AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

CONGRESSIONAL–EXECUTIVE COMMISSION ON CHINA: 2011 ANNUAL REPORT

HEARING

BEFORE THE

COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

NOVEMBER 3, 2011

Serial No. 112–85

Printed for the use of the Committee on Foreign Affairs

Available via the World Wide Web: http://www.foreignaffairs.house.gov/

U.S. GOVERNMENT PRINTING OFFICE

71–038PDF WASHINGTON : 2011

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2104 Mail: Stop IDCC, Washington, DC 20402–0001

COMMITTEE ON FOREIGN AFFAIRS

ILEANA ROS-LEHTINEN, Florida, *Chairman*

CHRISTOPHER H. SMITH, New Jersey
DAN BURTON, Indiana
ELTON GALLEGLY, California
DANA ROHRABACHER, California
DONALD A. MANZULLO, Illinois
EDWARD R. ROYCE, California
STEVE CHABOT, Ohio
RON PAUL, Texas
MIKE PENCE, Indiana
JOE WILSON, South Carolina
CONNIE MACK, Florida
JEFF FORTENBERRY, Nebraska
MICHAEL T. MCCAUL, Texas
TED POE, Texas
GUS M. BILIRAKIS, Florida
JEAN SCHMIDT, Ohio
BILL JOHNSON, Ohio
DAVID RIVERA, Florida
MIKE KELLY, Pennsylvania
TIM GRIFFIN, Arkansas
TOM MARINO, Pennsylvania
JEFF DUNCAN, South Carolina
ANN MARIE BUERKLE, New York
RENEE ELLMERS, North Carolina
ROBERT TURNER, New York

HOWARD L. BERMAN, California
GARY L. ACKERMAN, New York
ENI F.H. FALEOMAVAEGA, American Samoa
DONALD M. PAYNE, New Jersey
BRAD SHERMAN, California
ELIOT L. ENGEL, New York
GREGORY W. MEEKS, New York
RUSS CARNAHAN, Missouri
ALBIO SIRES, New Jersey
GERALD E. CONNOLLY, Virginia
THEODORE E. DEUTCH, Florida
DENNIS CARDOZA, California
BEN CHANDLER, Kentucky
BRIAN HIGGINS, New York
ALLYSON SCHWARTZ, Pennsylvania
CHRISTOPHER S. MURPHY, Connecticut
FREDERICA WILSON, Florida
KAREN BASS, California
WILLIAM KEATING, Massachusetts
DAVID CICILLINE, Rhode Island

YLEEM D.S. POBLETE, *Staff Director*
RICHARD J. KESSLER, *Democratic Staff Director*

CONTENTS

Page

WITNESSES

The Honorable Christopher Smith, chairman, Congressional-Executive Commission on China 5
The Honorable Tim Walz, ranking member, Congressional-Executive Commission on China 7
Ms. Chai Ling, founder, All Girls Allowed (student leader, 1989 Tiananmen Square protests) 13
Mr. Bob Fu, president, China Aid 21
Mr. John Kamm, chairman, The Dui Hua Foundation 32
Mr. Bhuchung K. Tsering, vice president for special programs, International Campaign for Tibet 40
Sophie Richardson, Ph.D., China director, Human Rights Watch 45

LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING

The Honorable Tim Walz: Prepared statement 10
Ms. Chai Ling: Prepared statement 15
Mr. Bob Fu: Prepared statement 23
Mr. John Kamm: Prepared statement 34
Mr. Bhuchung K. Tsering: Prepared statement 42
Sophie Richardson, Ph.D.: Prepared statement 47

APPENDIX

Hearing notice 68
Hearing minutes 69
The Honorable Gerald E. Connolly, a Representative in Congress from the Commonwealth of Virginia: Prepared statement 71
The Honorable Ileana Ros-Lehtinen, a Representative in Congress from the State of Florida, and chairman, Committee on Foreign Affairs: Material submitted for the record 73
Mr. Bhuchung K. Tsering: Material submitted for the record 75

CONGRESSIONAL–EXECUTIVE COMMISSION ON CHINA: 2011 ANNUAL REPORT

THURSDAY, NOVEMBER 3, 2011

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 10 o'clock a.m., in room 2172 Rayburn House Office Building, Hon. Ileana Ros-Lehtinen (chairman of the committee) presiding.

Chairman ROS-LEHTINEN. The committee will come to order. After recognizing myself and my good friend the ranking member for 7 minutes each for our opening statements, I will recognize the chairman and the ranking members of our Subcommittee on Asia and the Pacific for 3 minutes each for their statements.

We will then hear from our witnesses. Thank you, gentlemen, for being with us. I would ask that you summarize your prepared statements in 5 minutes each before we move to the questions and answers with members under the 5-minute rule. And, without objection, the witnesses' prepared statements will be made a part of the record.

And members may have 5 days to insert statements and questions for the record subject to the length limitations and the rules. And, without objection, the written statement of Under Secretary of State Marie Otero will be made a part of the record.

The Congressional-Executive Commission on China has recently issued its tenth annual report on China's human rights and the rule of law developments. The report also marks a decade since China acceded to membership in the World Trade Organization, WTO, after being granted Permanent Normal Trade Relations, PNTR, with the United States the previous year.

I opposed PNTR for China, given its abysmal human rights record, its unfair trade practices, and its disdain for the rule of law. Over a decade later, we can see that economic engagement with and trade liberalization for China did not produce political liberalization and, thus, granting PNTR in my view was a mistake.

Documented in the Commission's report is a clear picture of a China where human rights lawyers disappear, black jails illegally imprison those who seek to voice dissent, Falun Gong practitioners are mercilessly persecuted, and the internet is censored by the thought police. In just the past 12 months, Beijing has sought to disrupt the Nobel Peace Prize ceremony for Chinese dissident Liu Xiaobo; kept news of the Jasmine Revolution in the Middle East from the Chinese people; and disrupted a Christian service on Easter morning, the holiest day of the Christian calendar.

