



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# **Standing Committee on Foreign Affairs and International Development**

---

FAAE • NUMBER 058 • 2nd SESSION • 41st PARLIAMENT

---

**EVIDENCE**

**Tuesday, May 5, 2015**

—  
**Chair**

**Mr. Dean Allison**



## Standing Committee on Foreign Affairs and International Development

Tuesday, May 5, 2015

•(1100)

[English]

**The Chair (Mr. Dean Allison (Niagara West—Glanbrook, CPC)):** Pursuant to Standing Order 108(2) and our study of the situation in Hong Kong, we'll get started.

As a reminder to those with cameras in the room, while we're actually in the meeting there's no photography permitted. I'll ask you to shut down the cameras, and then after we're done you guys can resume.

I want to first thank all our witnesses for being here today.

I want to introduce Charles Burton, an associate professor in the Department of Political Science at Brock University.

We're glad to have you today here, sir.

From the Hong Kong Federation of Students, we have Nathan Kwung Chung Law, who is the secretary general.

Welcome to you, all the way from Hong Kong. Thank you very much for being here.

Via video conference from Hong Kong, we have Audrey Eu, who is the chairman of the Civic Party.

We also have, from Scholarism, Joshua Wong, who is the convenor. I want to point out that in Hong Kong it's now 11 p.m., so he'll be joining us from 11 p.m. to 1 a.m.

We thank you very much for staying up late to participate in this meeting of the Standing Committee on Foreign Affairs.

I'm going to start with opening testimony, and we're going to start with you, Mr. Burton. We'll have seven minutes each for opening statements from the four of you, and then we will move back and forth across the aisles and across the tables to ask questions for the remaining time we have.

Mr. Burton, thank you for being here. I will turn the floor over to you. You have seven minutes.

**Dr. Charles Burton (Associate Professor, Department of Political Science, Brock University, As an Individual):** Thank you very much, Mr. Allison, and thank you very much for inviting me to appear today to give evidence on the situation in Hong Kong.

I would like to provide you with some context based on my knowledge of Canada's interaction with the Government of China and the British embassy in Beijing with regard to the arrangements that were being made for Hong Kong at the time. I was serving

as a diplomat in the Canadian embassy to China on my first posting in the early 1990s, and because of the concern that Canada had over this matter we had quite a number of interactions with the Government of China and the British embassy.

I think we were engaged on this question of the reversion of Hong Kong to Chinese sovereignty due to two major factors at the time.

First, the Chinese community in Canada was very concerned about what would happen in Hong Kong after 1997. At that time the Chinese community in Canada consisted largely of Cantonese-speaking Canadians, most of whom had connections in Hong Kong and family there. As we know, due to the political uncertainty about what would happen in Hong Kong after 1997, we had very high levels of immigration from Hong Kong to Canada in the years leading up to 1997. I had a look at the website of our Canadian Consulate General in Hong Kong. It says, "Hong Kong boasts one of the largest Canadian communities abroad (an estimated 295,000). This community, along with some 500,000 people of Hong Kong descent in Canada, plays a dynamic role in building vibrant bilateral relations." There are estimates that place the number of Canadians living in Hong Kong even higher, in the sense that a number of Canadians who are in Hong Kong may not have identified themselves to the Consulate General. It's probably more, and some say there are as many as a half a million Canadians in Hong Kong at present.

As an aside, if the current crackdown on civic liberties in Hong Kong continues, we could see a large number of Canadians leaving Hong Kong to resume residency in Canada. That would be an effect that would have an impact on us. I think if things continue to deteriorate there, we could also see a significant increase in the number of consular cases involving Canadians in Hong Kong.

I think the other question that engaged us very much at that time was that because the issue of Hong Kong's future was in question, much of Canada's trade with China in those years was brokered through Hong Kong. Prior to 1997 Canadian businesses that did business in China typically had their headquarters in Hong Kong in those years. It was very important to Canada that the transition to Chinese sovereignty be done in such a way as to protect our significant economic interests there.

That's why we sought and we received assurances from both the Government of the People's Republic of China and the Government of the United Kingdom over the promises of "one country, two systems", "no change for 50 years", and that "Hong Kong people would govern Hong Kong".

I think with regard to the last, it was clear that this meant Hong Kong would be governed by Hong Kong people who would represent the aspirations and interests of the people in Hong Kong. There was no indication that this would mean the citizens of Hong Kong would be told, in effect, that you can elect whoever you want, providing it's either Tweedledum or Tweedledee, both of whom will be representing the interests of the Chinese Communist party and its business elite in Hong Kong. There was no ambiguity about this, based on my memory of the discussions at the time.

We had good feelings about the 50 years of no change formula, because we expected, from statements by Mr. Deng Xiaoping and his successor, that China would be making a political transformation to modern norms of democracy and rule of law before 50 years were up. We thought the one country, two systems, issue would be resolved by China gradually coming into compliance with international norms of governance. Over the period of negotiations on Hong Kong there were strong indications that this was already happening. The Chinese started to have village elections, which we expected would expand upwards in a staged way from villages to counties, to provinces, to election for the president of China.

• (1105)

Moreover, in 1998 China signed the UN's International Covenant on Civil and Political Rights. Canada was immediately very forthcoming with offers of developmental aid to assist the Chinese authorities in bringing Chinese law and practices into compliance with the International Covenant on Civil and Political Rights. We offered assistance in how to fulfill the relevant UN reporting requirements because our anticipation was that if China signed the International Covenant on Civil and Political Rights, they would move to ratification, but 17 years later we see no movement in that direction; in fact, it could be the other way around.

Up until 2012, the Chinese leadership would give us periodic assurances that democratic political institutions and full rule of law were social goals of the regime, even though they couldn't do it immediately due to historical, cultural, and developmental factors. We were told to wait, and we waited a long time. Then in 2012, there was a new leadership in China under President Xi Jinping, and shortly after he assumed his leadership, President Xi made a number of statements that strongly and explicitly renounced key political ideals such as constitutionalism and freedom of the press, speech, and assembly. He's renounced judicial independence and separation of powers as incompatible with sustained Communist party rule in China. One of the party's official newspapers, the *Global Times*, has condemned these freedoms as "a ticket to hell" for China. So it's pretty clear that they're not moving towards our interpretation of democracy and rule of law under this current leadership.

I would see the recent backtracking on the promise of Hong Kong people governing Hong Kong and the fraying of the promise of 50 years no change as connected to this new political orientation in China, which is explicitly anti the universal values of human rights and governance.

But it is clear that the Chinese government's sovereignty over Hong Kong is conditioned by its international agreements comprised by the joint declaration and the "basic law". I would suggest that the Government of Canada would do well to take the lead with other

like-minded nations informally monitoring China's compliance with the joint declaration and the basic law, because it's in our national interest to do so. I think it would be prudent for Canada to respond to the Chinese government's discarding of its commitment to democracy and human rights—as we understand those terms—and the moving backwards on legal protections for Chinese citizens by readjusting the way that we do our engagement with China. We have a three-part policy mix, I think, where we want to realize Canadian prosperity in China, protect Canadian security from Chinese espionage and so on, and ensure that Canadian values inform our programming with China. I think we should be re-emphasizing our commitment to those Canadian values while strengthening our programming with China to promote trade and investment and to address the serious problem of Chinese espionage.

China's policies have changed. They have implications for how Canada should be doing foreign policy with China. I think we are perceived as offering tacit consent for what is happening in Hong Kong and in China at large by not speaking out and by not following up what we say with constructive foreign policy programming. I don't think this would have a significant impact on our trade with China, if we manage it correctly, and I think we are strengthened in our foreign relations with China if we can gain respect by being true to what we believe.

I note that ministers Baird and Paradis last December 10, in their statement to mark Human Rights Day, said: "Canada stands for what is right and just, regardless of whether it is popular, convenient or expedient." I think the people of Canada expect nothing less from us.

Thank you.

• (1110)

**The Chair:** Thank you, Mr. Burton.

We'll now turn it over to Mr. Law.

Sir, the floor is yours.

**Mr. Kwun Chung Law (Secretary General, Hong Kong Federation of Students):** Thank you very much, honourable chair and honourable members of the standing committee, for inviting me to give evidence on Hong Kong's situation.

