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Conflict Assessment: Hong Kong

REPORT SUMMARY

This report assesses mainland China's approach to Hong Kong under President Xi Jingping. Hong Kong's status as a global financial hub and the Trump administration's hardline stance on Beijing are perceived as the primary deterrents to China's increasing encroachment on Hong Kong autonomy. However, Hong Kong's shifting economic role in China and the recent U.S. election could prove disastrous for democracy in Hong Kong.

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ABOUT PEACEXCHANGE

PeaceXchange is a multi-dimensional platform that aims to bring young people to the forefront of peacebuilding. Our detailed reports are designed to be accessible to a wide audience and inspire critical discussion in aspects of international conflict resolution. We are determined to empower users through a modern, sophisticated interface that elegantly provides objective, un-biased information and promotes personal connection with our team. In essence, PeaceXchange is a collaborative exchange of information that promotes peaceful human connection and unity across nations and cultures.

Introduction

In 1997, sovereignty over Hong Kong was transferred to China, officially ending the cities status as a British colony. However, in the 150 years Hong Kong was under British rule, people within the region had largely developed an identity independent of China. China recognized that imposing their political system on Hong Kong would have serious social and economic implications. Therefore, they came up with "one country, two systems" which would allow Hong Kong to keep its way of life including a capitalist economic system, freedom of press, and freedom of assembly, and they were even promised the power to elect their own leader in the near future. However, true universal suffrage was never granted to Hong Kong. All four Chief of Executives of Hong Kong since the 1997 handover have been elected by an electoral committee currently made up of 1,200 people and supposedly broadly representative of Hong Kong society. However, critics of the system argue that the committee is comprised mostly of business elites loyal to Beijing. In addition, once a candidate is picked, they must be formally appointed by China's central government, meaning mainland China always gets the final say. This was reflected in the outcome of the March 2017 election which ended in a victory for Carrie Lam despite her lack of popular support.[1]

The most recent round of protests escalated in June of 2019 in response to a proposed bill that would allow the People's Republic of China (PRC) to request extradition of suspected criminals from Hong Kong.[2] Critics of the bill fear that it would expose the people of Hong Kong, particularly activists and journalist, to China's deeply flawed justice system. Moreover, many viewed it as only the next of Beijing's various subtle attempts to erode the autonomy promised to Hong Kong under "one country, two systems." The

[1] Haas, Benjamin. "Hong Kong Elections: Carrie Lam Voted Leader amid Claims of China Meddling." *The Guardian*, Guardian News and Media, 26 Mar. 2017, www.theguardian.com/world/2017/mar/26/hong-kong-chooses-new-leader-amid-accusations-of-china-meddling.

[2] "Hong Kong Protesters Demonstrate against Extradition Bill." *BBC News*, BBC, 9 June 2019, www.bbc.com/news/world-asia-china-48572130.

extradition bill was later withdrawn. However, protestor aims have since expanded to electoral reforms and the implementation of true universal suffrage for Hong Kong. A fight that began in 2014 but had largely slowed down after a 79-day civil disobedience campaign, known as Occupy Central, failed to achieve any progress.[3]

Beijing's Crackdown

Beijing has been accused of responding to the protests with violent crackdowns and arbitrary arrests of pro-democratic activists. An Amnesty International field investigation back in September of 2019 revealed, along with the arbitrary arrests, evidence of "torture and other ill-treatment in detention."[4] In December of 2019, a Chinese Ministry of Foreign Affairs official threatened to impose unspecified "sanctions" against Human Rights Watch and several US-based pro-democracy organizations. And the following January, Hong Kong authorities denied the executive director of Human Rights Watch entry into Hong Kong during his trip to document "Beijing's deepening assault on international efforts to uphold human rights." There have also been reports of police tolerating assaults made on protesters by a prominent gang in Hong Kong known as the Triads.[5]

China has chosen to adopt a domination approach to dissent in Hong Kong by passing laws that implicitly expand its judicial authority over Hong Kong protesters. In May of 2020, China's legislative body approved the introduction of new legislation that would effectively "prevent, stop, and punish any acts occurring within Hong Kong that are

[3] Reuters Staff. "Explainer: What Was Hong Kong's 'Occupy' Movement All about?" *Reuters*, Thomson Reuters, 24 Apr. 2019, www.reuters.com/article/us-hongkong-politics-occupy-explainer/explainer-what-was-hong-kongs-occupy-movement-all-about-idUSKCN1S005M.

