

Introduction

My name is Jens Galschiøt.

I am a Danish sculptor and human rights activist.

I am recording this video in response to a request from Chow Hang-tung, who has asked me to give testimony:

- I will argue why the Hong Kong Alliance for Support of Patriotic Democratic Movements of China (henceforth called The Alliance) cannot be held responsible for “inciting subversion of state power by illegal means“, through their work with my sculpture “The Pillar of Shame”.
- I will argue the consequences if Hong Kong wins the lawsuit against the The Alliance: a de facto criminalisation of large parts of Hong Kong’s art market. Including art exhibitions and art auction, as well as private art collections that may be perceived as critical of China and therefore subversive.

I am aware that Ms Chow is currently charged under Hong Kong’s National Security Law with the offence of “inciting subversion of state power”.

I have offered to come to Hong Kong to give this testimony in person before the court. This has not been permitted.

This video is therefore my full and truthful witness statement.

My position

I wish to be completely clear about the position from which I am speaking.

I am an independent artist who works internationally with issues of human rights, social justice, the right to remember one’s history, and the dignity of victims of state violence.

I would like to emphasize that:

- I am financially and politically independent.
- I do not represent any government or country.
- I am not an agent of any foreign power.
- Neither my sculptures nor my work as an artist is intended to incite anyone to overthrow any state or government.

I am the artist behind the artwork The Pillar of Shame.

- The work is owned by me and is my private artwork.

The Pillar of Shame and the Alliance

First i will briefly describe the pillar of shame

In the 1990s I created a series of sculptures known as The Pillars of Shame. Each of them was dedicated to victims of serious human rights violations around the world. So far, three Pillar of Shame sculptures have been erected. They are in Brazil, Mexico and Hong Kong.

In late 1996, on my own initiative, I contacted The Alliance. I spoke with the then leaders of the organisation, including Szeto Wah and Lee Cheuk-Yan.

I suggested that they host an art exhibition with The Pillar of Shame in Hong Kong. The sculpture was dedicated to commemorating the massacre at Tiananmen Square in Beijing on 4 June 1989. The Alliance agreed to receive and exhibit the sculpture for an indefinite period.

The sculpture was erected in May–June 1997, before China took over Hong Kong. The exhibition was in no way in conflict with Hong Kong's legal system at the time, or with the civil liberties that then applied.

“The Pillar of Shame” was given a central place at the University of Hong Kong (HKU), where it stood for the next 24 years.

I will now go through the situation in recent years surrounding the sculpture “The Pillar of Shame” in Hong Kong

On 23 December 2021, the University of Hong Kong removed the sculpture amid major protests and worldwide press attention, and locked it in a container.

On 5 May 2023, the police and the legal system in Hong Kong confiscated the sculpture. It was to be used as evidence in a trial against The Alliance, whose leaders were imprisoned in Hong Kong.

According to my information, The Alliance's alleged “offence” consists, among other things, of having washed, painted, exhibited and taken care of the sculpture “The Pillar of Shame”.

I wish to highlight the following points clearly:

- The Pillar of Shame is a work of art and a memorial.
- The Pillar of Shame is not a call for subversive actions against the state.
- The Pillar of Shame was not commissioned or supported by any government or foreign organisation.
- I have personally financed the costs of both the sculpture and the exhibition.

I will now argue why the alliance's handling of the pillar of shame cannot be seen as subversive activities against the state.

I have been informed that The Alliance has been accused of breaching the National Security Law and of “inciting subversion of state power by illegal means” because they received the sculpture and took part in washing, painting and taking care of the exhibition of the sculpture.

In my view, this is a fundamental misinterpretation.

The Hong Kong authorities appear not to be familiar with how an ordinary art exhibition proceeds, and what obligations are carried out by the institutions and people who exhibit works of art.

Therefore, I will below:

- Review the general practice of art exhibitions.
- argue that The Alliance has done nothing other than what any exhibitor is obliged to do in connection with exhibiting art.
- Account for the nature of my cooperation with The Alliance in the period from 1997 to 2025.
- Explain why a possible conviction would criminalise large parts of Hong Kong's art market.

An exhibitor's obligation is promotion and debate

I will first explain the general obligations of an art exhibitor.

It is a requirement from the artist or the owner of the artwork that the exhibitor maintains the work: In all exhibition contexts (including museums, galleries and auction houses) it is normal practice to inspect the works of art and to have an employee—for example an art conservator—who takes care of ongoing maintenance of the works of art.

