



Written Testimony of

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**Regarding
“U.S. Resettlement and Asylum for People from Hong Kong
Fleeing Political Persecution”**

**For a Hearing of the Senate Subcommittee on the Border and Immigration
“Supporting Hong Kong’s Pro-Democracy Movement through Refugee Policy”**

**2:00 p.m., Wednesday, December 16, 2020
Dirksen Senate Office Building, Room G50**

Thank you for the opportunity to submit this testimony today, Chairman Senator Cornyn (R-TX), Ranking Member Senator Durbin, (D-IL) and distinguished members of the Senate Judiciary Subcommittee on the Border and Immigration. I am Bill Canny, Executive Director, Migration and Refugee Services of the United States Conference of Catholic Bishops (MRS/USCCB). MRS/USCCB is one of the nine national U.S. resettlement agencies. For forty years, we have worked in collaboration with the U.S. government, state and local officials, and local Catholic Charities agencies across the country to welcome refugees from around the world. My testimony focuses on the importance of increasing access to refugee resettlement and asylum protection for people fleeing persecution, including for those who are the focus of the hearing today, residents of Hong Kong who are suffering from and fleeing political persecution and urging bipartisan support for these measures.

I. Church's Social Teaching and Global Work on Migration

One of the sad realities of our contemporary situation is that of forced migration, and particularly of those who are compelled to leave their homeland because of political, religious, or other forms of persecution. For this reason, the Catholic Church recognizes the plight of refugees and asylum seekers. In his encyclical letter *Sollicitudo Rei Socialis*, [Saint Pope John Paul II](#) refers to the world's refugee crisis as “the festering of a wound.”¹ In his [1990 Lenten message](#) he listed the rights of refugees, including the right to be reunited with their families and the right to a dignified occupation and just wage.² Two years later, the [Vatican's Pontifical Council](#) for the Pastoral Care of Migrants and Itinerant People reaffirmed that the right to asylum must never be denied when people's lives are truly threatened in their homeland.³

The dire circumstances confronting refugees and asylees has been of particular concern for [Pope Francis](#) from the beginning of his pontificate. Making a bold statement by taking his first trip as pope outside Rome to Lampedusa, Italy the Holy Father decried the “globalization of indifference” and the “throwaway culture” that disregards those fleeing persecution in order to seek a better life.⁴

II. Historical Background on Hong Kong and Emerging Refugee Situation

In 1997, after 150 years as part of the British Empire, Hong Kong, a dynamic city of over 7 million, became a Special Administrative Region of China. With democratic governance and a

¹ Saint Pope John Paul II, *Sollicitudo Rei Socialis*, The Holy See, 1987, no 24, http://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_30121987_sollicitudo-rei-socialis.html (accessed December 10, 2020)

² Saint Pope John Paul II, Message for Lent, The Holy See, September 9, 1989, http://www.vatican.va/content/john-paul-ii/en/messages/len/ documents/hf_jp-ii_mes_19890908_lent-1990.html (accessed December 11, 2020)

³ Pontifical Council *Cor Unum*, and Pontifical Council for the Pastoral Care of Migrants and Itinerant People, *Refugees: A Challenge to Solidarity*, nos. 13-14, http://www.vatican.va/roman_curia/pontifical_councils/corunum/documents/rc_pc_corunum_doc_25061992_refuges_en.html (accessed December 10, 2020)

⁴ Pope Francis, Homily during his visit at Lampedusa, The Holy See, July 8, 2013, http://www.vatican.va/content/francesco/en/homilies/2013/documents/papa-francesco_20130708_omelia-lampedusa.html (accessed December 10, 2020).

capitalist economy, it enjoyed economic and political autonomy from the mainland and continued to prosper. Hong Kong was allowed to rule on the basis of “one-country, two systems”, meaning that Western human rights principles, such as freedoms of expression and of assembly, would be observed until 2047.

In recent years, China has been taking away the political autonomy in response to political activism in Hong Kong. There was the pro-democracy Umbrella Movement in 2014, democratic electoral victories in 2016, and widespread pro-democracy protests in 2019 and 2020. China responded with legislation that ultimately passed on June 30, 2020, [*The Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region*](#).⁵ The law extends Chinese power over Hong Kong.

According to [Human Rights Watch](#) and other human rights monitoring organizations, this legislation has been accompanied with widespread arrests, imprisonments, and police brutality against activists.⁶ A prominent media mogul, leaders of the pro-democracy efforts, and other human rights activists have been arrested. Most were released on bail, but questions remain as to whether they will stand trial in Hong Kong or be extradited to China. If convicted of inciting secession or collusion with foreign forces, they could be sentenced to life in prison. Four pro-democracy elected officials in Hong Kong were forced to resign; 15 other elected officials voluntarily resigned to express solidarity. Another worrisome sign in Hong Kong was the postponement of the Legislative Council elections by one year to September 2021.

