

119TH CONGRESS
2D SESSION

S. _____

To impose sanctions and other policy consequences in response to the death
of political prisoners in Hong Kong, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. SULLIVAN introduced the following bill; which was read twice and referred
to the Committee on _____

A BILL

To impose sanctions and other policy consequences in re-
sponse to the death of political prisoners in Hong Kong,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Jimmy Lai Hong Kong
5 Political Prisoner Accountability Act of 2026”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means—

1 (A) the Committee on Foreign Relations
2 and the Committee on Banking, Housing, and
3 Urban Affairs of the Senate; and

4 (B) the Committee on Foreign Affairs and
5 the Committee on Financial Services of the
6 House of Representatives.

7 (2) BASIC LAW.—The term “Basic Law” means
8 the Basic Law of the Hong Kong Special Adminis-
9 trative Region of the People’s Republic of China,
10 adopted on April 4, 1990.

11 (3) COVERED FOREIGN PERSON.—The term
12 “covered foreign person” means any official, agent,
13 or employee of the Government of the People’s Re-
14 public of China or the Government of Hong Kong
15 determined to be responsible for, complicit in, or
16 having directed—

17 (A) the arrest, detention, prosecution, im-
18 prisonment, or abuse of a Hong Kong political
19 prisoner; or

20 (B) the death, or actions contributing to
21 the death including medical neglect, of a Hong
22 Kong political prisoner while in custody.

23 (4) HONG KONG.—The term “Hong Kong”
24 means the Hong Kong Special Administrative Re-
25 gion of the People’s Republic of China.

1 (5) HONG KONG POLITICAL PRISONER.—

2 (A) IN GENERAL.—The term “Hong Kong
3 political prisoner” means any individual de-
4 tained or imprisoned by authorities in Hong
5 Kong or elsewhere by the Government of the
6 People’s Republic of China who the Secretary
7 determines—

8 (i) was arrested, detained, prosecuted,
9 convicted, or imprisoned, in whole or in
10 substantial part, because of—

11 (I) the peaceful exercise of a
12 right protected under the Sino-British
13 Joint Declaration, the Basic Law, or
14 applicable international human rights
15 law, including the freedoms of expres-
16 sion, the press, assembly, association,
17 religion, or political participation; or

18 (II) the individual’s political
19 views, affiliations, advocacy, jour-
20 nalism, religious activity, labor activ-
21 ity, or engagement with a foreign gov-
22 ernment, international organization,
23 or civil society organization; or

24 (III) was subjected to a politi-
25 cally motivated arrest, detention, pros-

1 execution, conviction, or imprisonment;

2 or

3 (ii) is or was charged with or con-

4 victed of an offense under—

5 (I) the National Security Law;

6 (II) the sedition provisions of the

7 Crimes Ordinance (Cap. 200) of Hong

8 Kong;

9 (III) the Public Order Ordinance

10 (Cap. 245) of Hong Kong;

11 (IV) the Safeguarding National

12 Security Ordinance, enacted in 2024;

13 or

14 (V) any successor, amended, or

15 substantially similar legislation en-

16 acted to suppress political opposition,

17 restrict civil liberties, or punish the

18 exercise of fundamental freedoms.

19 (B) RELEVANT OFFENSES.—In making a

20 determination under subparagraph (A), the

21 Secretary shall consider whether the individual

22 was charged with or convicted of an offense

23 under—

24 (i) the National Security Law;

1 (ii) the sedition provisions of the
2 Crimes Ordinance (Cap. 200) of Hong
3 Kong;

4 (iii) the Public Order Ordinance (Cap.
5 245) of Hong Kong;

6 (iv) the Safeguarding National Secu-
7 rity Ordinance, enacted in 2024; or

8 (v) any successor, amended, or sub-
9 stantially similar law used to suppress po-
10 litical opposition, restrict civil liberties, or
11 punish the exercise of internationally rec-
12 ognized human rights.

13 (C) PRESUMPTION.—An individual charged
14 with or convicted of an offense described in sub-
15 paragraph (B) shall be presumed to be a Hong
16 Kong political prisoner unless the Secretary de-
17 termines, on the basis of credible and independ-
18 ently corroborated evidence, that the individual
19 does not meet the criteria outlined in subpara-
20 graph (A).