Prior to last year's movement, the organization we represent, the Hong Kong Federation of Students, spent over two years organizing deliberation days, referendums with the participation of over 13,000 students, and assemblies regarding Hong Kong's future. We repeatedly invited Hong Kong government officials to have a discussion with us on political reform proposals, but the government refused to meet with us. Working within the system, we have tried every single lawful means to initiate a meaningful dialogue. The Hong Kong government has refused to listen once again.

Finally, the National People's Congress Standing Committee decided that only candidates approved by the Communist party could run for the Chief Executive. Automatically, we had no choice but to organize a class boycott, hoping that this would lead to a dialogue with the Chief Executive in which our fears could be fully presented. Again, sadly, we were rejected.

Since the HKSAR government refused to even acknowledge our basic human right of free expression, we had no choice but to use peaceful civil disobedience to make our voices heard. Civil disobedience was the last resort for the people of Hong Kong. It was the only way to make the oppression visible to the world and to mobilize the people of Hong Kong to protect their human rights, including their democratic rights.

We took this decision very seriously. We knew we would be sacrificing our study time and going without rest, but it became much worse than that. Two days after the action began, the police attacked us with 87 cans of tear gas, beat the students with batons, and showed a banner stating "Disperse or we will fire". They were carrying Remington 870-gauge and Colt AR-15 weapons, which can kill.

Try to imagine, if the police had fired, would the foreign investors stay in Hong Kong? No, they would leave immediately. If this is the HKSAR government's response to protestors who are asking only for the rights that they have been promised in the joint declaration and basic law, what will the future be in Hong Kong?

We are afraid that young people in Hong Kong face the future with increased feelings of hopelessness. Compared to other developed regions worldwide, Hong Kong has the largest and highest wealth gap, and property is the most unaffordable. Upward social mobility for young people is very low. Since 1997, Hong Kong has gone through a continuous process of "mainlandization", where freedom of press, expression, and association, rule of law, and human rights have drastically deteriorated.

Beijing's interference with Hong Kong's domestic affairs is deep and wide. In the education centre they even try to brainwash the public and secondary school children with their so-called patriotic national education, where the Chinese Communist party has been described as a "progressive, selfless, and united" ruling party.

Without genuine universal suffrage in the election of Chief Executive and legislative councillors, the HKSAR government has not shown any accountability to the Hong Kong citizens, especially the younger generation. They feel that they don't matter in the society. We, the younger generation, feel that we don't matter in the society. When you peacefully ask for your rights, you are hit with tear gas and batons. Eventually, the police violence aggravates and prolongs the protests. In other words, unless universal suffrage is genuine in the political system in Hong Kong, this is a recipe for disaster, not for a world-class city or a stable financial centre.

There is only one way to make the younger generation feel hopeful in Hong Kong. That is to entrench Hong Kong with genuine democracy and balance of power so that the younger generation can take ownership of their own future. Subsequently, the society will be stabilized and the conflict in the society between the citizens and the government will be reduced.

●(1115)

If Hong Kong could establish a democratic system, it would help the second-largest economy, which is China, to comply with the international code of democracy, freedom, and rule of law, thus benefiting the world's economy and development. Furthermore, if China can breach an international agreement such as the Sino-British joint declaration, which Canada and many other countries endorsed, what international treaty will it choose to violate next?

We know that if you were in our position, if you didn't have the right to freely vote for candidates to represent you in an election, you would do the same as what we have done last year. We are very grateful that you are taking your national obligations seriously as an endorser of the joint declaration and as friends of Hong Kong and given us all hope with your all-party motion last November. We are so grateful for your support of the people of Hong Kong.

In view of China's denial of the effectiveness of the Sino-British joint declaration after July 1, 1997, and the betrayal of their promise to the Hong Kong people with respect to the political reform of political leaders with universal suffrage, we respectfully make a few recommendations.

The first is that the Canadian government issue an official statement urging China to honour and fulfill the promises made to the Hong Kong people in the Sino-British joint declaration and basic law. In respect of one country, two systems, Hong Kong people will remain in Hong Kong with a high degree of autonomy and constitutional reform on the election of political leaders with universal suffrage.

Number two is that Canada joins forces with other countries that have endorsed the Sino-British joint declaration to closely monitor the implementation of the international declaration in Hong Kong. Send a delegation to Hong Kong to observe the implementation of the declaration there.

Number three is that the human rights committee of the Canadian Parliament conduct a comprehensive study on the deterioration of human rights in Hong Kong.

Hong Kong is facing a dilemma. The world is watching us to see whether human rights will eventually be deprived. But we must uphold the core values of democracy, human rights, and justice.

Thank you to all.

**The Chair:** Thank you very much, Mr. Law.

Now we're going to turn over to Hong Kong.

We'll invite Audrey Eu to give her opening remarks for seven minutes.

• (1120)

**Ms. Audrey Eu (Chairman, Civic Party, As an Individual):** Thank you very much, Chair, and honourable members.

I'd like, first of all, to thank the Canadian Parliament for your concern in relation to Hong Kong. I'd also like to thank you for the opportunity you've given me today.

I have prepared speaking notes, which I believe have been put on your desks. I will only summarize a few points.

As you all know, the joint declaration that was signed between the U.K. and China has been endorsed by many countries, including Canada, and it's been registered with the UN. Therefore, the adherence to one country, two systems, Hong Kong people ruling Hong Kong, and a high degree of autonomy in Hong Kong is a matter of international concern.

In my speaking notes, I quoted from the Canadian Chamber of Commerce, and that shows that we share common aspirations. I am sure we hope that Hong Kong will move forward, maintaining our systems, under one country, two systems, and also maintaining our core values. I also mentioned that Hong Kong people have been waiting and waiting and waiting for the implementation of universal suffrage, which has been promised in the basic law. Each time, our hopes have been dashed. It's been pushed back and pushed back, each time our hopes dashed again. Now we've really come to the crunch time, because we're now preparing for the 2017 election of the Chief Executive. It's really like a pressure cooker being pushed to the limits.

Last year the government carried out consultation. The heading of the consultation was "Let's Talk". Everybody in Hong Kong talked. We talked about the system we'd like to see, and everybody, obviously, had different ideas. But our hopes were dashed again, because on the 31st of August of last year the National People's Congress Standing Committee came up with what we call the 8-31 decision, which was a straitjacket worse than anybody had ever suggested in Hong Kong. It wasn't a product of Hong Kong discussion or Hong Kong talking. It was imposed upon us by Beijing.

Earlier this month, the SAR government, the Hong Kong government, came up with the proposal that follows, of course, the 8-31 decision. As you've heard, it's really a pre-screening of candidates by a small circle of 1,200, a Beijing-controlled nominating committee. At the end of the day, Hong Kong would only have two to at most three candidates, who are pre-screened by this nominating committee. This will be put to a vote by our legislature, probably by the end of June. According to our basic law, it has to be endorsed by a two-thirds majority of our legislature. The pan-democrats hold more than one third, and they have pledged to veto this package, even though for many years, as I've said, we've been waiting.

At the moment, society is extremely polarized. We have something less than half of the people polled thinking, "Look, there's nothing we can do against the Communist government"—they're resigned to our fate—"so let's pocket it first." That's the term

used. But then we also have a very strong percentage, something close to 40%, who say, "Over my dead body." We know this is not really universal suffrage. We also know that once we pocket it, that means forever. Beijing will say, well, you have reached the ultimate goal of universal suffrage, and that's in accordance with the law.

Either way, whether the legislature is going to pass it or veto it, it's disastrous for Hong Kong because of this polarization and because, as I said earlier, we've been like a pressure cooker, really pushed to the limit.

• (1125)

The government, of course, is blaming everybody except itself. It blames foreign governments, like yours, for interfering. It blames the media for fanning the public. It blames universities and schools, of course, for also turning out students or young people who are not patriotic enough—that means not loving the Communist party. It also blames the judges for not cooperating with the administration.

In my speaking notes, I've explained and I've given some examples of the damage to the rule of law and also press freedom, another of our core values. I'd be pleased to elaborate later if there are any questions.