The release of Nobel Peace Prize laureate Aung San Suu Kyi by the Burmese junta in late 2010 left Mr. Liu the sole imprisoned Nobel Peace Prize winner worldwide. He remains held in a Chinese jail offering silent testimony to Beijing's repression. It appears that Beijing is adhering to the old Chinese adage of "kill the chicken to scare the monkey" by making Mr. Liu an example of what dire consequences await a person in China who is bold enough to speak out for democratic reform.

The report also notes how the rights of ethnic groups in China are constantly trampled. Whether it is a Mongolian herder on the grasslands, a Tibetan monk praying in his monastery, or a Uyghur Muslim seeking fair and equal employment, all face the harsh backlash of Beijing's oppression.

In recent months, the desperation has intensified so greatly that several monks of Tibet and nuns have set themselves on fire to protest China's rule in Tibet. Beijing's ultimate goal continues to be to displace Tibetans, Uyghurs, and Mongolians in their traditional homelands with Han Chinese.

While Mao once claimed that "women hold up half the sky," the Commission report notes that "sexual harassment reportedly remains prevalent in China." Trafficking for sexual exploitation, forced labor, forced marriage, remain, according to the report, a major impediment to the achievement of full equality for women. North Korean refugee women are particularly vulnerable to exploitation by China's sex trade.

It is imperative, given the exploitation of North Korean refugee women and children, that Beijing provide access to the U.N. High Commissioner for Refugees, to interview refugees in northeast China. And China must stop the forced repatriation of North Korean refugees at once and comply with its international obligations.

The Commission's report also chronicles how the so-called "workers' paradise" of the People's Republic of China has no respect for its people and a complete disdain for workers' rights. Factory owners and local officials conspire to poison the environment of the people who live in the vicinity and to exploit the workers who labor in deprivation and filth, worthy of a Charles Dickens novel. Forced abortion mandated by a coercive one-child policy has led to a widening gender imbalance.

Nor is China in any way closer to becoming a fair trading partner, as the countless unemployed Americans can readily affirm. The report points to "a lack of respect for the rule of law extended into the international arena, where China pursued domestic subsidies and industrial policies inconsistent with China's commitments as a member of the World Trade Organization." How can a ruling clique which causes human rights lawyers to disappear, which persecutes and tortures Falun Gong practitioners, which drives Tibetan monks to such despair that they set themselves on fire, and which hunts down North Korean refugees on its northeast frontier ever expect to be regarded as anything but a barbaric regime, certainly unworthy of the name responsible stakeholder?

I welcome recommendations from our distinguished witnesses on follow-up actions for our Foreign Affairs Committee to take as a result of the conclusions that you have reached in your Commission's report. Thank you, gentlemen, for being with us.

I am now pleased to turn to my friend the ranking member for his opening remarks.

Mr. BERMAN. Well, thank you very much, Madam Chairman, for calling this hearing. As you pointed out, the Congressional-Executive Commission on China was established in the year 2000 as part of the legislation that granted permanent normal trade relations to China. And it now plays a key role in tracking human rights conditions and the development of the rule of law in China.

The Commission and the report that it issues every year serves as a valuable resource for not only Congress but for a much broader audience that wants to understand what is happening in China on these critical issues.

Under the leadership of its two co-chairs, the distinguished and irrepressible representative Chris Smith and also distinguished and irrepressible Senator Sherrod Brown, the Commission's recent report makes clear those human rights conditions in China remain a significant concern.

While China's remarkable economic progress over the past 30 years has lifted millions of its citizens out of poverty, the unfortunate fact remains that these economic achievements have not led to commensurate gains in political freedoms and human rights for the Chinese people.

The Commission's report goes into great detail on a broad range of issues that are of vital importance, including freedom of expression, religious freedom, worker rights, rule of law, ethnic minorities, and democratic governance. The report notes that China's record on human rights and rule of law has not improved but, instead, has worsened in some areas.

Even more troubling, the report states that the Chinese Government has grown more assertive in the violation of human rights, disregarding the laws and international standards that it claims to uphold while tightening its grip on Chinese society. Specifically, the Commission's report found that Chinese authorities instituted a major crackdown on internet and press freedom, starting last February, after the appearance of online calls for Jasmine protests in China following the outbreak of demonstrations in the Middle East and North Africa.

In Tibet, Xinjiang, and other minority areas, China's Government continued to promote policies threatening the viability of the language and culture of these groups. The report also notes that China implements industrial policies, which are inconsistent with its commitments as a member of the World Trade Organization and are incompatible with the rule of law.

Promoting human rights and political freedom is a key tenet of U.S. foreign policy. And these universal values must remain a central focus in our relationship with Beijing.

Some argue that emphasizing human rights conflicts with other priorities in our bilateral relationships: The currency issue, Iran, North Korea, trade, and many other issues. But as Americans, we must not simply check our morals at the door.

Regrettably, China's unelected leaders failed to recognize that greater human rights protections are also in China's self-interest. Repression, as we have most recently seen in the Middle East, ultimately causes people to rebel against their oppressors. If there is

one thing Chinese leaders care about most, it is domestic tranquility. Their current policies can only result in that which they fear the most: Domestic turmoil. Ultimately China's international image and economic growth are dependent on developing a society based on the respect for the rule of law and the rights of the Chinese people.

I look forward to the testimony of our colleagues, Congressmen Smith and Walz, and the panel that will follow them and in discussing ways with our witnesses that the United States can help improve the deplorable human rights situation in China.

And I yield back.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Berman.

Mr. Rohrabacher is recognized.

Mr. ROHRABACHER. Thank you very much, Madam Chairwoman and Mr. Berman. I appreciate the leadership, both of you, demonstrated on this very important issue.

Let's just note right off the bat, today is not in any way a condemnation of the people of China. We, in fact, are today expressing our solidarity with the people of China who long for democracy and liberty, the people of China who want the same kind of rights that every person in this world is entitled to and that we as Americans believe is a gift from God and not something that is a gift from the state.

