hitting palms and soles with a metal ruler. One alleged victim of sodomy required hospitalization, and a beating victim attempted suicide.

Prison guards and their proxies reportedly exploited security camera blind spots to carry out these crimes, and victims were reluctant to report them because they feared reprisal. According to the article, this fear of reprisal is why Justices of the Peace, individuals appointed by the government to visit custodial institutions or detained persons, have failed to document or ameliorate the torture and rights abuse occurring in Hong Kong's prisons.

We believe that independent investigations and more diplomatic efforts, in Hong Kong, Washington, and Geneva, are urgently needed as the Hong Kong government is covering up mistreatment, torture, and rights abuse targeting detained political prisoners. We will continue to monitor the situation and work with a growing network of parliamentarians—from Africa, South America, East Asia, the Middle East, and Europe—

¹ Hsieh Fu-yee, "Young Activists Recall Abuse at Hong Kong Juvenile Correctional Facility," *Radio Free Asia*, March 30, 2024, <https://perma.cc/G6NM-PHX6>.

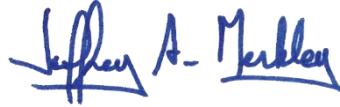
all concerned with the Chinese Communist Party's efforts to erode human rights and the rule of law in Hong Kong and globally.

We look forward to working with you on these matters and look forward to the requested briefing.

Sincerely,

A handwritten signature in blue ink, reading "Chris Smith".

Christopher Smith
Chair
Congressional-Executive Commission
on China

A handwritten signature in blue ink, reading "Jeffrey A. Merkley".

Jeffrey A. Merkley
Cochair
Congressional-Executive Commission
on China

A handwritten signature in blue ink, reading "John Moolenaar".

John Moolenaar
Chairman
House Select Committee on the CCP

A handwritten signature in blue ink, reading "Raja Krishnamoorthi".

Raja Krishnamoorthi
Ranking Member
House Select Committee on the CCP