[4] "New Evidence of Shocking Police Abuses against Hong Kong Protesters." *Amnesty International*, 19 Sept. 2019, www.amnesty.org/en/latest/news/2019/09/hong-kong-arbitrary-arrests-brutal-beatings-and-torture-in-police-detention-revealed/.

[5] Chan, Holmes. "'Servants of Triads': Hong Kong Democrats Claim Police Condoned Mob Attacks in Yuen Long." *Hong Kong Free Press HKFP*, 31 Mar. 2020, https://hongkongfp.com/2019/07/22/servants-triads-hong-kong-democrats-claim-police-condoned-mob-attacks-yuen-long/

aimed at splitting China, subverting state power, organizing and carrying out terrorist activities, or otherwise seriously endangering national security."[6] Since then, prominent pro-democracy activists Joshua Wong and Agnes Chow have been arrested over 'illegal assembly charges' due to their role in organizing the 2019 protests over the CPP's proposed national education bill.[7] Wong, 24, will server over 13 and a half months while Chow, also 24, was sentenced to 10. China also granted the Hong Kong government broad new powers to remove lawmakers who do not show clearly loyalty to Beijing. This was followed by the ouster of four pro-democracy Hong Kong law makers, leading fifteen others to resign in solidarity.[8] This has escalated the conflict by removing one of Hong Kong's few avenues for voicing opposition through a contained political institution. The lawmakers now feel they must work 'outside the system.'[9] The resignations have also weakened the pro-democracy camps voice in the Legislative Council, effectively removing traditional constraints on Beijing's rein over judicial policy in Hong Kong.

Hope For Hong Kong?

Hong Kong's main leverage over Beijing has been their role has a global financial hub. Many scholars consider China's material interest in Hong Kong as an important deterrent to a military escalation similar to Tiananmen square.[10] Since 1997 Chinese firms have been able to acquire $335 billion by operating in Hong Kong. Along with being an important economic asset, Hong Kong is considered an essential bridge between mainland China and

[6] Cohen, Jerome A. "Is Hong Kong Still Autonomous? What to Know About China's New Laws." *Council on Foreign Relations*, Council on Foreign Relations, 29 May 2020, www.cfr.org/in-brief/hong-kong-still-autonomous-what-know-about-chinas-new-laws.
[7] Ramzy, Austin, and Tiffany May. "Joshua Wong and Agnes Chow Are Sentenced to Prison Over Hong Kong Protest." *The New York Times*, The New York Times, 2 Dec. 2020, www.nytimes.com/2020/12/02/world/asia/joshua-wong-agnes-chow-hong-kong.html.
[8] Ramzy, Austin, et al. "China Targets Hong Kong's Lawmakers as It Squelches Dissent." *The New York Times*, The New York Times, 11 Nov. 2020, www.nytimes.com/2020/11/11/world/asia/hong-kong-protest-democracy.html.
[9] Ibid.
[10] The 1989 protests at Tiananmen Square ended in a brutal massacre when Chinese troops armed with assault rifles began firing at demonstrators.

the global market.[11] Their western laws, economic system, and minimal autonomy from Beijing allows foreign companies to feel secure basing their operations in Hong Kong. Moreover, under the 'one country, two systems' structure, Hong Kong maintains a 'special status' with the U.S. Under U.S. law Hong Kong is treated differently than China when it comes to financial transactions, immigration, and trade. This special status has allowed annual trade between the two to grow an estimated $38 billion. This is important for China as it extends their soft-power grip on the global market. The U.S. has threatened to rebuke this special status if the one country, two system political distinction between Hong Kong and China is ever brought into question. Thus, it can be argued that China does not currently possess an interest in changing Hong Kong's political status or threatening the financial hub's position as a valuable economic asset by militarily intervening against demonstrators and inevitably steering away foreign investment.