What we have in China is the world's worst human rights abuser. I don't know any other regime that will take political prisoners, throw them into jail or take religious prisoners and throw them into jail, and execute them and sell their body parts. I don't know any other regime that has made it as important to control the religious beliefs of their people than the Chinese regime of today. This does not have to be.

We tried the strategy of, well, let's make them wealthy and, thus, they will become less aggressive and more liberal. That has not worked. We should try to determine strategy that will help the people of China and secure the peace of the world.

Chairman ROS-LEHTINEN. Thank you, sir.

Mr. ROHRABACHER. Madam Chairman.

Chairman ROS-LEHTINEN. Mr. Sires of New Jersey is recognized.

Mr. SIRES. I just wanted to compliment you on holding this hearing. And I really want to compliment my colleagues for coming before this committee, especially my colleague from New Jersey, who has made this a lifelong battle. So I compliment you both and thank you for being before this committee.

Chairman ROS-LEHTINEN. Thank you, Albio.

Mr. Turner of New York is recognized.

Mr. TURNER. I have nothing to say, Madam Chair.

Chairman ROS-LEHTINEN. Thank you, sir.

Judge Poe?

Mr. POE. Thank you, Madam Chair.

Some people might think because China's economy has grown and all this talk about it being the next super power that the internal operation of China has changed. It has not.

I am glad that we had this hearing today. China needs to be recognized for what they are: A socialist, Communist system. And it continues to be one. And it does not exercise the ability to allow

freedom of religion. The only religion in China is the worship of the political leader in the political system.

Organized religion is a threat. There are over 500 cases of political or religious imprisonment in China. The Chinese Government has cracked down on churches, encouraging a blacklist of church leaders that has grown up. One Chinese newspaper says that Protestants are even encouraged, forced to worship at government-sanctioned churches.

Freedom of religion is not granted by man. It is granted by God, no matter what one's religious freedom. I hope we recognize that. And I agree with my friend Mr. Rohrabacher this is about the Chinese Government. It is not about the people of China, whom we stand up and hoping they may also exercise universal religious freedom that is given by the Creator, not by government.

I yield back.

Chairman ROS-LEHTINEN. Thank you very much, Judge Poe.

And now we are so pleased to welcome our first panel of witnesses from the Congressional-Executive Commission on China to discuss their 2011 annual report. First, we will hear from Chris Smith, the chairman of the Congressional-Executive Commission on China. He has been a member since 2007. He has been a Member of Congress since '81. Welcome, Chris, and another good friend, Tim Walz, the Ranking House Commissioner since 2007, the year he was elected to Congress. So thank you, Tim, for being with us also.

And I remind you to keep your oral testimony to no more than 5 minutes. And, without objection, your written testimony will be inserted in the record.

Mr. SMITH. Thank you, Chair.

Chairman ROS-LEHTINEN. So welcome.

STATEMENT OF THE HONORABLE CHRISTOPHER SMITH, CHAIRMAN, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

Mr. SMITH. And I want to join my friend, Congressman Walz, the ranking member. And on behalf of Sherrod Brown, the co-chair, we present this testimony. And thank you for convening this hearing.

This year's tenth annual human rights report by the Congressional-Executive Commission continues to be the most comprehensive heavily documented review and analysis of China's worsening human rights record.

The report's 225 pages of analysis and recommendations followed by another 119 pages of meticulously researched endnotes paints an extremely dire, frightening picture of escalating human rights crimes, including torture, forced abortion, religious persecution, and ethnic discrimination committed with impunity by government personnel at all levels and an ubiquitous secret police.

The report declares that "in areas of human rights and rule of law this year, China's leaders have grown more assertive in their violations of rights, disregarding the very laws and international standards that they claim to uphold, thereby tightening their grip on Chinese society."

In a shift, the report notes that "China's leaders no longer respond to criticism by simply denying that rights have been abused.

Rather, they increasingly use the language of international laws to defend their actions."

Even in the highly visible, patently unjust incarceration of 2010 Nobel Peace Prize Winner Liu Xiaobo, the report points out that the "Chinese authorities sought to defend their handling of the case as consistent with international law." Of course, the big lie in Beijing completely collapsed under scrutiny.

The U.N. Working Group on Arbitrary Detention concluded in May of this year that it was the Government of China that had violated international law in denying Liu's right to free speech and his right to a fair trial. "Official rhetoric notwithstanding," the report notes, "China's human rights and rule of law have not improved and appear to be worsening in some areas."

Some of the profoundly troubling conclusions in the report—and I go into this much more in the longer version of my comments—"Beginning in February 2011, the Chinese police took the unusual step of 'disappearing' numerous lawyers in one of the harshest crackdowns in recent memory."

On coercive population control, the report found that "this year in official speeches and government reports, authorities used the phrase 'spare no efforts' to signify intensified enforcement." Of course, they continue to monitor women's menstrual cycles and unauthorized children. In other words, the government says if a child is authorized or not. And if that child is not authorized, that child is forcibly aborted and that woman is so cruelly mistreated. And the report goes into great expansion on that cruelty toward women and children.

Of course, the consequence, the missing children, the missing girls, I should say, according to the Commission is the highest sex ratio disparity in the entire world.

It also talks about enforcement campaigns and the use in at least one area of man-on-man military tactics. They are using all-out efforts to mobilize the ending of the lives of these children and the cruelty meted out to those women.

In my personal view, having combated this abuse since the early '80s, the Chinese population control program has and remains a weapon of mass destruction deployed by the government against its own women and children that is without parallel or precedent in all of history.

The report also notes that the government continues to carry out a campaign against the Falun Gong and then against all of the various religious denominations: Catholic, Uyghurs, the Tibetan Buddhists. And it goes into great detail about how individuals who are not part of the officially licensed churches are repressed, incarcerated.

One of the people spoken about in the report is Bishop Su of Baoding. I met with Bishop Su in the early 1990s. He was out of prison after spending decades of his life in prison. He was the kindest, most gentle man you ever want to meet. And he spoke about loving his captors and doing good to those who persecuted, in 1996 rearrested. We haven't seen from him since.