What can Canada do? I think it can do a lot. The very fact that the Beijing government always criticizes foreign governments for quote-unquote "interference" is an indication that whatever you say matters a great deal. Every voice counts.

Professor Larry Diamond, an eminent U.S. scholar, used George Orwell's language to describe this package proposed for the election of the Chief Executive. My worry is that Hong Kong is really getting into George Orwell days, because nowadays the line between truth and falsehood often seems blurred. I'm also worried that the rule of law will become rule by law, because our government has a habit of quoting law as they interpret it. I also fear that might is right, because whatever those in power say, then that's the right way to go.

Canada, like many other international powers, cannot stand by when universal values are being threatened and when what is really presented as universal suffrage is really not universal suffrage at all.

I endorse everything that has been said before by Mr. Burton and also by Nathan Law. I do look forward to Canada's support to Hong Kong.

Thank you very much.

**The Chair:** Thank you very much.

We'll now finish off with Mr. Wong, for seven minutes, please.

**Mr. Chi Fung Wong (Convener, Scholarism):** Honourable chair and honourable members of the standing committee, I am Joshua Wong, the convener of Scholarism and now an 18-year-old university student. Thank you for the Canadian Parliament's invitation giving me the opportunity to be one of the Hong Kong representatives here.

Today, from a student's perspective, I hope I can share my experience and exposure to these social movements since the age of 14 by illustrating how the central government of China oppressed the future of the next generation in the aspects of political systems and education. I hope my sharing will help to enhance the international concern about Hong Kong's democratic progress.

On July 1, 2003, there were 500,000 Hong Kong people out on the streets to protest against article 23 of the basic law, which oppressed freedom of speech. In addition, the people also were striving for universal suffrage. The huge participation in that incident not only caused the stepping down of Tung Chee-hwa, who was the Chief Executive, but also the withdrawal of article 23.

Since then, as a result, we have observed that the central government began to have a strong feeling about a need to strengthen the Hong Kong people's identity-recognition of China or even of the Chinese Communist party. Focusing on the identity issue for young people and students, in 2011 the education department announced that all primary school and secondary school students needed to learn the national education curriculum.

In the national education curriculum, there were many parts emphasizing the students' need to establish their obedience as well as their praise towards the Chinese Communist government, with standards such as how students were expected to be touched and to be in tears in front of the national flag-raising ceremony. This means that the national education subject was more than an education subject and in fact was a brainwashing tool.

If the nature of the education was to develop young people's capability for independent thinking, this subject definitely violated the education principle. It illustrated that the central government just viewed Hong Kong as a ruled and obedient Hong Kong, without any respect towards the young and the students' right to attain proper citizenship, including the right to criticize the government.

Since then, I have had a strong awareness that not only political parties and teachers' unions should protest against the subject. Therefore, four years ago, at the age of 14, I established a student organization named Scholarism. We gathered a few hundred secondary school students who supported the core values of democracy and freedom. We walked on the street protesting, promoting our values and expressing our requests, and we gained a lot of support from the Hong Kong people.

Later, with the exposure to the public of the government brainwashing education material called "The China Model", which described the Chinese Communist Party as an "advanced, selfless, and united" ruling organization, the whole city's protest temperature against this national education was raised rapidly. With the hunger strike of students and 120,000 people in occupation outside the government office, the government finally was forced to put aside the subject. At that time, I was only 15.

Previously, people thought that political movements could only be led by political parties and workers' unions. No one could imagine that secondary school students could plan a social movement. After the success of the anti-national-education movement, more people showed their concerns and gave support to the social actions of the student organizations. Many people began to discover that it was the

students' energy, persistence, determination, and courage that had enabled them to stand upon the stage of history for a more equal political system. This is why, after the anti-national-education movement, Scholarism continues to strive for true universal suffrage.

Last year there were different joint activities with the Hong Kong Federation of Students for expressing our dissatisfaction in regard to a decision made on August 31, including a student strike joined by more than 1,000 students in secondary school and 10,000 university students. Also, on September 26, there was a re-entering of the Civic plaza, an action finally triggered as a result of the Umbrella Movement. In the nearly 80 days of the Umbrella Movement, there's not yet any achievement, regardless of the participation of 200,000 Hong Kong people.

● (1130)

But through my experience and participation in the social movement, I want to tell every honourable member here and all the Chinese in Canada after going through the days of the anti-national-education protest and the Umbrella Movement, the lives of students and young people in Hong Kong are no longer the same. The generation of extensive political awareness has already begun. This is the reason I still have hope, even though there is no achievement from the Umbrella Movement and the pro-China people continuously oppress academic freedom and continuously use politically legal prosecution against the protestors.

Honourable members, you may think that in a democratic country, politics should be for the professional participation of political parties and politicians, and social movement in the streets should only be organized by the minority of idealistic university students. But from four years ago until now, the age of social movement participation is declining in Hong Kong. The phenomenon in the Umbrella Movement is that 13-year-old children would participate in the student strike on the street; 14-year-old girls would stand firm against the tear gas, equipped with goggles and masks; while some other 15-year-old students would be arrested for civil disobedience. Not only the senior form secondary school students but even junior form students became activists.

I understand there are many calculations related to international politics. Every day you may attend this kind of hearing routinely, and perhaps there won't be much impact on your next election, whether you care about Hong Kong's issues or not. But please think differently. The children participating in the Umbrella Movement are similar in age to your son and daughter. Maybe you have difficulty understanding why the students living in an international financial centre would rather risk their future to push social reform, regardless of the risk of being blacklisted from entry into China or leaving offence records that may affect their careers. Although young people understand that participation in social movements may affect their future careers, when they also discover they can't see any future in the current system, changing the current system is the only way out.

I hope the Canadian Parliament will continue to be concerned about the Hong Kong situation and exert its influence and pressure on the Chinese government, since maintaining international oversight and engagement is an effective way to support democratic freedom and human rights in Hong Kong.

This is the end of my presentation. Thank you.

• (1135)

**The Chair:** Thank you very much, Mr. Wong.

We're going now to Mr. Dewar for seven minutes of questions and answers.

Mr. Dewar, the floor is yours.

**Mr. Paul Dewar (Ottawa Centre, NDP):** Thank you, Mr. Chair.

I want to thank all our witnesses, both here in Ottawa and in Hong Kong.

I want to state, first of all, how impressed I am with the testimony, particularly from our young people, and particularly with the testimony we just heard from Mr. Wong.

We have been seized with this issue here at the foreign affairs committee since the Umbrella Revolution started, mainly because we see Canada's role as being extraordinarily important in ensuring that the commitments that were made, and that Canada had participated in, between China and Hong Kong will continue.

Mr. Burton, in your comments you mentioned that China's position has changed, and I think therefore our position needs to respond to that change.

I also want to note that our sister Parliament in the U.K. recently had a study done and presented a report on Hong Kong, which said the following:

The preservation of both the letter and the spirit of the Joint Declaration is crucial to Hong Kong's economic and business success....In addition to debates on constitutional reform, we heard widespread concern that the autonomy, rights and freedoms guaranteed to Hong Kong in the Joint Declaration and Basic Law have been gradually eroded in recent years....

That's from our sister Parliament in the U.K. in their committee study.

We are doing a study. We are looking to have recommendations that we can submit to our Parliament. I'm glad to have heard recommendations from some of our witnesses.

Mr. Law, regarding the situation since the Umbrella Revolution, the protests that you laid out, and the conditions in which people are living, what is the status right now on the ground in Hong Kong with regard to peaceful demonstrations, the ability for you to speak out, and press freedom? I would note that we just celebrated press freedom day on the weekend. Can you give us an update as to what's happening on the ground in Hong Kong for students, for people who want to continue to speak out, and the press?

Thank you.

**Mr. Kwun Chung Law:** Thank you for the question.

First, for the situation in Hong Kong, I think there are lots of people who participated in the Umbrella Movement feeling very depressed and feeling hopeless towards the future. They are looking for ways that could change the current situation. As to their willingness to conduct a peaceful demonstration, I think there still are lots of people who really embrace the importance and effectiveness of peaceful demonstration.

