

# WIN-WIN COOPERATION:

## WHY WELCOMING HONG KONG REFUGEES WOULD BENEFIT THE UNITED STATES

By Emily Young Carr and Zack Cooper

freedom

In his first address to employees of the U.S. State Department, President Joe Biden promised to “take on directly the challenges posed [to] our prosperity, security, and democratic values by our most serious competitor, China.”<sup>226</sup> One of the best ways for the United States to show support for democratic values is to welcome victims of repression in Hong Kong to America. Such a step would not only signal America’s commitment to protecting freedom and democracy abroad, but would also strengthen the U.S. economy.

Over the last few years, the Communist Party of China has systematically unwound the freedoms the people of Hong Kong once enjoyed. The United States and like-minded partners have responded by placing sanctions and other economic and financial restrictions on the Chinese officials who direct this repression. Yet, Beijing continues to undercut the “one country, two systems” model, which was supposed to guarantee that the rights and liberties of Hongkongers would be protected after the 1997 handover. Indeed, in the last days of the Trump administration, Chinese authorities arrested over 50 key figures in Hong Kong, including an American lawyer and numerous politicians and activists.

Although these arrests were appalling, they did not come as a surprise. Since the passage of the national

security law on June 30, 2020, the Chinese government has engaged in a series of increasingly harsh crackdowns on pro-democracy forces in Hong Kong. In August, media mogul Jimmy Lai, social activist Agnes Chow, and other prominent dissidents were swept up in a series of arrests.<sup>227</sup> Months later, the central government dismissed four pro-democracy lawmakers from the city legislature, prompting the remaining 15 to resign in protest.<sup>228</sup> This repressive campaign is aided by the vague language of the national security law, which gives mainland authorities great leeway to define the now-criminal acts of secession, subversion, terrorism, and collusion with foreign powers.<sup>229</sup>

Biden has pledged that he will be “clear, strong, and consistent on values when it comes to China.”<sup>230</sup> The Biden team has already expressed support for activists in Hong Kong and condemned the Chinese government for its repressive tactics. Just weeks before his confirmation as Secretary of State, Antony Blinken tweeted: “The sweeping arrests of pro-democracy demonstrators are an assault on those bravely advocating for universal rights. The Biden-Harris administration will stand with the people of Hong Kong and against Beijing’s crackdown on democracy.”<sup>231</sup> Since then, Blinken added that “victims of repression from Chinese authorities,” should be given “haven.”<sup>232</sup>



Several options should be on the table for influencing Beijing's actions and standing with the people of Hong Kong. The first, and easiest to execute, is to continue to offer statements of support. Official condemnation of repression in Hong Kong is an important signal that the United States will speak out when universal values are violated.<sup>233</sup> The administration can also expand sanctions and other restrictions on individuals and entities engaged in repression in Hong Kong. Coordinating these efforts with other governments will send a clear message rejecting China's infringement on personal and political freedoms. Furthermore, multilateral sanctions would ramp up economic pressure on Beijing while also shielding individual states from having to face China's inevitable pushback alone.

Biden has already expressed support for continuing targeted sanctions. When the national security law was passed, he threatened to "impose swift economic sanctions" if Beijing "tries to silence U.S. citizens, companies, and institutions for exercising their First Amendment rights."<sup>234</sup> Yet the arrest of American lawyer John Clancey revealed that Beijing may be willing to risk retribution to consolidate control over Hong Kong. Sanctions will also take some time to implement, since the Biden team is presently engaged in several reviews of China policy.<sup>235</sup> Moreover, it will take time for Biden to construct "a united front of friends and partners to challenge China's abusive behavior."<sup>236</sup>

There is a third set of actions, however, that the Biden team would be wise to embrace: the establishment of more permissive immigration policies for those fleeing persecution and repression in Hong Kong. It is now apparent that Beijing will curtail most political rights and freedoms in Hong Kong; helping people escape this repression should therefore be a top aim of U.S. policy. The administration could achieve this goal by increasing the number of refugees from Hong Kong admitted to the United States, streamlining the visa process, and creating pathways to citizenship. Each of these steps would not only signal support for Hong Kong, but also provide tangible assistance to actual Hongkongers and align U.S. policy with core national values.