The report goes into great detail on workers' rights, which are nonexistent, but notes that young people are increasingly dissatisfied with the status quo. Labor organizers continue to be arrested,

detained, and abused. Yet, they keep coming back the way Lech Walesa did so greatly in Poland and others throughout the world. These men and women are amazing. And, yet, they find themselves in prison for trying to organize and get some kind of workers' rights.

Internet regulation and censorship have gotten worse. As Mr. Berman pointed out, there was a state Internet Information Office established in May 2011. The report concludes, "the total number of Web sites in China decreased dramatically as a result of" this. "Authorities continued to have no tolerance for democracy advocates. Public security officers continued" their detention through what they call reform "through labor."

I was in one of those camps, Madam Chair, right after Tiananmen Square with Frank Wolf. They are gulags. They are concentration camps. And they can hold somebody up to 4 years in those camps.

Finally, the Commission maintains the most extensive, highly reliable, up-to-date database on political prisoners and religious prisoners, some 6,623 as of September 1st prisoners of conscience.

When members travel to China, when they meet with China lawmakers, when they meet with China officials, have that database with you. Give that to them. And say, "We want freedom for people like Chen Guangcheng, for Liu Xiaobo, Gao Zhisheng, and all of these other great men and women who are fighting the cause of human rights."

I thank you.

Chairman ROS-LEHTINEN. Thank you, Mr. Smith. Thank you for making it your mission to point out the human rights abuses worldwide. You are a champion. Thank you so much.

Tim Walz?

STATEMENT OF THE HONORABLE TIM WALZ, RANKING MEMBER, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

Mr. WALZ. Well, thank you, Madam Chairwoman and Ranking Member Berman and members of this committee. Thank you for holding this hearing on the report from the Congressional-Executive Commission on China but thank the two of you for being beacons and role models for all of us on the quest for human rights.

A special thank you to, as you saw, our irrepressible and incredibly talented chairman. Chris Smith is someone I am proud to call a colleague and a friend and as are people around the world who are oppressed. Senator Sherrod Brown, who couldn't be with us today, their bipartisan leadership is putting this Commission's work to good use. And a special thank you to the talented staff, who makes it possible.

The work of this Commission holds special significance for me. More than two decades ago, I taught high school in China. I was part of one of the first government-sanctioned groups of American high school teachers to teach in Chinese high schools. I developed a great admiration for and a close connection with the Chinese people.

In my lifetime, I have witnessed the Chinese people make significant strides. Living standards have risen. Brave Chinese citizens are standing up for the rights of their fellow citizens. They are

seeking to clean up their environment, improve working conditions, ensure the safety of their food. For that, the Chinese people deserve much credit and our support.

We are here today, however, to assess the Chinese Government's records on human rights and rule of law. And, unfortunately, the Chinese Government has fallen woefully short of the aspirations of their own people. The report assesses China based on China's own laws and international standard that China has pledged to uphold.

Across the 20 issue areas of the report, the Commission found much to be concerned about. One of the biggest concerns was China's willingness to ignore the law when it suited them, especially to silence political dissent.

The rights of freedom of expression and association were brutally suppressed beginning in February, following the Middle East protests and calls for protests within China. Most disturbing were the enforced disappearances of human rights lawyers, activists, and artists. These included the internationally renowned artists and rights advocate Ai Weiwei. Ai was kept at a secret location for 81 days, accompanied by guards at all times.

The report, our China Commission's report, expresses particular concern regarding proposed changes to China's criminal procedural law that would legalize these enforced disappearances.

Other Chinese citizens continue to be held illegally, even after they were released from prison. This was highlighted in the case of Chen Guangcheng. Chen was known and many of you know as the self-trained lawyer who was blinded at a young age and became a tireless advocate for the disabled, for farmers, for victims of the brutal population-planning abuses. Local officials punished his activism by locking him up for more than 4 years on a charge of blocking traffic.

Since his release in September 2010, officials kept him and his family under illegal arrest. They had beaten him and his wife. And they denied their 6-year-old daughter a chance to go to school. Chinese supporters of Chen, and journalists who have gone to visit him, have been beaten and detained.

Tibetans, Uyghurs, and other ethnic minorities continue to struggle to maintain their religion, culture, and livelihoods amid an intense government pressure. Officials continue to discredit the Dalai Lama as a religious leader. No dialogue between the Dalai Lama and Chinese officials took place last year, the longest breaks in 2002. The Chinese Government continues to prevent Catholics, Buddhists, Falun Gong practitioners, Muslims, Protestants from freely practicing their beliefs.

Workers in China still do not enjoy their fundamental right to organize independent unions. Instead, they must rely on the Communist Party-controlled union to represent their interests. Without genuine labor representation, Chinese workers continue to face poor working conditions, harassment, and low wages.

Commercially China continues to implement policies that are inconsistent with its commitments to the WTO. China continues to unfairly favor its domestic industries and exports through currency manipulation, industrial policies, and illegal subsidies.

The report acknowledges the efforts of well-intentioned Chinese officials. The report cites potential for growth in areas such as a

draft mental health law, programs to expand legal aid, and attempts to improve government transparency, but overall the report paints a sober picture. The Chinese Government still denies its citizens the basic universal rights of free speech, press, religion, and assembly.

As this report illustrates, China's respect for human rights and the rule of law has a direct impact on our lives. When China censors its press, we know less about the safety of food and products we buy from China. When China manipulates its currency and suppresses workers' rights, Americans lose jobs. When China disregards the rule of law in its treatment of its own citizens, that raises serious question about China's commitment to international agreements. But it isn't just the impact it has on our lives. These rights are universal and ones that people everywhere, including all Chinese, are entitled to have.