However, Kerry Liu contends that this argument fails to take into account the future of the Chinese economy and Hong Kong's diminishing status as a key contributor to China's economic output. Liu argues that recent internal and external pressures on China's economic environment have forced them to adopt a new growth model that has largely diminished Hong Kong's role in the mainland economy. Moreover, since President Xi's ascent to power, the Chinese government has notably gone against the decentralization trend of the past three decades. Liu provides some examples:

> The establishment of the National Security Commission; an intensified penetration of society by the state; controlling non-government organisations and citizens through the new social credit system; the creation of a virtual wall of regulations and restrictions that more tightly control the flow of ideas, culture, capital, and

[11] Whalen, Jeanne. "Hong Kong Remains Vital Economic Asset for Beijing, despite Unrest." *The Washington Post*, WP Company, 15 Aug. 2019, www.washingtonpost.com/business/2019/08/14/hong-kong-remains-vital-economic-asset-beijing-despite-unrest/.

scientific exchange; strengthening the Great Firewall; and a significant and accelerated projection of Chinese power in the world.[12]

In addition, civil society has been labeled one of the most threatening agents of destabilization by the Chinese Communist Party.[13] This reflects the conflicting principles of Hong Kong and China under President Xi. While Hong Kong's political structure emphasizes rights protection, the growth of civil society, and a free people and economy under the rule of law, China's neo-socialism under Xi Jingping preserves a stratified political order dominated by the Communist Party of China. While Hong Kong observes free market principles, mainland China prefers state control and intervention. According to Liu this is a deep ideological conflict which has made China-Hong Kong relations unstable.[14] This coupled with Hong Kong's diminishing economic role and China's clear intent to secure its position both at home and abroad, indicates a potential threat to the future autonomy and political structure of Hong Kong.

The Trump administration's hard stance on China, positioned the U.S. as a primary deterrent against Beijing's encroachments on Hong Kong. In December of 2020 the administration approved new arm sales to Taiwan[15] and put in place new sanctions on Chinese officials over the recent crackdown on pro-democracy activist. Secretary of State Mike Pompeo considers Beijing's "unrelenting assault against Hong Kong's democratic process" a clear violation of the Sino-British Joint Declaration[16], a U.N. registered treaty. He then affirmed a U.S. commitment to "hold Beijing accountable for undermining Hong

[12] Liu, Kerry. "Hong Kong: Inevitably Irrelevant to China?" *Wiley Online Library*, John Wiley & Sons, Ltd, 19 Feb. 2020, onlinelibrary.wiley.com/doi/full/10.1111/ecaf.12391.
[13] Lam, W. (2020). Introduction: The civil society versus Xi Jinping's police-state apparatus. In The Fight for China's Future: Civil Society vs. the Chinese Communist Party (pp. 1–42). Abingdon: Routledge.

[14] Liu, Ibid.
[15] Taiwan is governed by the Republic of China (ROC). The ROC considers Taiwan an independent country while China regards Taiwan as a renegade province. The Trump administration's initiatives to boost Twain's military defense are considered a threat to China's de-facto claim over the region.
[16] This was the 1997 agreement which transferred rule over Hong Kong from Britain to China.

Kong's promised autonomy."[17] The Trump administration's biggest weakness, however, has been its inability to galvanize a global coalition against China. This is because the administration's foreign policy has largely alienated the U.S.'s traditional allies.

President-elect Joe Biden has maintained that he's going to conduct a full review of the existing agreement with China and consult with the U.S.'s traditional allies in Asia and Europe before developing a coherent strategy for dealing with Beijing. So far, he has stated that:

> the best China strategy, I think, is one which gets every one of our – or at least what used to be our – allies on the same page. It's going to be a major priority for me in the opening weeks of my presidency to try to get us back on the same page with our allies.[18]

In this sense, the Biden administration might have more luck in galvanizing a global coalition against China. However, the extent to which the new administration will interfere with such an internal matter as Hong Kong is unclear. Jake Sullivan, a former aide to Hillary Clinton who will become the national security advisor to Biden has expressed his deep concern for the imprisonment of pro-democracy Hong Kong activist and stated in a December 2020 tweet:

> We stand united with our allies and partners against China's assault on Hong Kong's freedoms – and to help those persecuted find safe haven.[19]

Biden has also called Xi Ping a thug and signaled that, contrary to Republican concerns, he will take a tough line with China. However, Biden's direct remarks on his future strategy with China, thus far, have mainly focused on China's abusive practices in relation to the global market rather than on internal human rights issues. Some scholars have also

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[17] Lee, Matthew, and Associated Press. "US Hits China with Hong Kong Sanctions, OKs Taiwan Arms Sale." *KSAT*, KSAT San Antonio, 7 Dec. 2020, www.ksat.com/news/politics/2020/12/07/us-sanctions-14-china-officials-over-hong-kong-crackdown/.

[18] Friedman, Thomas L. "Biden Made Sure 'Trump Is Not Going to Be President for Four More Years'." *The New York Times*, The New York Times, 2 Dec. 2020, www.nytimes.com/2020/12/02/opinion/biden-interview-mcconnell-china-iran.html.