Exhibition and use of the artwork: It is practice within the art world to hold various ceremonies in connection with the exhibition.

- The most well-known is the opening of the exhibition, where the public is broadly invited with wine, music and other festivities.
- In addition, there will often be associated activities such as artist talks, debates about the work, press previews, guided tours, speeches to the audience, as well as advertising and publicity in the press, etc.

Grave monument: The Pillar of Shame is a work of art and a symbol for the victims of Tiananmen Square on 4 June 1989. The sculpture is therefore also a kind of grave monument and a place of remembrance for the victims.

- This means that many Hong Kongers have laid flowers and held ceremonies around the sculpture as a respectful gesture to those who died.
- It is therefore natural that The Pillar of Shame has been present in Victoria Park during ceremonies commemorating the massacre.
- These actions are fully in line with the nature of the artwork and the exhibition. It is completely normal to let the work enter into a dialogue with the audience.

A work for debate: With a socially critical work like “The Pillar of Shame”, there will also be many socially critical debates. These are entirely ordinary activities and often an obligation that comes with the role of an art exhibitor. This means that:

- The exhibitor must highlight the character of the work as an element that creates debate.
- The exhibitor must promote the artwork publicly and ensure that as many people as possible receive information about the work and engage with it.

Contact between artist and exhibitor:

It is often the exhibition venue or gallery that finds the artist they want to exhibit. The artist or their curator may also encourage the venue to exhibit the artist’s works. Normally, an exhibitor pays all expenses associated with the exhibition.

In the case of “The Pillar of Shame”:

- Here it was I (Jens Galschiøt, the artist) who contacted the exhibitor (The Alliance). I chose to contact The Alliance because they were responsible for:
 - Organising annual commemorations of the Tiananmen massacre.
 - Advocacy for the development of democratic values in Hong Kong through lawful means.
 - And I regard The Alliance as a peaceful, non-violent organisation, with transparency in its leadership, finances and activities.
- I (the artist) paid all expenses myself, including the creation of the sculpture, transport to Hong Kong, and the exhibition of the sculpture.
- As is customary, I asked the exhibition organisers (The Alliance) to take on the ordinary maintenance and exhibition responsibilities.

Ownership of artworks:

As a general rule, artworks belong to the artist, and the exhibitor can only take ownership if they buy the work, after which it becomes part of the exhibitor’s art collection.

- The artwork The Pillar of Shame is owned by me (the artist Jens Galschiøt) and is not for sale. The sculpture was on loan to The Alliance, who had my permission to exhibit the artwork publicly.

Summary

In my cooperation with The Alliance, I would like to emphasise the following:

- The Alliance acted in accordance with the obligations any other art exhibitor has.
- The Alliance has never had ownership of the work The Pillar of Shame.
- The Alliance has not derived any financial gain from the exhibition.
- The Alliance has not had decision-making authority over the content of the work.

As the owner of The Pillar of Shame, I must further mention that:

- In my opinion, the Hong Kong authorities' seizure of my sculpture is unlawful. I see it as a violation of my private property rights.
- Both the Danish government and Members of the European Parliament have formally requested that the sculpture be released. The Hong Kong authorities have refused, claiming it is evidence. This argument is absurd, since the 8-metre sculpture does not provide the court with information that photographs could not provide.

Consequences of the lawsuit for Hong Kongs art scene

The trial's use of "The Pillar of Shame" in Hong Kong, seen in relation to the consequences for the art scene,

If Hong Kong's legal system chooses to convict The Alliance (Chow Hang-tun and Lee Cheuk-Yan) on the basis of their handling of The Pillar of Shame, it will have major consequences. It will in practice criminalise many art exhibitors and art collectors in Hong Kong.

I will now elaborate on this:

On 5 May 2023, the artwork "The Pillar of Shame" was seized by the police and used as evidence against pro-democracy activists in Hong Kong. The accusation is that The Alliance has been guilty of "subversive activity" by arranging and maintaining an exhibition with a socially critical sculpture, "The Pillar of Shame".

There is a legal problem in this accusation. As noted, The Alliance has only done what is expected and required of any exhibitor of works of art.