This report will not change China. Only the Chinese people will change China. But it is important for this Commission and this Congress to continue to speak out. While the Chinese Government works hard to remake its image in a positive light around the world, we must make sure the other side of the story is told. We must continue to signal to those in China who yearn and hope for reform from the imprisoned human rights activists to low-paid factory workers that the people of the United States support and stand with them.

With that, I yield back, Madam Chairwoman.

[The prepared statement of Mr. Walz follows:]

OPENING STATEMENT OF U.S. REPRESENTATIVE TIM WALZ

RANKING HOUSE MEMBER, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

HOUSE FOREIGN AFFAIRS COMMITTEE HEARING ON "CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA: 2011 ANNUAL REPORT"

NOVEMBER 3, 2011

Chairman Ros-Lehtinen, Ranking Member Berman, Members of the Committee. Thank you for holding this first ever hearing on the Commission's annual report. I would like to thank the two chairs of the Commission, Congressman Chris Smith, and Senator Sherrod Brown—who wanted to be here today—for their bipartisan leadership. I also wish to thank the Commission's talented staff for their hard work in researching and writing this report.

The work of this Commission holds special significance for me. More than two decades ago, I taught high school in China. I was part of the first government sanctioned groups of American educators to teach in China. I developed a great admiration for, and a close connection with, the Chinese people. In my lifetime, I have witnessed the Chinese people make significant strides. Living standards have risen. Brave Chinese citizens are standing up for the rights of their fellow citizens. They are seeking to clean up their environment, improve working conditions, and ensure the safety of their food. For that, the Chinese people deserve much credit and our support.

We are here today, however, to assess the Chinese government's record on human rights and rule of law. Here, unfortunately, the Chinese government has fallen woefully short of the aspirations of the Chinese people. The report assesses China based on China's own laws and international standards that China has pledged to uphold. Across the 20 issue areas of the report, the Commission found much to be concerned about.

One of the biggest concerns was China's willingness to ignore the law when it suited them, especially to silence political dissent.

The rights to freedom of expression and association were brutally suppressed beginning in February, following the Middle East protests and calls for protest strolls within China. Most disturbing were the "enforced disappearances" of human rights lawyers, activists, and artists. These included the internationally-renowned artist and rights advocate Ai Weiwei [AYE WAY-WAY]. Ai was kept at a secret location for 81 days accompanied by guards at all times. The CECC report expresses particular concern regarding proposed changes to China's Criminal Procedure Law that would legalize such "enforced disappearances."

Other Chinese citizens continued to be held illegally even after they were released from prison. This was highlighted in the case of Chen Guangcheng [CHEN GWONG CHUNG]. Chen, as you may know, is the self-trained lawyer who was blinded at a young age and became a tireless advocate for the disabled, farmers, and victims of population planning abuses. Local officials

punished his activism by locking him up for more than four years. Since his release in September 2010, officials have kept him and his family under illegal house arrest. They have beaten Chen and his wife. They have denied their six-year-old daughter schooling. Chinese supporters and journalists who have gone to visit them have been beaten and detained.

Tibetans, Uyghurs, and other ethnic minorities continue to struggle to maintain their religion, culture, and livelihoods amid intense government pressure. Officials continue to discredit the Dalai Lama as a religious leader. No dialogue between the Dalai Lama and Chinese officials took place last year, the longest such break since dialogue resumed in 2002.

The Chinese government continues to prevent Catholics, Buddhists, Falun Gong practitioners, Muslims, and Protestants from freely practicing their beliefs.

Workers in China still do not enjoy their fundamental right to organize independent unions. Instead, they must rely on a Communist Party-controlled union to represent their interests. Without genuine labor representation, Chinese workers continue to face poor working conditions, harassment, and low wages.

Commercially, China continues to implement policies that are inconsistent with its commitments to the World Trade Organization. China continues to unfairly favor its domestic industries and exports through currency manipulation, industrial policies, and illegal subsidies.

The CECC report acknowledges the efforts of well-intentioned Chinese officials. The report cites potential for progress in areas such as a draft mental health law, programs to expand legal aid, and attempts to improve government transparency. But overall, the report paints a sober picture. The Chinese government still denies its citizens the basic, universal rights of free speech, press, religion, and assembly.

As this report illustrates, China's respect for human rights and the rule of law has a direct impact on our lives. When China censors its press, we know less about the safety of the food and products we buy from China. When China manipulates its currency and suppresses worker rights, Americans lose jobs. When China disregards the rule of law in its treatment of its own citizens, that raises serious questions about China's commitment to international agreements. But it isn't just the impact it has on our lives – these rights are universal and ones that people everywhere, including in China, are entitled to have.

This report will not change China. Only the Chinese people will change China. But it is important for this Commission and Congress to continue to speak out about these issues. While the Chinese government works hard to remake its image in the world's eyes, we must make sure that the other side of the story continues to be told and is not forgotten. And we must continue to signal to those in China who yearn and hope for reform—from the imprisoned human rights activist to the low-paid factory worker—that we support their efforts and stand with them.

Chairman ROS-LEHTINEN. Thank you so much, Tim. And I congratulate you for taking so much of your time that you give to this Commission. Both of you are to be commended for helping the people of China, and people everywhere, be able to live in a society where their rights are respected and their human worth is celebrated each and every day.

So we thank you both for presenting the report to us. And we wish you Godspeed as you prepare the report for next year. We certainly hope that it is a better report than this dismal one. Thank you so much for sharing it with us. Thank you.

And I now would like to welcome our second panel of witnesses. I first want to introduce Chai Ling, one of the leaders from the Tiananmen Square demonstrations of 1989. Who can forget the photos of the young female student with the microphone speaking truth to power during that long-ago spring? Thank you, Ms. Chai.

I want to thank you also for providing me with an autographed copy of your recent book entitled A Heart for Freedom. It details your daring escape from China following the Tiananmen Square. Thank you so much.

Since arriving to the United States via Hong Kong and Paris, Ms. Chai has earned an MBA degree from Harvard Business School and an MPA in public affairs from Princeton University, no slacker there. She is also the founder of All Girls Allowed, an organization dedicated to restoring life, value, and dignity to girls and mothers and to revealing the injustices of China's coercive one-child policy. Welcome to our committee, Ms. Chai.