21 (6) JOINT DECLARATION.—The term “Joint
22 Declaration” means the Joint Declaration of the
23 Government of the United Kingdom of Great Britain
24 and Northern Ireland and the Government of the
25 People’s Republic of China on the Question of Hong

1 Kong, signed on December 19, 1984, and registered
2 with the United Nations on June 12, 1985.

3 (7) NATIONAL SECURITY LAW.—The term “Na-
4 tional Security Law” means the Law of the People’s
5 Republic of China on Safeguarding National Secu-
6 rity in the Hong Kong Special Administrative Re-
7 gion, signed on June 30, 2020.

8 (8) SECRETARY.—The term “Secretary” means
9 the Secretary of State, in coordination with the Sec-
10 retary of the Treasury.

11 **SEC. 3. FINDINGS.**

12 Congress finds the following:

13 (1) Jimmy Lai Chee-Ying is a 78-year-old cit-
14 izen of the United Kingdom, resident of Hong Kong,
15 Catholic, and the founder of Apple Daily, one of the
16 most widely read pro-democracy newspapers in Hong
17 Kong. Lai has been imprisoned since December
18 2020, largely in solitary confinement. On December
19 15, 2025, Lai was convicted by a Hong Kong na-
20 tional security court on two counts of conspiracy to
21 commit collusion with foreign forces under the Na-
22 tional Security Law and one count of conspiracy to
23 publish seditious publications under the Crimes Or-
24 dinance, to which Lai pleaded not guilty. On Feb-
25 ruary 9, 2026, Lai was sentenced to 20 years in

1 prison, the longest sentence imposed under the Na-
2 tional Security Law since the Government of the
3 People's Republic of China enacted the legislation in
4 2020.

5 (2) The continued imprisonment of, denial of
6 counsel of choice and of the Catholic sacrament of
7 Holy Communion to, and the prolonged nature of
8 the prosecution of Jimmy Lai represent a clear vio-
9 lation of the rights guaranteed to Hong Kong resi-
10 dents under the Joint Declaration and the Basic
11 Law, including the rights to a fair trial, freedom of
12 expression, freedom of religion, and freedom of the
13 press.

14 (3) The United States Government has des-
15 ignated Jimmy Lai as a priority human rights case.
16 The United States, the United Kingdom, Canada,
17 Australia, the European Union, and other demo-
18 cratic nations have called for the immediate and un-
19 conditional release of Lai.

20 (4) More than one thousand other individuals
21 have been imprisoned in Hong Kong under the Na-
22 tional Security Law, the Safeguarding National Se-
23 curity Ordinance, and related legislation, including
24 media professionals, lawyers, legislators, labor lead-

1 ers, faith leaders, social workers, academics, stu-
2 dents, and activists. Among such individuals are—

3 (A) Chow Hang-tung, a prominent bar-
4 rister and pro-democracy activist; Joshua
5 Wong, a former student leader and democracy
6 advocate;

7 (B) Lee Cheuk-yan, a veteran labor leader
8 and legislator; and

9 (C) Gwyneth Ho, a journalist and democ-
10 racy advocate.

11 (5) Many of the imprisoned individuals are held
12 under restrictive conditions, denied family contact,
13 and subjected to prolonged pretrial detention.

14 (6) The conditions of detention for political
15 prisoners in Hong Kong raise serious concerns re-
16 garding physical and mental health. Detainees have
17 been held for extended periods in solitary or near-
18 solitary confinement, denied adequate medical care,
19 subjected to restrictions on family visits and legal
20 access, and held in facilities without any effective,
21 independent mechanism for oversight or redress.

22 (7) The Government of the People's Republic of
23 China and the Government of Hong Kong bear re-
24 sponsibility for safeguarding the life and health of
25 every individual held in their custody. A death in

1 custody resulting from the denial of adequate med-
2 ical care, from inhumane conditions of confinement,
3 or from other mistreatment, or a death not subject
4 to a prompt, independent investigation, would con-
5 stitute a grave violation of the right to life under Ar-
6 ticle 6 of the International Covenant on Civil and
7 Political Rights, done at New York December 19,
8 1966, and of internationally recognized standards
9 governing the treatment of detainees, including the
10 United Nations Standard Minimum Rules for the
11 Treatment of Prisoners, adopted in New York De-
12 cember 17, 2015 (commonly known as “the Nelson
13 Mandela Rules”) and the United Nations Body of
14 Principles for the Protection of All Persons under
15 Any Form of Detention or Imprisonment, adopted in
16 New York December 9, 1988.