There is good reason to believe U.S. allies and partners will be open to a coordinated response. Indeed, the United Kingdom and Australia have already begun welcoming Hong Kong refugees. In the first ten months of 2020, the United Kingdom granted over 216,000 "British National (Overseas)" passports to Hong Kong residents, and roughly three million Hongkongers are eligible for the program.<sup>237</sup> Holders of this passport may visit the United Kingdom visa-free for six months, live and work in Britain for up to five years, and ultimately apply for citizenship.<sup>238</sup> The United States should similarly welcome refugees from Hong Kong, bringing U.S. policy in line with that of two close allies. In December 2020, Jake Sullivan, who has since become Biden's National Security Advisor, wrote: "We stand united with our allies



Daniel Wong Kwok-tung was released from Shatin police station after posting bail on 15 January, 2021. / Creative Commons Attribution-Share Alike 4.0 International

and partners against China's assault on Hong Kong's freedoms—and to help those persecuted find safe haven."<sup>239</sup>

Similar proposals were raised under the Trump administration, but they failed to gain traction. Instead, the Trump administration sought to create a multitude of new legal and procedural barriers for asylum seekers.<sup>240</sup> Although a special allocation for Hong Kong residents was recommended in the President's Report on Proposed Refugee Admissions, the overall number of refugees admitted through the U.S. Refugee Admissions Program was lowered to 15,000 for Fiscal Year 2021.<sup>241</sup> Furthermore, the "Hong Kong People's Freedom and Choice Act," which aimed to give persecuted Hong Kong dissidents special refugee status, passed the House of Representatives but was blocked by Ted Cruz in the Senate.<sup>242</sup> In the final days of the Trump presidency, the United States allowed five Hong Kong protesters to seek asylum, but their admission was not accompanied by broader changes.<sup>243</sup> With Democratic majorities now in both houses of Congress, the Biden team is in position to remove barriers and pass legislation designed to aid refugees.<sup>244</sup>

The mass arrests in January, only weeks before Biden's inauguration, signaled to Washington that Beijing is determined to tighten its grip on Hong Kong. Helping Hongkongers to escape this increasingly repressive

environment is therefore both a smart competitive approach and a moral imperative. The Biden team should not just penalize leaders involved in repression, but also support Hongkongers themselves. There is no better way for the United States to ensure that China pays a price for reneging on its commitments under the Sino-British Joint Declaration, while also helping a vulnerable population escape persecution.

<sup>226</sup> Joe Biden, "Remarks on America's Place in the World," The White House, February 4, 2021, <<https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/02/04/remarks-by-president-biden-on-americas-place-in-the-world/>> (accessed February 12, 2021).

<sup>227</sup> Shibani Mahtani, "Hong Kong Media Tycoon Jimmy Lai Arrested under National Security Law," *Washington Post*, August 10, 2020, <[https://www.washingtonpost.com/world/asia\\_pacific/hong-kong-jimmy-lai-arrest/2020/08/09/d7312f20-daa4-11ea-b205-ff838e15a9a6\\_story.html](https://www.washingtonpost.com/world/asia_pacific/hong-kong-jimmy-lai-arrest/2020/08/09/d7312f20-daa4-11ea-b205-ff838e15a9a6_story.html)> (accessed January 15, 2021).

<sup>228</sup> "Hong Kong Pro-Democracy Lawmakers Resign after China Ruling," *BBC News*, November 12, 2020, <<https://www.bbc.com/news/world-asia-china-54899171>> (accessed January 15, 2021).

<sup>229</sup> "Hong Kong Security Law: What Is It and Is It Worrying?" *BBC News*, June 30, 2020, <<https://www.bbc.com/news/world-asia-china-52765838>> (accessed January 15, 2021).

<sup>230</sup> Joe Biden, "Statement by Vice President Joe Biden on Protecting Hong Kong's Autonomy," Medium, May 23, 2020, <<https://medium.com/@JoeBiden/statement-by-vice-president-joe-biden-on-protecting-hong-kongs-autonomy-f75258af932d>> (accessed January 15, 2021).

<sup>231</sup> Antony Blinken, Twitter, January 6, 2021, <<https://twitter.com/ABlinken/status/1346663418946859010>> (accessed January 15, 2021).

<sup>232</sup> Joel Gehrke, "Antony Blinken Endorses Refugee Status in US for Hong Kong Dissidents," *Washington Examiner*, February 1, 2021, <<https://www.washingtonexaminer.com/policy/defense-national-security/blinken-endorses-refugee-hong-kong>> (accessed February 11, 2021).