Ms. LING. Well, thank you so much, Ms. Chairwoman.

Chairman ROS-LEHTINEN. Thank you. And we will begin with you in a minute.

Ms. LING. Okay.

Chairman ROS-LEHTINEN. I am just going to introduce the rest of the panel. We are also glad to see as a witness Bob Fu, another Tiananmen Square student leader and a strong advocate for religious freedom in China. As an underground church organizer following the Tiananmen Square massacre, Bob faced first imprisonment and then job loss.

Bob and his pregnant wife were able to flee to Hong Kong in 1996, before the British left, and made their way as refugees to the United States through the intervention of President Clinton. In the year 2002, Bob founded the China Aid Association to focus international attention on Beijing's gross human rights violations directed against underground church Christians. Thank you so much, Bob, for being with us.

Next we want to welcome John Kamm. Thank you, Mr. Kamm, a well-known advocate for human rights in China and the founder and chairman of Dui Hua Foundation. Since 1979, Mr. Kamm has made over 100 trips to Beijing related to human rights, specifically focusing on the treatment of prisoners and the conditions of the prisons. Mr. Kamm directs the project in human rights diplomacy at Stanford University and sits on the board of advisors of the Berkeley China Initiative.

He has received numerous human rights awards, including the Eleanor Roosevelt Award for Human Rights from President George

W. Bush in 2001. We are glad to have you here, Mr. Kamm. Welcome.

We also have with us a real privilege, Mr. Bhuchung Tsering, vice president for special programs from the International Campaign for Tibet. Bhuchung is also a refugee from Chinese Communist oppression, having fled as a child to India in 1960 in the wake of the Chinese invasion of Tibet.

He worked as a journalist in India before joining the Tibetan Government in exile in 1984. He came to the United States and joined the staff of the International Campaign for Tibet in 1995, where he oversaw overseas Chinese outreach and Tibetan empowerment programs. Welcome, Bhuchung.

After I say the name five times, then I finally get it right. Thank you. Thank you for forgiving my mispronunciation. I have a difficult name, too.

Lastly, the committee welcomes Sophie Richardson, the China director for Human Rights Watch. Dr. Richardson has published numerous articles on domestic Chinese political reform and democracy efforts and human rights issues in China, Hong Kong, Cambodia, the Philippines, Indonesia, and Vietnam. She is also a commentator on Asian human rights issues, having appeared on CNN, BBC, and National Public Radio. Welcome, Dr. Richardson.

I kindly remind our witnesses to keep your oral testimony to no more than 5 minutes. And, without objection, your written statements will be inserted into the record.

So we will being with you. Thank you so much for being with us, Ms. Chai Ling. Thank you.

Ms. LING. Thank you, Chairwoman.

STATEMENT OF MS. CHAI LING, FOUNDER, ALL GIRLS ALLOWED (STUDENT LEADER, 1989 TIANANMEN SQUARE PROTESTS)

Ms. LING. I am so honored to be here. I thank you and the ranking members of the committee and the CECC members for your excellent report.

At All Girls Allowed, we are committed to restore life, value, dignity for girls and mothers in China to reveal injustice of China's one-child policy, which is the largest crime against humanity on Earth today. It took place 30 years ago and had killed over 400 million lives. And today, every day there are over 35,000 forced and coerced abortions are taking place. Every day over 500 women commit suicide.

So, Chairwoman, I congratulate you and thank you for your courageous challenge to President Hu Jintao when he visited America in January. And among all the human rights abuses, this is the only one question, your challenge to him to end the one-child policy and forced abortions. Among all the human rights abuses, this is the only one area he chose to answer. And he said, "There are no forced abortions in China." Our report shows that he lied in front of the whole world. And we have documented numerous amounts of cases throughout the past several decades of women who went through forced and coerced abortions.

I want you to focus attention to the picture on the screen right now. The latest case involved Ma Jihong. You see she is standing

there with her husband. October 14th she was working in the field at 9 o'clock a.m. She was pregnant with her second child. A group of Family Planning police went to grab her. She ran, ran into the cotton field. They caught her and brought her into the forced abortion clinics.

By 9 o'clock p.m., her family was informed that she was dead with her 7-month-old baby. And by the time her family arrived, her eyes were still open. And her lips were purple. Both her and her baby were gone.

You see, these are people making $1,500 a year, barely $2 a day, which is a third of the Chinese families, Chinese population—465 million people—live in that level of poverty. And you look at the shack. That is the kind of conditions they are living. And these people are suffering.

We also have cases like Ms. Ji Yeqing, who testified at the hearing on the 31st anniversary this year. And she went through two forced abortions. And after she went through the forced abortion in 2007, the police sedated her. And during her unconsciousness, they enforced and placed an IUD so she could not have a baby again. And because the family realized she could no longer bear child or bear son for the family, they divorced her.

And in the same hearing, there was another lady who testified. She endured five forced abortions in the '90s. And every single time, she went to be given these kinds of procedures with no anesthesia. Imagine a woman's body was opened up with no anesthesia and was just being cut into pieces. That is and should be defined as a torture under this one-child policy.

So because of that reason, I would like to support the bill which, again, a hearing was taking place yesterday for H.R. 2121, the China Democracy Promotion Act. I believe once that bill is passed, that the Chinese leaders who are enforcing these kinds of human rights violations, abuses, and torture against their own people will be barring a visa to enter the United States.

And because of that reason, we would like to ask that our report of the 350 names of the top-ranking officials in China among the major cities would be entered into the record and to be the first group to be——

Chairman ROS-LEHTINEN. Without objection, subject to the limitations in the rules, we will enter that into the record.

Ms. LING. Thank you very much.

We also have many cases documented in our All Girls Allowed annual report on China's one-child policy with additional detailed cases of these victims. And so I would like that to be entered into the record as well.