17 (8) The Government of the People’s Republic of
18 China—

19 (A) has not permitted independent inter-
20 national monitoring of detention conditions in
21 Hong Kong for political prisoners;

22 (B) has disregarded the findings and rec-
23 ommendations of United Nations human rights
24 mechanisms concerning detained individuals

1 and repeated calls for the release of such indi-
2 viduals; and

3 (C) has systematically denied or delayed
4 consular access to foreign nationals in custody,
5 including Jimmy Lai, a citizen of the United
6 Kingdom entitled to consular access by the
7 United Kingdom under the Vienna Convention
8 on Consular Relations, done at Vienna April 24,
9 1963.

10 (9) The Global Magnitsky Human Rights Ac-
11 countability Act (22 U.S.C. 10101 et seq.) and the
12 Hong Kong Human Rights and Democracy Act of
13 2019 (22 U.S.C. 5701 note; Public Law 116–76)
14 provide authorities to impose targeted sanctions on
15 individuals responsible for human rights abuses in
16 Hong Kong. The death of a political prisoner in cus-
17 tody should be understood as among the gravest pos-
18 sible human rights violations to which these authori-
19 ties apply, and Congress affirms that such an event
20 demands an immediate and consequential response
21 by the United States Government.

22 (10) The experience of other authoritarian
23 states demonstrates that the failure of democratic
24 governments to impose meaningful consequences for

1 the death of political prisoners creates incentives for
2 future abuses.

3 **SEC. 4. STATEMENT OF UNITED STATES POLICY REGARD-**
4 **ING POLITICAL PRISONERS IN HONG KONG.**

5 It is the policy of the United States that—

6 (1) the United States has a direct and substan-
7 tial national interest in the welfare and release of all
8 individuals detained, imprisoned, or otherwise de-
9 prived of liberty in Hong Kong, or by authorities of
10 the People's Republic of China, for the peaceful ex-
11 ercise of internationally recognized human rights
12 and fundamental freedoms, including rights and
13 freedoms protected under the Joint Declaration, the
14 Basic Law, and applicable international law, and
15 such individuals shall be regarded by the United
16 States Government as political prisoners, because
17 the detention and treatment of such individuals di-
18 rectly implicate—

19 (A) the preservation of the rule of law and
20 fundamental rights and freedoms in Hong
21 Kong;

22 (B) the high degree of autonomy promised
23 to Hong Kong and the adherence of the Peo-
24 ple's Republic of China to its obligations and
25 commitments with respect to Hong Kong;

1 (C) the security and interests of United
2 States citizens, businesses, and other persons in
3 Hong Kong;

4 (D) the continued role of Hong Kong as an
5 open and reliable international financial, com-
6 mercial, and cultural center; and

7 (E) the broader interest of the United
8 States in upholding respect for internationally
9 recognized human rights, international commit-
10 ments, and the rule of law in the Indo-Pacific
11 region and in relations with the People's Re-
12 public of China;

13 (2) in advocating for the immediate and uncon-
14 ditional release of all Hong Kong political prisoners,
15 including Jimmy Lai Chee-ying, the United States
16 should make clear to the Government of the People's
17 Republic of China and the Government of Hong
18 Kong that the death in custody of any such Hong
19 Kong political prisoner as a result of the actions or
20 omissions of detaining authorities would result in
21 significant and immediate consequences for relations
22 with the United States;

23 (3) the United States will hold the Government
24 of the People's Republic of China and the Govern-
25 ment of Hong Kong accountable for ensuring the

1 health, safety, and humane treatment of all Hong
2 Kong political prisoners, including access to ade-
3 quate medical care and, in the case of foreign na-
4 tionals, timely and meaningful consular access;