There are a lot of statements and arguments saying there should be a more radical approach towards the protests in Hong Kong. You can see that the situation and the ways of thinking in Hong Kong about demonstration and protest are quite diverse. More and more radical ways of thinking are appearing in Hong Kong.

As for press freedom, I think Hong Kong's press freedom is tending toward one of the lowest levels after the handover in 1997, because there is research conducted by some of the press showing that a lot of publishers and a lot of bookstores in Hong Kong, more than 80%, are controlled by the Communist party.

A lot of superiors in each of the presses are also being placed by the people from China. There is a rating—I forget which organization conducted it—saying that the rating Hong Kong's press freedom attained is a very low level, around 80-something, dropped from 20-something to 80-something in these years. I think the press freedom is a huge concern in Hong Kong. I believe that in the future that's one of the things all the activists and all the politicians in Hong Kong have to focus on.

• (1140)

**Mr. Paul Dewar:** Mr. Burton, I'm interested in your perspective as someone who has served on behalf of our country and is staying on top of the issue. Where do you see an opportunity for us as a country to work with other like-minded countries? We've heard the recommendations from Mr. Law to look at Canada joining with other interested countries in supporting the treaty and ensuring that the treaty is actually going to be enforced. What's your take on that? Who could we work with, reach out to?



**Dr. Charles Burton:** I think certainly it's important that we should be speaking out on this issue. I noted the extraordinary letter that the ambassador of China here in Canada wrote with regard to these hearings, warning us that this could cause a disturbance to China-Canada relations. I think the reason that the Government of China has made such an unprecedented attempt to interfere in a parliamentary committee process is that they are embarrassed when someone of enormous international integrity and reputation, such as Martin Lee, tells us things that are absolutely the truth. I read his testimony. Every word rings absolutely true with me. I think he's a very credible witness.

I think from the Chinese point of view, they prefer that representations be made individually. They would prefer that the Canadian embassy goes to the Chinese foreign ministry on one day and the Swedes show up the next day, and so on. But based on my past experience in the embassy, when we were able to get multilateral action with several countries jointly addressing the Chinese government, that was much more effective in receiving a response than country by country by country.

Certainly, Nathan Law here has mentioned that a number of countries endorsed the Sino-British joint declaration, which was what China and the British had hoped for, to get various countries to make a statement that they agreed with this process. I think our natural focus would be that the other countries that endorsed the Sino-British declaration would set up some kind of plurilateral mechanism where we could be hearing collectively from civil society and other actors in Hong Kong about the specifics of allegations that this agreement is not being maintained according to the international law, and we could therefore make effective representations to the Government of China. These representations would be made publicly so that the Chinese government would realize that what they are doing is causing the prestige of that government to be damaged because of this matter.

If we do nothing and take the attitude that China is a very large country, Hong Kong is a small place, and our interest is in keeping the Chinese Communist regime happy so that it won't interfere with our trade, that would be exactly what the Chinese government would hope would happen, that we would simply sacrifice Hong Kong to the greater good to Canada of other aspects in the relationship with China.

I would argue that this sort of irresponsible non-response by us would have the opposite effect, because we would lose respect from the Government of China. We could expect them to be pushing the envelope more in areas of concern to us, such as the consular case of Kevin Garratt, cyber-espionage in Canada, and unfair trade arrangements that do concern us now.

**The Chair:** Thanks, Mr. Burton.

I have to cut you off here. We're over time.

**Mr. Paul Dewar:** Chair, I just want to make one comment before I go.

It is unprecedented at this committee that we've had any foreign government make representation about our activities. It was shocking for me, as a vice-chair of this committee, that we received

a letter from the Chinese embassy asking us to basically halt our work here.

I think that is worthy of repeating.

**The Chair:** Thank you.

Mr. Trottier, the floor is yours, sir, for seven minutes.

**Mr. Bernard Trottier (Etobicoke—Lakeshore, CPC):** Thank you, Mr. Chair.

Thank you, Mr. Dewar, for your intervention.

Most of all, thank you to our guests today for being here. It's very important that your message be heard, and not just by this committee; this really represents a platform for the world. In our open democracy, everything here will be captured. Your testimony will be heard by many Canadians and other people around the world.

I just wanted to comment that there are certain things we do as parliamentarians and as members of the government. Our government and other democracies around the world have made official statements. We make declarations in our Parliament. We pass motions. We undertake studies. I hear the message from many witnesses that the Chinese government does recognize these things that get done, that are said. But there is a perception that China just plows ahead. It just keeps doing what it's doing.

Maybe I'll start with you, Ms. Eu. What are some of the real impacts and changes that these statements, these declarations, these motions, these studies might have on the Chinese government's behaviour?

• (1145)

**Ms. Audrey Eu:** First of all, I want to add to what Nathan just said. In a study done by Freedom House, Hong Kong's press freedom dropped to 83. The description now is "partially free". As well, in my speaking notes I quoted from what the Hong Kong Journalists Association wrote at the beginning of their report.

To answer your question, which is that China seems to disregard what everybody has said and just soldiers forth, I think every voice actually adds up. There will come a time when China can't stand alone if the whole international community is really talking about upholding universal values. China, of course, in pushing forward our election system at the moment, thinks that this is the Chinese way of election. We want to stress that there are universal standards, even though there are no universal models, for election. There are certain universal standards. So even if the international community, which Canada is part of, comes out in unison and says that a particular proposal on the table does not meet with international standards, it's important for China. China wants to be seen as a world power, wants to be seen like everybody else.

It's also important for people in Hong Kong. As I said, just less than half think "There's nothing we can do. Nobody will help us. We just have to pocket whatever is given us." If the international community comes forward and says that Hong Kong is part of the international community, and it's everybody's duty to uphold international standards, that will be an important message for the Hong Kong people as well.

As I said, I think every voice adds up. Don't give up or don't stop just because you think China is not listening.

**Mr. Bernard Trottier:** [*Inaudible—Editor*]...perceived actions are taken by the Chinese government in reaction to these official statements and motions and things that various parliaments and various governments do around the world?

**Dr. Charles Burton:** It's not entirely without some response. At various times the Dalai Lama comes to Canada and meets with our Prime Minister, for example, I think most recently in 2012. There will be statements by the Chinese embassy that promise dire consequences for our relations if our Prime Minister meets with His Holiness the Dalai Lama. But once the Dalai Lama flies away from Canada, it seems the matter is not raised anymore.

I mean, it's clear that China has serious economic interests in Canada, in the energy and mineral sector, and that these political issues will not damage the overall Chinese interest in getting what Canada has to offer as a stable supplier of energy and minerals products. I think a lot of it is rhetoric designed to try to cow the Government of Canada into not speaking out on our concerns over allegations of serious human rights abuses in China.

Up to now, I don't think any relationship has been established between Canadian statements and our economic or other interests in China. I actually did a study of this, looking at the statistics to see, for example, if we were doing better with China on trade under the Chrétien period of quiet diplomacy on human rights, and I could not find any relationship. In fact, our market share in China increased under Mr. Harper after he made his statements about not selling out our values to the almighty dollar.

• (1150)

**Mr. Bernard Trottier:** The reality is that we have a massive trade imbalance with China anyway, so if someone's going to suffer from a degrading trade relationship, it would be more China than Canada, in many ways.

My next question is for our student witnesses. The textbook of how to build a communist revolution is that you seize the military, then the radio stations, and finally you seize the schools.

What is happening in the schools, the bastions of independent thinking and information? Has there been any tightening of academic freedom in Hong Kong in the last two years?

**Mr. Kwun Chung Law:** Thank you for the question.

In terms of academic freedom, there's no very strong interference but some concrete evidence proving that there really is some force from mainland China to interrupt in university affairs. There are rumours and signs that the Communist party wants to have something done at the university level. For instance, there are a lot of university councils, and the university council chairmen have been replaced by some of the fellows of C.Y. Leung, the current Chief Executive, who typically is kind of a partner with the Communist party.

These kinds of appointments show signs of initiative from the Communist party to interrupt in academic freedom and university affairs.

**Mr. Bernard Trottier:** What about you, Mr. Wong, can you comment on that—

**The Chair:** That's all the time we have. We'll have to come back maybe in the next round.

We're going to Mr. Garneau for seven minutes, please.