Chairman ROS-LEHTINEN. Without objection, subject to the length limitations, yes.

Ms. LING. Thank you very much.

So recently there is a case of a 2-year-old girl who was ran over in China by two vans. And 18 members—it was a horrific crime on its own, but the worst is that 18 people stand by, did not do anything.

So I urge the United States to end its current U.S.-China policy, which has put business profit, security reasons, and other interests above the basic human rights. It did not make China a better coun-

try nor strengthen the United States. So let us not be the same as those 18 people who stand by, chose to do nothing. So I urge you to stand up, speak on behalf of those who are voiceless.

Thank you.

[The prepared statement of Ms. Ling follows:]

Nov. 3, 2011: Congressional-Executive Commission on China: 2011 Annual Report

Chai Ling, Founder of All Girls Allowed, Author: A Heart for Freedom

Before the Full Foreign Affairs Committee: Ileana Ros-Lehtinen (R-FL), Chairman

Chairwoman Ros-Lehtinen and Members of the Committee, I thank you for your time today, and Chairwoman, in particular I thank you for your leadership on this important issue. You brought up China's brutal practices with Hu Jintao during his visit – in a challenge to him to end it. Thank you for your courage and clarity. We all know that the President of China denied that there are forced abortions and sterilizations in China, and we all know that they happen daily and are part of the reason we are meeting today.

To the CECC, our team at All Girls Allowed is so thankful for your annual report, which highlighted in detail a number of horrific human rights atrocities, including forced abortion and sterilization cases. As a nonprofit devoted to restoring life, value and dignity to girls and mothers in China, we desire to expose every kind of evil that is performed in China against its women, and we salute you for your excellent reporting.

The report shines light on the destructive practices being inflicted upon mothers, on the brutal methods used to carry out China's One-Child Per Couple Policy, and on the long-term effects of China's family planning system—a lack of 37 million females throughout China, an increase in trafficking and rising female suicide rates, now at 500 a day, climbing every day since forced abortion and sterilization were first enforced, as well as skyrocketing abortion rates, especially among single mothers.

The past two decades of China's Human Right Conditions:

22 years ago, I was at Tiananmen Square on the early morning of June 4th, when the tanks rolled in to crush our peaceful movement. As a key student leader, I remembered hoping until the last hour that America would take a stand to end China's government violence against its own people. However, America never came. Although late Ambassador Lilly wrote in his memoir, *China Hand*, about his call for action, his memo never made to the president. I believe that if the US President had been able to come to the Chinese people's aid, as President Reagan wrote a stern message in 1988 towards the leaders of South Korea, and South Korea was led to freedom, China would have had a different outcome both then and now, and our relationship with China today could have been a much more productive and fruitful one.

Once the Chinese leaders were given the green light to kill and torture their own people, they replicated an even worse Tiananmen massacre than we saw in 1989. Each day there are over 35,000 forced and coerced abortions taking place, and each day 500 women commit suicide out of a spirit of despair. To show an example of how cruel and inhumane this Policy is for the Chinese people, I will share with you again a few eyewitness cases that were brought to light.

- At a hearing last month, Liu Ping told members of Congress her tragic story through tears----5 forced abortions and a painful, forced IUD procedure that has caused

many additional health problems and led to the demise of her marriage. In her textile factory, all female workers were forced to prove they were menstruating each month, and were incentivized to turn each other in if they wanted to get paid.

- Then Ji Yeqing shared her recent story: She suffered 2 forced abortions and her family was beaten violently by government officials. In 2007, after she lost her second child to a forced abortion, Ji woke up in a cold room and discovered there was an unexpected, painful IUD device inside her body. When she no longer could bear a son, her husband divorced her. When she got the IUD removed here in the States, her doctor found cervical erosion that will hinder her ability to have future children.

- The last story took place just a few weeks ago, on October 14th. At 9 in the morning, Lijin County Family Planning Commission sent a dozen agents by van into the village to arrest Ma Jihong, who was seven months pregnant with an over-quota child. As soon as she saw them, Ma began to run. The Family Planning agents chased the pregnant woman and caught her in a cotton field nearly. They dragged her to the car and drove away immediately. Her family had no idea where they went. It wasn't until 9 o'clock at night that a man came to notify the family that Ma had died in the hospital. The whole family rushed to the county hospital only to see her body still on the operating table.

  By then, poor Ma's body had already been totally freezing cold, with purple lips and bleeding nose, lying on the operating table without any movement . . . Ma had been healthy and could not have died from any illness, yet the hospital and the Family Planning Commission have still not disclosed the reason for her death. Ma's daughter does not know yet that her Mom has passed away. She cries looking for her Mom every day.

- Chen Guangcheng is a blind attorney who investigated incidents of forced abortions and forced sterilizations by Linyi Municipal Authorities. He revealed his findings and documentations of late-term abortions and forced sterilizations (130,000 in 2005 alone) to the media. For this, he was arrested and imprisoned for four years and three months, finally released in September 2010. No one had heard about Chen's condition for months. In July, a brutal four-hour beating by local authorities almost killed Chen and his wife. It was witnessed by their elementary school-age daughter.

How can a bill such as HR 2121 end this all?

There are many reasons why I support the China Democracy Promotion Act of 2011 (HR 2121), but I did not arrive at the decision quickly. Since my escape from China, I have continued to miss my home, love the Chinese people and hope to help in some way the entire nation of China. Now, with the forgiveness Jesus has shown me, I have forgiven China's leaders for their action against us in Tiananmen Square. China's success is something I long to see. So when I heard about a bill that would prevent not only wrongdoers, but their immediate family members from coming, I needed to be convinced of its necessity before supporting it. It seemed harsh to me. In 2009, 128,000 Chinese students studied in America. Even the leader appointed to succeed Hu Jintao, current Vice

President Xi Jinping, has a daughter currently enrolled at Harvard. Should we punish children for the sins of their parents?