5 (4) the United States will respond promptly and
6 proportionately to the death in custody of any Hong
7 Kong political prisoner resulting from the actions or
8 omissions of the detaining authorities, including
9 through appropriate sanctions, diplomatic measures,
10 the use of the voice, vote, and influence of the
11 United States at the United Nations and other
12 international organizations and multilateral fora,
13 and other actions affecting relations with the Gov-
14 ernment of the People's Republic of China and the
15 Government of Hong Kong; and

16 (5) the United States should coordinate with al-
17 lies and partners, including the United Kingdom,
18 Canada, Australia, the European Union, and other
19 democratic governments, to ensure a timely and co-
20 ordinated international response to the death in cus-
21 tody of any Hong Kong political prisoner, including
22 through parallel sanctions, coordinated diplomatic
23 measures, and other collective actions to increase ac-
24 countability and deter further abuses.

1 **SEC. 5. SANCTIONS WITH RESPECT TO THE DEATH OF A**
2 **HONG KONG POLITICAL PRISONER.**

3 (a) DETERMINATION REQUIRED.—Not later than 30
4 days after receiving credible information that an individual
5 who is a Hong Kong political prisoner has died while in
6 the custody of the Government of Hong Kong, or because
7 of the actions of authorities while detained by the Govern-
8 ment of Hong Kong, the Secretary shall—

9 (1) determine whether the death of such indi-
10 vidual was the result of—

11 (A) the denial of adequate medical care;

12 (B) physical abuse, torture, or cruel, inhu-
13 man, or degrading treatment;

14 (C) conditions of confinement inconsistent
15 with international standards, including the Nel-
16 son Mandela Rules; or

17 (D) any other act or omission by detaining
18 authorities that contributed to or caused the
19 death; and

20 (2) identify each covered foreign person respon-
21 sible for, complicit in, or having directed any of the
22 actions described in subparagraphs (A) through (D)
23 of paragraph (1).

24 (b) MANDATORY SANCTIONS.—

25 (1) IN GENERAL.—Not later than 60 days after
26 making a determination under subsection (a), the

1 Secretary shall impose the sanctions described in
2 paragraph (2) with respect to each covered foreign
3 person identified under subsection (a)(2).

4 (2) SANCTIONS DESCRIBED.—The sanctions de-
5 scribed in this paragraph are—

6 (A) the sanctions authorized in section
7 1263(b) of the Global Magnitsky Human
8 Rights Accountability Act (subtitle F of title
9 XII of Public Law 114–328; 22 U.S.C. 10101
10 et seq.);

11 (B) the sanctions authorized in Hong
12 Kong Autonomy Act (Public Law 116–149; 22
13 U.S.C. 5701 note); and

14 (C) any other sanctions authorized by an
15 Act of Congress that the Secretary determines
16 appropriate.

17 (c) TERMINATION OF SANCTIONS.—The Secretary
18 may terminate the application of sanctions under this Act
19 with respect to a covered foreign person if the Secretary
20 certifies to Congress that—

21 (1) the Government of the People’s Republic of
22 China or the Government of Hong Kong has con-
23 ducted a credible, independent, and transparent in-
24 vestigation into the death of the Hong Kong political
25 prisoner concerned;

1 (2) the persons responsible for the death have
2 been prosecuted or otherwise held accountable
3 through a process meeting international fair trial
4 standards; and

5 (3) the family of the Hong Kong political pris-
6 oner concerned has received full, impartial informa-
7 tion regarding the circumstances of the death and
8 appropriate remedies.

9 (d) REPORT TO CONGRESS.—

10 (1) IN GENERAL.—Not later than 30 days be-
11 fore terminating sanctions with respect to a covered
12 foreign person under subsection (c), the Secretary
13 shall submit to Congress a report that includes—

14 (A) an identification of any senior official
15 of the Government of the People's Republic of
16 China or the Government of Hong Kong who
17 bore command or supervisory responsibility over
18 the covered foreign person at the time of the
19 death of a Hong Kong political prisoner; and

20 (B) a determination of whether such offi-
21 cial is subject to sanctions under this section or
22 existing authorities.

23 (2) FORM.—Each report required by paragraph
24 (1) shall be submitted in unclassified form.