[19] https://twitter.com/jakejsullivan/status/1336387907473567745

questioned whether or not Biden will ease criticism on human rights-related issues in order to secure China's cooperation on issues such as Climate Change.[20]

What's Really At Stake?

Amongst the US-China trade war and the COVID-19 pandemic, the Hong Kong economy's first recession in a decade has only been deepened by the anti-government protests.[21] The negative effect on the economy is one of the reasons many in China are not sympathetic to Hong Kong's protest.[22] In addition, not everyone in Hong Kong is seeking independence from China or feel that the chaos and economic downturn that has ensued due to protests is worth it.[23] Some have even accused western media of propagating the anti-Beijing rhetoric in Hong Kong and exaggerating the extent of protests in the wake of the US-China trade war.[24]

In November 2019, the US passed a law known as the Hong Kong Human Rights and Democracy Act which requires the US secretary of state to conduct annual reviews verifying that Hong Kong still maintains a high degree of autonomy from mainland China. If the review fails to certify autonomy, Hong Kong would lose the privileged status it enjoys with the US as a separate entity. This means that the city would lose trade-related privileges not enjoyed by mainland China and become subjected to any sanctions or tariffs imposed on China. Hong Kong's position as a major financial hub means that this would

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[20] Sevastopulo, Demetri. "Senior Biden Aide Accuses China of 'Assault' on Freedom in Hong Kong." Financial Times, 8 Dec. 2020, www.ft.com/content/853c5e5c-f7dd-4231-b84d-a8f3cf1faa35.
[21] "Hong Kong Fell Deeper into Recession at End of 2019." *Al Jazeera*, Al Jazeera, 3 Feb. 2020, www.aljazeera.com/ajimpact/hong-kong-fell-deeper-recession-2019-200203084830989.html.
[22] Yuan, Li. "Why Many in China Oppose Hong Kong's Protests." *The New York Times*, The New York Times, 1 July 2019, www.nytimes.com/2019/07/01/business/hong-kong-china-protests.html.
[23] "Seven Reasons to Beware of Fake News on Hong Kong Democracy." *South China Morning Post*, 16 Apr. 2020, www.scmp.com/comment/letters/article/3080390/democracy-hong-kong-seven-reasons-beware-fake-news.
[24] Vltchek, Andre. "Western Media Portrays Hong Kong Hooligans as Heroes. But Are They?" *Countercurrents*, Countercurrents.org, 11 Sept. 2019, https://countercurrents.org/2019/09/western-media-portrays-hong-kong-hooligans-as-heroes-but-are-they

not only be a blow to Hong Kong but also severely damaging to China. China has since condemned the US for interfering in its internal affairs.

At the heart of the protest movement are "five demands, not one less:" (1) permanent withdrawal of the draft extradition law that sparked the protests; (2) the resignation of Lam; (3) a full and independent inquiry into alleged police brutality against the protesters; (4) unconditional release of all imprisoned activists; and (5) political reforms to achieve genuine universal suffrage. Some analysts have argued that the best way for China to quell protests is to let the people of Hong Kong vote on the protesters demands. A fair referendum would put an end to the ongoing discontent and violence in the city while also mitigating China's world standing which has no doubt taken a hit since protests began in 2019. Beijing could potentially appease international criticism by granting authority over the final decision to the people of Hong Kong. Furthermore, they could 'save face' by attributing any final decision to the will of the Hong Kong people, rather than being seen as bowing down to violent protest tactics.

Conclusion

Since 1997, Hong Kong has maintained a certain degree of autonomy from Beijing under the 'one country, two state' system. However, President Xi Jingping has been accused of attempting to erode this autonomy by enacting policies which have effectively expanded Beijing's judicial authority over Hong Kong and weakened the traditional avenues through which Hong Kong activist have been able to voice political opposition. This could potentially escalate violence in Hong Kong as activist are forced to take to the streets rather than operate through traditional political institutions. Potentially sparking a repeat of Tiananmen square if Beijing decides to respond to protesters with military force. Hope for Hong Kong appears largely dependent on (1) the regions continued status as a global financial hub; and (2) the Biden administration's willingness to continue Trumps hardline stance on human rights abuses in China, particularly the arrests of pro-democracy activist

in Hong Kong. Without their own army or means of military defense, Hong Kong will need to rely on pressure put on China by the international community to maintain the high-degree of autonomy it was promised under the Sino-British Joint Declaration.

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