<sup>233</sup> Jim Sciutto, Gloria Borger, and Jeremy Diamond, "Trump Promised Xi US Silence on Hong Kong Democracy Protests as Trade Talks Stalled," *CNN*, October 4, 2019, <<https://www.cnn.com/2019/10/04/politics/trump-xi-hong-kong-protests/index.html>> (accessed February 11, 2021).

<sup>234</sup> Trevor Hunnicut, "Biden Says New China National Security Law a 'death Blow,' Weighs Sanctions," *Reuters*, July 1, 2020, <[phttps://www.reuters.com/article/us-hongkong-protests-usa-election-idUSKBN2426Z2R](https://www.reuters.com/article/us-hongkong-protests-usa-election-idUSKBN2426Z2R)> (accessed January 15, 2021).

<sup>235</sup> Trevor Hunnicut et al., "Biden Will Keep Using U.S. Sanctions Weapon but with Sharper Aim," *Reuters*, December 16, 2020, <<https://www.reuters.com/article/us-usa-sanctions-insight-idUSKB-N28Q1CV>> (accessed January 15, 2021).

<sup>236</sup> Lingling Wei and Bob Davis, "Biden Plans to Build a Grand Alliance to Counter China. It Won't Be Easy.," *Wall Street Journal*, January 6, 2021, <<https://www.wsj.com/articles/biden-trump-xi-china-economic-trade-strategy-policy-11609945027>> (accessed January 15, 2021).

<sup>237</sup> Shawna Kwan, "U.K. Grants Five Passports a Minute to Hongkongers as China Tightens Grip," *Bloomberg*, December 4, 2020, <<https://www.bloomberg.com/news/articles/2020-12-04/u-k-grants-hongkongers-five-passports-a-minute-as-exodus-looms>> (accessed January 15, 2021); Mark Landler, "Boris Johnson Pledges to Admit 3 Million From Hong Kong to U.K.," *The New York Times*, June 3, 2020, <<https://www.nytimes.com/2020/06/03/world/europe/boris-johnson-uk-hong-kong-china.html>> (accessed January 15, 2021).

<sup>238</sup> *Ibid.*

<sup>239</sup> "Biden's Incoming National Security Aide 'deeply Concerned' about Hong Kong Crackdown," *Reuters*, December 8, 2020, <<https://www.reuters.com/article/hongkong-security-arrests-sullivan-idUSKBN28I2YF>> (accessed January 15, 2021).

<sup>240</sup> Emily Feng, "Hong Kong Residents Are Getting Political Asylum In The U.S.," *NPR*, October 14, 2020, <<https://www.npr.org/2020/10/14/923737050/hong-kong-residents-are-getting-political-asylum-in-the-u-s>> (accessed January 15, 2021).

<sup>241</sup> "Office of the Spokesperson, "Transmission of the President's Report to Congress on the Proposed Refugee Admissions for FY 21," United States Department of State, September 30, 2020, <<https://www.state.gov/transmission-of-the-presidents-report-to-congress-on-the-proposed-refugee-admissions-for-fiscal-year-2021/>> (accessed January 15, 2021).

<sup>242</sup> Naomi Xu Elegant, "U.S. House Passes Bill Giving Hong Kong Residents Special Refugee Status," *Fortune*, December 8, 2020, <<https://fortune.com/2020/12/08/us-hong-kong-residents-refugee-status/>> (accessed January 15, 2021); Stuart Anderson, "Ted Cruz Blocks Bill, Claims Hong Kong Refugees Could Be Spies," *Forbes*, December 20, 2020, <<https://www.forbes.com/sites/stuartanderson/2020/12/20/ted-cruz-blocks-bill-claims-hong-kong-refugees-could-be-spies/>> (accessed January 15, 2021).

<sup>243</sup> Michael Forsythe, "Protesters Who Fled Hong Kong Arrive in U.S., Seeking Asylum," *The New York Times*, January 16, 2021, <<https://www.nytimes.com/2021/01/16/world/asia/hong-kong-us-asylum.html>> (accessed January 19, 2021).

<sup>244</sup> "U.S. Senators Revive Bill to Make Refugee Status Easier for Hong Kong Protesters," *Reuters*, February 9, 2021, <<https://www.reuters.com/article/us-usa-hongkong-refugees-idUSKB-N2A935W>> (accessed February 11, 2021).

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