1 **SEC. 6. ADDITIONAL ACTIONS.**

2 (a) **MULTILATERAL ENGAGEMENT.**—Upon a deter-
3 mination that an individual who is a Hong Kong political
4 prisoner has died while in the custody of the Government
5 of Hong Kong, the Secretary shall—

6 (1) use the voice, vote, and influence of the
7 United States at the United Nations and other
8 international organizations and multilateral fora—

9 (A) to formally request that the United
10 Nations High Commissioner for Human Rights
11 conduct an independent inquiry into the death
12 and the conditions of detention of Hong Kong
13 political prisoners; and

14 (B) discuss such death at the United Na-
15 tions Human Rights Council and, where appro-
16 priate, the United Nations Security Council or
17 other multi-lateral entities where the United
18 States and the People's Republic of China are
19 members; and

20 (2) seek to coordinate sanctions with allies in-
21 cluding the United Kingdom, Canada, Australia, and
22 the European Union.

23 (b) **VISA RESTRICTIONS ON FAMILY MEMBERS.**—
24 Notwithstanding any other provision of law, the Secretary
25 shall use any authorities available to impose visa restric-

1 tions on adult family members of any covered foreign per-
2 son sanctioned under section 5(b).

3 (c) REPORT ON MEDICAL CARE DENIAL.—Not later
4 than 90 days after the date of the enactment of this Act,
5 and annually thereafter, the Secretary shall submit to the
6 appropriate congressional committees a report on—

7 (1) the current health status of Jimmy Lai
8 Chee-ying and other Hong Kong political prisoners,
9 to the extent such information is available;

10 (2) any denial or restriction of medical care,
11 legal access, consular access, or family contact for
12 such Hong Kong political prisoners; and

13 (3) recommendations for additional measures
14 the United States Government should take to pro-
15 tect the lives and wellbeing of Hong Kong political
16 prisoners.

17 (d) ACCOUNTABILITY MEASURES.—Not later than 90
18 days after the date of the enactment of this Act, the Sec-
19 retary shall consider, and as appropriate take or rec-
20 ommend to the President, additional steps to address the
21 conduct, policies, or practices that contribute to, or facili-
22 tate the mistreatment of, political prisoners in Hong
23 Kong, including conduct that undermines the independent
24 rule of law, facilitates arbitrary detention, or results in
25 the denial of adequate medical care or other protections

1 necessary to ensure the health and safety of persons in
2 custody, including—

3 (1) determining whether any current or former
4 official of the Government of Hong Kong or the
5 Government of the People's Republic of China, or
6 any other foreign person, responsible for or complicit
7 in the arbitrary detention, arrest, or prosecution of
8 political prisoners in Hong Kong, or other gross vio-
9 lations of internationally recognized human rights
10 against political prisoners in Hong Kong, meets the
11 criteria for the imposition of sanctions under appli-
12 cable law;

13 (2) taking, or recommending that the President
14 take, appropriate action under applicable law with
15 respect to any person determined pursuant to para-
16 graph (1) to meet the criteria for the imposition of
17 sanctions; and

18 (3) recommending that the President, pursuant
19 to the International Organizations Immunities Act
20 (22 U.S.C. 288 et seq.) withdraw, condition, or limit
21 the privileges, exemptions, and immunities extended
22 to one or more Hong Kong Economic and Trade Of-
23 fices operating in the United States, or to any offi-
24 cer or employee thereof, to the fullest extent per-
25 mitted by law.

1 **SEC. 7. SENSE OF CONGRESS REGARDING JIMMY LAI CHEE-**
2 **YING.**

3 It is the sense of Congress that—

4 (1) Jimmy Lai Chee-ying should be immediately
5 and unconditionally released from detention in Hong
6 Kong;

7 (2) the Government of the People's Republic of
8 China should immediately grant full and uncondi-
9 tional consular access to Jimmy Lai consistent with
10 the Vienna Convention on Consular Relations;

11 (3) the prosecution of Jimmy Lai under the
12 National Security Law represents a direct assault on
13 the freedoms of expression and press guaranteed to
14 the people of Hong Kong under the Joint Declara-
15 tion, and constitutes a particularly severe violation
16 of internationally recognized human rights norms;
17 and

18 (4) the United States Government should treat
19 the case of Jimmy Lai as a priority human rights
20 matter in all diplomatic engagements with the Gov-
21 ernment of the People's Republic of China and the
22 Government of the United Kingdom.