**Mr. Marc Garneau (Westmount—Ville-Marie, Lib.):** Thank you very much.

Thank you to all the witnesses for your very eloquent presentations this morning, and passionate, if I may say. Certainly, watching the Umbrella Revolution I've seen a great deal of passion. Like most Canadians, I've watched it on television and I've read about it. I'd like to dig down a little deeper, if I may.

Madam Eu, perhaps I may start with something you said, because it was my first question. It was to know what public opinion across the spectrum of Hong Kong society might be. You said that somewhat less than half feel that it's a hopeless cause and are sort of resigned, if I can put it that way. Or that's how I interpreted it. You said that 40% said, "Over my dead body."

For the first group, those who you consider to be people who are resigned to China imposing its will, I was wondering if you might break that down a little more. Is it resignation and they would much rather be able to have control over how the election is done? Or are there some Hong Kong residents who are actually squarely on the side of China?

**Ms. Audrey Eu:** Thank you for the question.

Of course a certain percentage of people in Hong Kong will agree to whatever the Communist party or the central authorities want. In our general election, roughly 55% to, in the good days, maybe 60-odd% would support the pan-democrats or the democratic candidates. But there would always be about 30% to 40% and increasing number who would support the pro-establishment candidates.

Then you see, for this particular election model, it's almost 50%. About 47% to 48% of those people polled say they would accept this election model even though they say they know it's not universal suffrage, or it's not perfect, or it's not ideal.

The reason I say that the pro-establishment forces are doing better and better is that, first, in terms of resources the Communist government has always been helping the pro-establishment candidates, whereas they will always target people who would donate to the democratic parties. For example, there is a newspaper proprietor who is in the habit of donating to democratic parties. His e-mail is hacked, and it's not only just his e-mails in terms of his donations; it's even his e-mails to his wife or his Filipino maid, and how much he's been paying everybody. So there is a lot of pressure on business people not to help democratic candidates or democratic parties.

Also, we have the functional constituencies, which are stacked, basically. You can always plan votes in terms of creating more organizations, unions, corporations. It's always controlled by businesses and so on.

It's very, very difficult to change the current political system and the power structure in the legislature, and obviously for this election. That's why you see Hong Kong people getting more and more disillusioned. That's also why it's so important, as I said earlier in my last answer, for the international community to speak up. It's not only for the Chinese government, it's also for the people of Hong Kong to know that they're not alone in this.

• (1155)

**Mr. Chi Fung Wong:** I would like to add one point on why nearly half of the Hong Kong citizens would still support the political reform package under the unequal decision made by the Communist party on August 31 last year. It's because the government would actually give the right to every person to vote in the next election. The problem is that the government would like to educate all of the voters that getting the right to vote is equal to getting the right to choose. But actually, if one person one vote is equal to universal suffrage, if this is the standard, then North Korea is also applying universal suffrage.

We hope that more foreign countries or international concerns can voice the truth on the standard for universal suffrage. Getting a right to vote is not equal to getting the right to choose the candidate, since in the next election only the pro-establishment or pro-Beijing people can enter the election to become the candidates for whom we are allowed to vote. That is not true universal suffrage.

**Mr. Marc Garneau:** Thank you.

I'd like to ask a question concerning article 45 in the basic law. It says, and I quote: "The method for selecting the Chief Executive shall be specified in the light of the actual situation in the Hong Kong Special Administrative Region and in accordance with the principle of gradual and orderly progress." I have to admit that "the principle of gradual and orderly progress" sounds like an incredibly vague statement to me. I won't ask you for your definition unless you want to offer it.

Is there anything specific in the basic law or other governing document that says how the Chief Executive nominations are to take place? Is there anything specific about them having to be provided by China, or is it just something that's not stated at all?

**Ms. Audrey Eu:** Perhaps I can take this one.

Regarding "gradual and orderly progress," in fact we are past that. That's been the term used to defer and defer and defer until we finally said we wanted a timetable. We were eventually given a timetable: universal suffrage of election of Chief Executive by 2017, and thereafter universal suffrage of the legislature. That would normally mean 2020.

So we're past that. The actual situation in Hong Kong is very important, because, as I told you earlier, although last year the government pretended to give us a consultation and people in Hong Kong came up with all sorts of models, none of that was taken, not even the most conservative. The model that we're now given is not in

accordance with the actual situation in Hong Kong, it's imposed upon us by Beijing.

You asked if there is any other provision in the basic law about the election of the Chief Executive. Actually, there is. Annex I to the basic law lays out the method for the first 10 years, from 1997 to 2007.

Everybody in Hong Kong at the time thought we were going to have universal suffrage of the Chief Executive in 2007, because 10 years down the road we would be ready—"gradual and orderly progress". Of course, that got pushed another five years and another five years, so 10 years.

The method of election stated in article 45 is that there would be a nominating committee. Then it says that this nominating committee has to be "broadly representative". Now, that's also a point you have to remember. We don't have a nominating committee. Five years ago there was a decision by the NPC that the nominating committee could be determined or designed in accordance with, or with reference to, the selection committee. But now, with the NPC decision last year, in fact we had a step backwards that basically ordained that the nominating committee had to be exactly in accordance with this selection committee, with the four sectors, and then the 38 subsectors. As I said earlier, the majority of them are Beijing-controlled. The electorate for the nominating committee is only 7%, so it's not broadly representative.

• (1200)

**The Chair:** Thank you very much. That's all the time we have.

We're going to start our second round, which will be five minutes for questions and answers. We're going to start with Mr. Hawn.

You have five minutes, please.

**Hon. Laurie Hawn (Edmonton Centre, CPC):** Thank you, Chair.

Thank you to all of our witnesses for your very powerful testimony.

Shame on the Communist government in Beijing for trying to interfere, and shame on their ambassador as well. I know they're monitoring this.

Mr. Burton, I want to talk about the importance of confronting people like the Communist government in Beijing. When it comes to trade, as you mentioned, the soft side seems to have been replaced by a little harsher message from Prime Minister Harper, and trade actually increased. There may be other factors at play in there, but how important is it to call the bluff of people like that and make them understand, through diplomacy perhaps, that it's actually in their best interest not to continue in the way they are?

**Dr. Charles Burton:** In general, our expectation is that the Chinese government should be respecting international agreements that are made, and that would extend to the WTO and all the international agreements that China has ascribed to.

I think there is a tendency of the Government of China to push the envelope beyond the normal range for interpretation of these agreements, and I think that we should be making it clear that we are not going to stand idly by and let that happen. With regard to article 45, raised by Mr. Garneau, it's the same sort of thing. There is no question that when the Government of China and the Government of Britain were representing to the Government of Canada how this thing was going to pan out, it was not going to be a sham election in 2017 but an election where Hong Kong people would be able to freely elect representatives of the aspirations of the people in Hong Kong so that they could maintain the character of Hong Kong and the existing laws and practices, including freedom of speech and freedom of expression, until the 50 years were over. That's the way we understood it, and that's the way it was represented to us by the Chinese.

Do Hong Kong people who are claiming that they support the agreement genuinely want to see their human rights limited? How many people want their Internet access limited? How many members of the Roman Catholic Church would like to see the Roman Catholic Church become an illegal organization, as it is in the People's Republic of China, where they won't recognize the authority of a foreign figure, the Pope, and have to belong to something called the Catholic Patriotic Association?

People yearn to enjoy the benefits of citizenship and to be free, and I think that this is what we want to preserve in Hong Kong, because we can. In terms of China, we don't have an international agreement that compels the Chinese government to treat its people in any particular way beyond the normal expectations of the Universal Declaration of Human Rights, but its sovereignty over Hong Kong is limited by the joint declaration. We endorse that declaration, and if we don't hold them to it, the Chinese government will continue accordingly in its relations with Canada, which is that we don't expect them to maintain the promises they make to us.

**Hon. Laurie Hawn:** I hadn't heard of that patriotic association before. That's a good one.

The bottom line: keep calling their bluff. That's what I'm getting here.