While the above instances are the high-profile examples of the crackdown, media [reported](#) that some 8,000 Hong Kong demonstrators were arrested during May of 2020.⁷ [Reportedly](#), over the last three years, an estimated 12,700 Hong Kong democratic activists have fled to nearby Taiwan.⁸

As the oldest continuous democracy in the world, it is important that the United States provide protection and asylum for Hong Kong democracy activists who are fleeing political persecution. I commend the actions this summer by the United Kingdom and Australia to welcome these Hong Kongers fleeing political persecution.

III. Advancing Protection for Those in Hong Kong Facing Persecution

As this new refugee situation continues to develop, it is crucial that human rights organizations monitor developments and also that the Bureau of Population, Refugees, and Migration, the U.S. Department of State’s refugee agency, closely monitors the forced migration and forced

⁵ “English Translation of the Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Region,” Xinhuanet, July 1, 2020, http://www.xinhuanet.com/english/2020-07/01/c_139178753.htm (accessed December 10, 2020).

⁶ “Hong Kong,” Human Rights Watch, 2020, <https://www.hrw.org/tag/hong-kong#> (accessed December 10, 2020).

⁷ “Hong Kong protests: Police watchdog clears officers over crackdown,” *BBC News*, May 15, 2020, <https://www.bbc.com/news/world-asia-china-52680094> (accessed December 10, 2020).

⁸ Alice Su, Ryan Ho Kilpatrick, “As Beijing tightens grip, Hong Kongers seek refuge in Taiwan,” *Los Angeles Times*, June 18, 2020, <https://www.latimes.com/world-nation/story/2020-06-18/as-beijing-tightens-its-grip-hong-kongers-seek-refuge-in-taiwan> (accessed December 10, 2020).

displacement situation and continues to adapt policy and operations to be responsive to the protection needs of this group.

In these early stages, U.S. embassies and consulates in the region can provide a viable avenue for Hong Kongers to seek U.S. refugee protection with the embassies providing so called P-1 referrals to the U.S. resettlement program.⁹ As the situation evolves, a P-2 designation or other resettlement pathways may best facilitate protection. Alternative pathways can also be made available to this group through family reunification and nonimmigrant visas. Finally, the current and new Administration must ensure that Hong Kong activists fleeing political persecution who are entering or inside the United States receive timely access to U.S. asylum.

To aid in the furthering access to protection, I offer the following recommendations:

- Encourage the U.S. Department of State to continue its work monitoring this human rights situation and making certain that Hong Kongers who are fleeing political persecution are able to present themselves at U.S. embassies and consulates, to be considered for Priority 1 referrals to the U.S. resettlement program.¹⁰
- Ensure that Hong Kongers fleeing persecution are provided timely access to U.S. asylum and to U.S. refugee resettlement protection by creating a P-2 pathway or other resettlement pathways. Additionally, maintain access to alternative pathways, such as family reunification and nonimmigrant visas for this population.
- Encourage the new Administration in its pledge to strengthen access to the U.S. resettlement systems and encourage Congress to fund this important humanitarian priority in a bipartisan way. Such support will provide more protection space for people seeking safety such as the Hong Kong democracy activists.

IV. Conclusion

In closing, I encourage Senators to bipartisanly urge the U.S. to welcome Hong Kongers fleeing persecution, ensuring timely access to U.S. asylum, resettlement and alternative pathways, as described above. Additionally, the new Administration has pledged to strengthen the U.S. asylum and resettlement systems, which will provide more protection space and better access for people seeking safety, like the Hong Kong democracy activists. I am thankful for continued bipartisan support of the resettlement program over the last forty years, and I urge all the Senators on the Subcommittee and on the entire Senate Judiciary Committee to support increased protection space and to otherwise find bipartisan ways to strengthen the system and protect Hong Kongers and others fleeing persecution. I pledge that USCCB/MRS will work with you and the Administration to assist those fleeing persecution and provide partnership in the form of opportunities for refugee resettlement in the United States in our continued work as a national voluntary agency in the U.S. Refugee Admissions Program.

⁹ In this situation, processing in-country or in certain nearby locations is likely to be difficult. Hong Kongers, if possible, should go to U.S. embassies in the wider region, beyond China, Hong Kong, Macau, and Taiwan.

¹⁰ *Id.*