If they are convicted on this charge, one would:

- Criminalise everyone who handles art that can be interpreted as subversive under the security legislation.
 - This concerns art critical of China.
 - More importantly, it concerns art that focuses on democracy and human rights in general, and art that highlights abuse of power or critical historical events.
 - It should be noted that it is the nature of art that it can—and must—be interpreted freely, which is why large parts of (especially Western) artworks could be interpreted as subversive.
- Thus, in Hong Kong one would:
 - Criminalise the majority of exhibition venues and auction houses in Hong Kong for breaching the security legislation.
 - Criminalise large parts of private art collections and private homes with paintings on their walls.

Hong Kong's free art market is among Asia's most important markets. Some of the most important actors are Western-owned exhibition and auction houses. The consequence of a verdict against The Alliance risks triggering a collapse in this art market. I will elaborate on this here.

- **After a possible verdict:**
 - **It will be impossible for a museum, gallery or auction house** to present art critical of China, or debate democracy or human rights, without risking a conviction for “subversive activity” against the Chinese state.
 - **Exhibition venues and auction houses** will have to carry out extensive screening of artworks that are exhibited or accepted by auction houses located in Hong Kong (and in China) and conduct political censorship on the pieces.
 - **Private and public art collections**, including the mere possession of a single artwork that can be interpreted as subversive, would be illegal!
 - **Private homes** would likewise have to reassess which artworks hang on their walls.

The problem is that this would have extensive and serious consequences for Hong Kong's exhibition scene and collections, and especially for the Western-owned auction houses like Christie's (FR), Bonhams (GB) and Sotheby's (FR), which form the backbone of a major art market in Hong Kong that is influential throughout Asia.

If these auction houses comply with security laws and introduce screening and political censorship of art, they will in effect agree to turn their auction house into an instrument for introducing censorship in Hong Kong:

- This is contrary to the Western world's principles of the inviolability of art.
- And contrary to the agreements China promised to uphold in connection with Hong Kong's transition to mainland China.

This conflict would risk compromising the auction houses, which would appear as actors who restrict freedom of expression in Hong Kong and support a totalitarian system's political censorship of art. The question is whether Western art actors can withstand this, or will be forced to relocate to other places in Asia.

It is worth looking at the Mayer Brown case, which should give cause for reflection:

The same conflict was experienced by the American firm Mayer Brown, which was the law firm for the University of Hong Kong, when it assumed the legal role of removing the artwork "The Pillar of Shame" in 2021.

Mayer Brown—one of the world's largest law firms—faced widespread global criticism for taking on this role and thereby allowing itself to be used to suppress the pro-democracy movement and curtail freedom of expression in Hong Kong.

The case led to a hearing in the United States Senate, where it was criticised that an American law firm was participating in such activities, which were considered incompatible with being a US-based firm. After only a week of media storm, the large firm withdrew and had to end its cooperation with the University of Hong Kong.

Western-owned auction houses and exhibition venues risk being exposed to the same situation.

It can be difficult to avoid problems:

- If they censor their art pieces politically, they risk being accused of helping China suppress artistic freedom of expression in Hong Kong. This could become a major moral and ethical problem for the Western owners behind these firms.
- If they refuse to censor, they will be met with an accusation from the Security Bureau of "subversive activity" in Hong Kong. As in the case of The Pillar of Shame, they risk that exhibited works are confiscated as evidence in a trial against them.

Concluding remarks

As a concluding remark, I ask the court to take the following into account in its assessment:

- The Alliance has never owned the work *The Pillar of Shame*, had control over its content, or derived financial gain from the exhibition. In my view, the organisation has always acted within lawful and peaceful framework.
- The actions for which The Alliance is accused—exhibition, maintenance and dissemination—are ordinary and internationally recognised practice for any art exhibitor. These actions cannot reasonably be described as inciting subversion of state power.
- A verdict based on this interpretation will not only affect the defendants in this case, but will create a precedent that in practice criminalises large parts of Hong Kong's art and exhibition life, by criminalising the very act of exhibiting art.

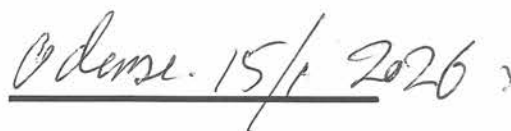
I give this testimony in good faith and with full responsibility for its content.

This is my full and final statement to the court. Thank you for allowing it to be heard.



Jens Galschiøt, artist

aidoh@aidoh.dk
ph +45 4044 7057
www.galschiot.com



January 15, 2026