Ms. Eu, you talk about foreign opinion mattering to the Communist government. Is any of that message getting down to the people in China? The reason I ask is that I spent a little bit of time in Taiwan a couple of years ago, and there were an awful lot of people from mainland China who were there shopping and so on, and I am sure the same thing happens in Hong Kong. They take back the message, I think—well, I know they do, because they told me they did—of the relative freedoms in Taiwan and Hong Kong.

How important is that in getting the message to the people in mainland China who do not travel? Eventually, change will come from within. It always does. It might take a very long time, but it comes from within. Is the message at all resonating, getting to the people back in mainland China?

●(1205)

**Ms. Audrey Eu:** I am sure Hong Kong's situation is known to some people in mainland China, and there are a lot of mainlanders who in fact travel and study abroad. It's not just shopping. Also, they sometimes go through the firewall in order to have Internet access to what is happening. During the Umbrella Movement, I saw some mainlanders actually coming just to look at the situation for themselves. I asked them if they were worried, and they said they just wanted to take part in this. They actually recognized me, even though they were from the far north.

I am sure that if Hong Kong has universal suffrage and human rights respected, that also sends an important message to China, and I'm sure that is also one of the reasons why China is holding back on its promise to give us universal suffrage.

**The Chair:** That's all the time we have for this round.

We are now going to move over to Mr. Dewar for five minutes, please.

**Mr. Paul Dewar:** Thank you, Chair.

I just want to remind people, and it was mentioned in testimony, that our Parliament did pass a motion by unanimous consent, so it had all-party support in Parliament. Basically, it was to just put on the record that as a Parliament we urged, at the time, restraint during the demonstrations, which were peaceful, as we've heard from our witnesses. We also urged respect for the agreement we've been talking about, which is the agreement under the one country, two systems, principle, and a responsible dialogue on electoral reform. Our Parliament did state that, and I think it's important to reiterate that.

Ms. Eu, you were a member of the Hong Kong Legislative Council from 2000 to 2012, I believe. I'm just curious, from your point of view, what kinds of changes you saw in the relationship to China, but in particular the political life within Hong Kong during your period of service from 2000 to 2012. How did the political and social changes in China during that time impact the debate in Hong Kong? Could you tell us a little bit about that, about what your experience was, and in your experience as a legislator, what your relationship with China was? What was happening in China during that time, and what effect did that have on the people of Hong Kong?

**Ms. Audrey Eu:** I was in the legislature from the year 2000. In 2003, as Joshua mentioned earlier, we had the article 23 legislation. I was a legislator then. I was very worried that Hong Kong was going to pass the national security law.

I didn't think that Hong Kong people would care at that time, but to my utter surprise, half a million people came out. It was a really hot day, and it was a really impressive and very, very moving demonstration. It was so overwhelming that even though we were in the minority in the LegCo in opposing article 23, in the end, because there were so many people out there, it flipped the legislature so that some of the majority came over to us. As a result, the government did not have enough votes to pass article 23. As one member said earlier, change has to come from within.

Since then, since 2003, you see Beijing's hand getting deeper and deeper into Hong Kong, to the extent of now controlling our elections. The legislature has changed a lot since then. In the old days at least there was a measure of politeness and courtesy. Now it's actually quite difficult, and the relationship between the legislature and the government is also very poor.

When I was originally in the legislature, at least the Beijing government would be very courteous, thinking that maybe they could win us over, but when it's so obvious that they're not going to give us our rights, obviously I have to stand firm. Therefore, in fact today the former Chief Executive, Mr. Tung, says that anybody who's anti-Communist party will not become a candidate, will not be able to take part in an election. Somebody then asked Mr. Tung, well, what about Audrey Eu? He said that she knows herself what she has done. It's typical communist rhetoric, "You know what you have done", that sort of attitude.

Of course, since then there's been a great change in the relationship any Beijing officer had, as far as I'm concerned.

● (1210)

**Mr. Paul Dewar:** I'm intrigued to hear you say that. What you have described is that there was a moment when you believed there was no option, and then people did go to the streets. Certainly the message was sent to the legislature and there was an opportunity to change things.

I'm just curious. This is the last question, because I don't have much time. On the vote count coming up, as you mentioned, about one-third of the legislature would be supportive of the agenda of continuing reform, at least to adhere to the agreement that was negotiated. How confident are you that you can at least hold it to below two-thirds of a vote to change direction? In other words, are the numbers there in the legislature right now to adhere to and oppose the undermining of the agreement?

**Ms. Audrey Eu:** There is nothing at the moment to suggest that the situation will change.

**The Chair:** That's all the time we have.

We're going to go back over to Mr. Schellenberger for five minutes, please.

**Mr. Gary Schellenberger (Perth—Wellington, CPC):** Thank you.

Thank you so much for your testimony here today. It's been very enlightening to me. I watched intently during the protests that went on earlier in the year, and it seemed that they were on the news every day. The media looked after things pretty well. That was the only way I could get to know what was going on.

Has the media left you? It's kind of gone away. It's not the most important issue, it seems, for the media anymore. Or am I not reading the right stuff? Where's the media?

**Ms. Audrey Eu:** We have a lot of journalists who are very, very professional, although they are very, very low-paid. They feel extremely depressed, because there is a lot of self-censorship. That you can tell from the Hong Kong Journalists Association. The members of the profession themselves are saying they are feeling the difficulty of self-censorship and so on. A lot of the newspapers, in fact, have editors who have left their position.

It's not a rosy picture for journalists, although the university turns out fresh graduates and they are very, very dedicated and so on.

**Mr. Gary Schellenberger:** I know this might be a little off topic, but I look at Hong Kong and I look at Singapore and I also read that Taiwan seems to be continuing on reuniting with mainland China. Might they also suffer the fate that any agreement reached will not be followed?

It's great to come up with agreements, and everyone signs on. I look at Ukraine and Russia and what has happened there. I think probably those people who sat down 17 years ago and signed the agreement on Hong Kong with regard to how it would be handled had good intentions.

Do you see any way we can make sure that those things are followed?

● (1215)

**Ms. Audrey Eu:** With regard to the first part about Taiwan, I don't think Taiwan is in a great hurry to unite with China, as you said. In fact, every time you talk to a Taiwanese about one country, two systems, they will laugh at you. They will say, today Hong Kong, tomorrow Taiwan. In other words, they don't want to follow Hong Kong's footsteps precisely because of what's happening in Hong Kong.

As far as honouring agreements is concerned, I'm sure it's part of the nature of a country or a person to try to wriggle out of an agreement after it's signed if it doesn't look to be in that person's or that country's interest. In the long run, how is a country run or how is a person held to an agreement? Everybody must live by the same principles, and you don't want to sign a treaty with a country that would interpret it in whatever way it liked to its advantage. That's the common standard everybody has to keep even though it's very difficult. I'm sure that's the correct position to take.

**Mr. Gary Schellenberger:** Mr. Wong, what level of support is there within the student community in mainland China with regard to universal suffrage and human rights demands in Hong Kong? Have student organizations—

**Mr. Chi Fung Wong:** Do you mean the student organizations' support for the mainland China movement or the mainland China people's support for the student movement?

**Mr. Gary Schellenberger:** I mean mainland China's student support for you folks in Hong Kong; your students. Or do they know anything about it?

**Mr. Chi Fung Wong:** For the new generation, most of them know the technique of how to break through the firewall and to assess the information. Even in the posts related to the Umbrella Movement, they still can find their own way or method to rate or assess the information. The problem is that in the Umbrella Movement, we can't see the mainland China students who directly show their support. It is related to the censorship in mainland China.

I think nearly 100 activists on the mainland tried to support the Umbrella Movement, and finally they were arrested and even put in jail from September to December. This is also the reason why at Scholarship we do not have a lot of motivation directly to connect with the mainland China student because it will increase the risk for them to be arrested again and again.

**The Chair:** That's all the time we have.

Mr. Law, did you have a quick comment?

**Mr. Kwun Chung Law:** In terms of mainland China, the Chinese government is using nationalism as a tool to rule the Chinese people. The Hong Kong people became a target for the Chinese people to point the finger at, and that's the reason why there is propaganda in China. What it was doing was a good job and framing Hong Kong as an opponent to the Chinese people. Nationalism is not only harming the Hong Kong-China relationship, but also the international relationship, because every single one who points the finger at China is accused by China as the opponents or the enemy of the Chinese people. That's related to Canadians and other people around the world.

**The Chair:** Mr. Goldring, you have five minutes.

**Mr. Peter Goldring (Edmonton East, CPC):** Thank you very much.

Thank you to all of the witnesses for appearing here today,

I too find it very concerning that a foreign diplomat would ever think that we here as Canadians and as the Government of Canada can be instructed or deterred from our responsibilities. We are all citizens of the world. Not only do we look at the rights, responsibilities, and freedoms of Canadians, but we also do our part internationally to review those to see what we can do as citizens of the world to possibly help. Rather, I'm thinking such heavy-handedness really speaks to the basis of your problem. Quite frankly, I think it legitimizes your concerns.

With that in mind, and seeing the descriptions that have been given on the nomination process and of the procedures that are very concerning, the question that I would have—and I'm not sure who to pose it to—is that because this was a joint declaration deposited with the United Nations, what have you done as a group to approach the United Nations? There are certain specific parts in the United Nations, such as the Secretary-General for Human Rights, that review democracy rights. There's also an interparliamentary unit that has observer status with the United Nations, and they do work internationally on democratic rights and freedoms.

Have any of these groups, or has the United Nations, been of any assistance to you?

Maybe Mr. Burton could comment on that.

• (1220)

**Dr. Charles Burton:** I think because of the great influence of China in the United Nations, the United Nations is probably not the way to go with this because of China's developmental aid to many members of the United Nations on human rights and other issues. The nations are inclined to support China because China makes it explicit that they expect the support of those nations if those nations expect to continue to receive aid for developmental projects for, say, resource extraction for trans-shipment to China. That's why I'm feeling that the plurilateral approach, where Canada unites with like-minded countries to try to bring this issue to the fore and to expose what China is attempting to do in Hong Kong, is probably the most effective way for us to express our legitimate concerns over the situation.

The reality is that China has a terrific coercive influence in the global community, particularly among countries of the third world who are increasingly dependent on Chinese purchase of their resources for maintaining their national economy. I think that's why we have to be doing something, such as Canada taking the initiative to bring this out in another form.

**Mr. Peter Goldring:** To date, which are those like-minded countries that you've been approaching this issue with?

**Dr. Charles Burton:** I don't have the list of the countries that endorse the Sino-British joint declaration, but I believe these would be primarily western European and Scandinavian nations.

**Mr. Peter Goldring:** Is it a substantial list?

**Dr. Charles Burton:** Yes.

**Mr. Peter Goldring:** How many of them have you been in communication with to try to do this similar type of intervention?

**Dr. Charles Burton:** Well, I'm a lowly professor from St. Catharines, Ontario, who studies China, so I haven't been actually approaching any national governments on this question, with all due respect.

I do believe our Hong Kong friends might be able to answer that question.

**Mr. Peter Goldring:** Yes, maybe Ms. Eu.

**Ms. Audrey Eu:** Thank you.

First of all, the joint declaration itself does not mention universal suffrage, but of course it mentions the basic policies and so on. Also, Hong Kong people have been going to the UN regularly, particularly on the human rights issue. As well, the UN has a number of times endorsed article 25 of ICCPR, the International Covenant on Civil and Political Rights, as being applicable to Hong Kong, and that's on the definition of "universal suffrage", because our basic law, article 39, incorporates the ICCPR, which contains the definition of "universal suffrage".

We, of course, as Hong Kong citizens generally don't have the right to approach other foreign countries to really seek help. We are actually very grateful for today, for you, for the Canadian Parliament giving us the opportunity to speak to you, and for your interest and concern in relation to Hong Kong. We have always felt that maybe Hong Kong is just too small for the international community and that China is just too big, with so many trade benefits.

So it's always really comforting to hear, Mr. Goldring, when you speak as a citizen of the world. We're very, very grateful for that.

**The Chair:** Thank you, Mr. Goldring. That's all the time we have for that round.

We'll now go to Mr. Saganash for five minutes, please.

• (1225)

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Thank you, Mr. Chair.

I'd like to thank all of our witnesses as well for their excellent presentations.

I want to go back to the question that was just posed. I worked for much of my career at the United Nations—for 23 years, as a matter of fact—so I wasn't surprised to see the letter we got from the ambassador asking us to refrain from doing what we are doing today, having seen that from other countries while I was working at the United Nations.

But I do think, and I want to repeat what my colleague just said a while ago, that we should never shy away as a country from reminding other member states of the United Nations of their obligations under the United Nations charter. Those obligations contain respect for the human rights of all. That's part of the principles and purposes of the United Nations, and I'm a true believer in those principles and purposes.

I want to go back to some of the processes that exist under international human rights law. I wonder to what extent these mechanisms have been used in the past. I know that once you sign on to an international covenant, as China did with the political and civil rights covenant back in 1988, I believe....

To what extent was that mechanism used with the human rights committee? I know that member states have to submit every four to five years a periodic report to show to what extent they're implementing the rights that are provided for under those covenants. To what extent have you used these mechanisms? You do have a right to reply to the report that China submits to these review committees. Have you used them in any way?

Ms. Eu, or Mr. Burton.

**Dr. Charles Burton:** I could speak to that.

I think the key here is that China signed the International Covenant on Civil and Political Rights in 1988, but China has not ratified the covenant and therefore is not required to report to the United Nations on its compliance with the specific provisions of the covenant. On the other hand, China has been subject to periodic review under the newer institution, the Human Rights Council. I've had the honour to assist in preparing some documentation in that regard.

Unfortunately, China's government's response, in my view, has not been satisfactory in taking as seriously as we believe it should its obligations to the United Nations charter with regard to human rights. The current situation in China where the President of China has explicitly denounced key principles that permeate the Universal Declaration of Human Rights is very concerning.

China has ratified the International Covenant on Economic, Social and Cultural Rights, which is another very important covenant coming out of the Universal Declaration of Human Rights, but it took a reservation on an entire article relating to the rights of trade unions.

So it's been challenging. When I was working in the Canadian embassy in China, where I was on my second posting—I was in the political section responsible for our engagement on human rights—I had expectations that China would legitimize civil society and that we would see a gradual movement towards respect for universal values that are encapsulated in the United Nations charter. And, you know, representatives of China were involved in the drafting of the Universal Declaration of Human Rights.

Unfortunately, at present the Government of China has engaged in a crackdown on civil organizations and has arrested some people who were previously able to function in non-governmental pressure groups in environmental and other areas. So we're seeing movement backwards in that regard as well.

I'm expecting that many of the international agencies that have been active in China supporting the non-government sector will likely have to suspend their operations because the current government is undertaking a campaign against what it refers to as western influences and an explicit condemnation of what it refers to as universal values.

**The Chair:** Ms. Brown, you have five minutes, please.

**Ms. Lois Brown (Newmarket—Aurora, CPC):** Thank you, Chair.

Thanks to our witnesses.

Some years ago a Hollywood movie came out, starring Tom Selleck, that was called *High Road to China*. I always remember one phrase that a gentleman in that movie said: the oxen are slow, but the earth is patient.

Perhaps that's exactly what China thought, from Beijing, that it was going to accomplish by just waiting this all out, and it didn't count on the explosion of technology and the influence or the exposure to western culture that has happened in the last 20 years.

Mr. Burton, you mentioned in your commentary that in 1998 Canada came forward with assistance after the declaration was signed, to help China discover or move towards some diplomatic or some more western thought in democracy. Could you tell us a little bit about what the objectives were? What did we accomplish, and is there anything there that we can go back to now in our discussions with China about human rights and what it agreed to do?

•(1230)

**Dr. Charles Burton:** I think at that time in 1998 a primary focus of the Canadian International Development Agency, which had representatives in the embassy in Beijing, was good governance, democratic development, and human rights. When China signed the International Covenant on Civil and Political Rights, we were very keen to assist China in bringing its laws and practices into compliance with the covenant so that they could ratify and then be subject to the reporting requirements and international supervision that Mr. Saganash referred to. Our proposals were rejected by the Chinese authorities. To the best of my knowledge, we never were able to send in Canadian experts on the covenants or on the reporting requirements to China to provide that kind of assistance. That was unfortunate.

When I was working in the embassy, I was involved in a CIDA-funded project. I was in the political section, but CIDA gave me the administration of a project called the civil society program. That was to provide assistance to Chinese NGOs. We had the Canadian Cancer Society try to assist in the formation of a comparable association in China to support people with cancer. I think none of these things have borne fruit. We were hoping that we could spread a citizens' consciousness through these initiatives that would empower Chinese people to ask for the entitlements they have as human beings and citizens, which everybody, regardless of whether you're Canadian or Chinese or any nationality, should be achieving.

Unfortunately, I put many, many years into this work and am unable to see much benefit. I think you're right: that ground under that oxen is pretty firm.

But I haven't given up. I'm old; I only have a few more years to go.

**Ms. Lois Brown:** Don't give up; don't give up.

I'd like to pose a question to our young people.

Ms. Eu, you spoke about the fact that you are not going to be able to run in another election. To you and to the students, do you fear any reprisals? Are there things that you would be able to tell this committee that you can't do, or you won't be allowed to do?

**Ms. Audrey Eu:** I think in Hong Kong, if you are in a democratic movement, you always have to be cautious. Your e-mail can be hacked, your phone can be tapped, and you can be followed. I think Joshua also had that experience. Of course, you also have some very nationalistic men and women who will shout at you, call you all sorts of names, and abuse you and so on. Other than that, I think you just act normal. I certainly am not worried, as such, at the moment.

When I mentioned that I can't run, I was just responding to what Mr. Tung, our first Chief Executive, said in a press conference today. The press asked him about me. He said that anybody who is anti-Communist party cannot be allowed to be a candidate. They will be screened out, basically. When a reporter asked him about Audrey Eu, his answer was that she knows herself what she has done, that kind of thing.

•(1235)

**Mr. Chi Fung Wong:** Actually, in Hong Kong mobile phones and e-mails being hacked or monitored by some of the pro-Beijing

people is quite normal. If in daily life you don't have everything open and public, actually there's not really a problem.

For most of the students, I think the challenge we face now is whether or not all the students who joined the students councils in different universities, or who participated in the Umbrella Movement—some as volunteers with Scholarism just giving out leaflets, who don't have experience in joining civil disobedience—can go back to mainland China anymore. If they can't, of course this will affect their daily lives and their ability to meet their parents in mainland China. For a lot of the university students, they may need to go back to mainland China to do some internship program or to study for one of their semesters. If they can't go back to mainland China, it will really affect their academic progress.

**The Chair:** Thank you. That's all the time we have.

Mr. Dewar has a quick question. I don't know if anybody else does.

Mr. Dewar and Mr. Garneau? Okay.

**Mr. Paul Dewar:** Thank you, Chair.

I wanted to build on the last statement and ask both of our younger witnesses today, our students, where the movement is at right now.

Mr. Law, are you still able to organize? Are you networking to keep people on top of the issue? I think that's always important. We were all taken by what happened and the events last fall, but certainly it's hard to keep things going.

I'm just curious to find out, from both of you, how you're keeping the movement going and what kinds of things you are pushing for beyond the excellent recommendations you made to us.

**Mr. Kwun Chung Law:** Thank you for the questions.

The Umbrella Movement is only a part of the political reform movement. There are some important time slots in the agenda for the following years. For instance, we'll have a decision on whether we veto or we pass the political reform proposal in early July. If it is vetoed, then we will most likely have a campaign to urge the government to relaunch the consultation. So a political agenda is still on the table.

If you're talking about the political environment in Hong Kong, I would say it's in a very chaotic situation. After the so-called failure of the Umbrella Movement, when we gained no concrete progress from the movement, a lot of people do not believe in established organizations like the student organization and the political parties. The political spectrum has been opened wide because they do not believe in the old ways of doing politics in Hong Kong. So there's chaos and a lot of distrust among the people.



I think in the future it will be very difficult for any of the organizations to organize or to move people on a scale comparable to the Umbrella Movement in the last year. I think it will settle down in the following months or years, because for the people of Hong Kong it is only the beginning of our civil disobedience and our new page in history. In the old days, we didn't have such protests happening. We are heading into a new era. We need time to get packed. We need time to rethink our path in the future.

**The Chair:** Mr. Garneau.

**Mr. Marc Garneau:** Just for my own benefit, is it true that if, let's say, China said, "Okay, Hong Kong, you decide how you're going to elect your new Chief Electoral Officer", they still under the basic law retain the right to approve or not approve whoever might be chosen as the Chief Executive Officer?

• (1240)

**Mr. Kwun Chung Law:** Yes.

**Mr. Marc Garneau:** They still do.

Very quickly, I read recently about Chinese mainlanders coming to Hong Kong to make large purchases because either there were more products available or they were at a lower cost and that this had created some tension. Can you comment on that very briefly? Is there tension between visiting Chinese mainlanders coming in to make purchases and Hong Kong residents?

**Mr. Kwun Chung Law:** On the one hand, there is indeed tension. As I've mentioned, mainland China uses propaganda to raise the nationalism in China, and they need opponents to raise the nationalism of the Chinese people. They treat everyone who points a finger toward the Chinese people as their opponents, and Hong Kong citizens are one of them.

On the other hand, Hong Kong citizens suffered from the influx of Chinese visitors who bought goods daily in their community. The amount of visitors is huge. Basically, Hong Kong cities cannot afford that number of people. It interrupts the daily life of the people, and people are very annoyed about this issue.

So there is indeed tension, but it also reflects why Hong Kong is important to China or to the world. Under one country, two systems, we still have the rule of law and we still have established systems under which we can identify which goods are authentic and which goods are fake. This is why people come to Hong Kong, because in China they cannot recognize which one is fake or which one is authentic. This is unique to Hong Kong. They also reversed some uniqueness toward...China from Hong Kong. That's one of the things we have to preserve in the future and not see deteriorated by intervention from China.

**The Chair:** Thank you.

Ms. Brown, please finish up.

**Ms. Lois Brown:** Thank you, Chair.

This kind of follows up on the question Mr. Garneau just asked. One of the areas that we really didn't touch on today is the whole aspect of the business community and where it sits on these issues. Are the business ties becoming closer between Hong Kong and the west, or are the ties for business becoming closer to mainland China? What kind of influence are they having on this debate?

That is for anyone who wants to take the question.

**Ms. Audrey Eu:** I'll take this one.

The business sector, of course, is also divided. Probably you have more business tycoons siding with China because that's where the business interests lie. That's where the business opportunities are. As well, Beijing keeps a very tight ring. They will know who is donating or who wants to donate to a democratic cause, and there may be repercussions. That is why it's always very difficult for any democratic association in Hong Kong to get any kind of large donations. The business sector is very jittery about this.

But then, of course, you also have some business people who are very keen that Hong Kong carry on the way it was, because for businesses you need a constant environment. You need rule of law and a level playing field, whereas with China there is a lot of corruption, a lot of change in rules and regulations, with sort of hidden agendas, and so on.

That's why business people prefer doing business in Hong Kong, for obvious reasons.

**Ms. Lois Brown:** Just as a final comment, Ms. Eu, you don't want your businesses becoming politically involved with large donations because then your politicians owe them back. You're better to get your donations from individuals.

**Ms. Audrey Eu:** That's certainly true. Thank you.

**The Chair:** Thank you.

To our witnesses, thank you very much for being here today and for joining us.

Thank you to our colleagues in Hong Kong for staying up well past midnight to be a part of this.

Thank you, Mr. Law, for making the trip from Hong Kong to be here; and Mr. Burton, thank you as well for a very insightful meeting.

With that, the meeting is adjourned.





Published under the authority of the Speaker of  
the House of Commons

---

### SPEAKER'S PERMISSION

---

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

---

Also available on the Parliament of Canada Web Site at the following address: <http://www.parl.gc.ca>

Publié en conformité de l'autorité  
du Président de la Chambre des communes

---

### PERMISSION DU PRÉSIDENT

---

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

---

Aussi disponible sur le site Web du Parlement du Canada à l'adresse suivante : <http://www.parl.gc.ca>