This bill is not intend to harm anyone whose family and children are doing good, rather to ban those who do evil and urge them to repent and to change. It only affect people who are hurting others, people who are infusing terror into the hearts of millions of mothers, people who are sustaining a culture of abortion despite deep social problems of aging and gendercide. It would expose murderers who killed a woman, seven months pregnant, and would prevent these killers from coming to the United States. It would send a clear message.

It would also protect our country and our children from people who commits terrible violence to potentially harm our citizens.

The very reason I was concerned about the visa ban, namely, Chinese students—is the reason it can work to improve the human right conditions. Parents react strongly when they cannot send their children to American universities or visit them there.

In 2008, Congress passed the Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act to close a loophole in the Burmese Freedom and Democracy Act. Together, these acts call for accountability of those responsible for human rights violations, and enforce a visa ban for certain Junta leaders. This extends to their immediate family members. According to reliable sources, when entering negotiations, a visa ban may become a powerful bargaining chip. The first thing leaders requested when asked to release Nobel Prize winner Aung San Suu Kyi from house arrest, was for the visa ban to be lifted. it is important to note that this has not hurt U.S.-Burma relations, but has arguably helped increase dialogue in other areas.

Imagine the day when Chinese leaders will ask: "What must we do to have this ban lifted?" would they offer to release Chinese Nobel Prize winner Liu Xiaobo, or would they offer to end China's One Child Policy? The day that US-China leaders can truly engage in this kind of discussion, rather than the one-sided denial and stonewalling given by the leaders of China today, will be the beginning of the end of this One Child Policy.

What might be the cost or consequences for the US to stand up again the human right abuses in China?

The surprising answer is: The cost of doing nothing is far greater than doing the right thing!

When Miriam and Aaron spoke against Moses.. God said in Numbers Chapter 12: "My servant Moses, of all my house, he is the one I trust. So why were you not afraid to criticize my servant Moses?" ...

Then God punished Miriam and Aaron for their transgressions against God's chosen servant. (Numbers 12:1-16)

On many of the Congressional buildings, it was printed: "In God, we trust" to remind us what we ought to do as leaders of this nation. If we are truly trusting God, we ought to follow his command and do the right thing: Act Justly, love mercy and walk humbly with the Lord your God. When we act as his faithful servant like Moses did, God will be our protector

and our shield, both to our leaders and to our nation. When we act out of our own self interests and calculations, we are on our own, and are polluted and left defeated by the world.

That's exactly what is happening: when daily U.S. headlines demonstrate that the US's tiptoeing around China's human rights outrages, and kowtowing to their placing such topics "off limits," has led to little positive response from Chinese leaders on all fronts.

In contrast, public international condemnation of China's human rights violation threatens to undermine the status and legitimacy of Chinese leaders in the eyes of their people. That is something that the Chinese Government fears, especially in light of the resurgent interest in China's traditional Confucian and Buddhist moral values. Shining a spotlight on China's human rights record will **not** substantially harm, and may help resolve, other disputes with China. Taking a firm stance on the One-Child Policy could actually strengthen our relationship with China.

Recognizing this, the Administration has sharply criticized China's Internet policy. It has felt free to impose steel tariffs and announce new arms sales to Taiwan, despite knowing that both would upset Beijing. Even a few, isolated incidents of Chinese dissidents being jailed are critically noted, as well as China's treatment of the recent Nobel Peace Prize winner in absentia.

Historically, China may try to offset or divert public international focus from gross human rights violations by being more **flexible** on other disputes. For example, Canada's strong condemnation of persecution of Falun Gong did not halt their cooperation. In fact, it was followed by new trade agreements expanding Canada's grain exports to China.

We ask that this bill move forward even though it may seem superfluous to some. Subsection (f) of 8 U.S.C. 1182 broadly authorizes the President to order exclusion of person's whose admission the President deems harmful to the national interests. This and other administrations have used this authority to exclude torturers and other wrongdoers from various nations, but it is important to remember that so far **not one** has used this authority to deal with the problem of human rights in China.

As a matter of fact, we would like to ask for an Executive Order to be issued by President Obama to ban visas to those people whose names we are submitting as the leaders and enforcers of One Child Policy. These should immediately be banned to coming to the United States. If the President chooses not to confront this issue, Congress should move forward this bill in full force.

Warning against indifference:
Recently a two year-old child was run over by a van in Foshan, a city in China. The whole world watched security camera footage of 18 people who walked by the toddler as she lay in a pool of her own blood, waiting for help. Later, another car ran over her before a garbage collector finally had mercy and took her to the hospital. I want to know how these people could walk by unaffected, not acting on her behalf, even though they knew what had happened and that the baby needed help.

Are we any different? We know the statistics. We know that millions of girls are killed or abandoned every year as a result of China's One-Child Policy, and that mothers have been killed during forced abortion procedures simply because they were pregnant with a second child. If we do not do what we can do as a nation, we are no different from these 18 passersby who left Yue Yue to die.

Part of what made the media pick up this horrible story of a hit-and-run accident thousands of miles away was the indifference of people to a toddler's cry even though they knew what was happening to her.

Ma's poor family, who worked the cotton fields for less than $1,500/year, was destroyed by the One-Child Policy the same week that the little two-year-old toddler was run over in the street. In the case of the toddler, the government immediately arrested the drivers who had run over her. But Ma's killers continue to roam freely. Chinese officials had killed a pregnant mother and her seven-month old fetus, and yet these murderers have yet to be held accountable.

We know what is happening in China, and there is something we can do about it. We recognize the need to bar violent, cruel policy enforcers from entering our own local communities and we have brought with us a list of the most influential enforcers.

I continue to urge both sides of the political divide to unite on this issue. The Obama Administration is not the first to avoid a hard stance in our dealings with China's human rights abuses, and our nation has seen both liberal and conservative presidents be soft in their interactions with China.

Finally, it must be noted that in addition to the millions of families affected by this brutal One-Child Policy, human rights offenders in China have tortured and injured various other groups because of their ethnicity, religious backgrounds or political beliefs. We stand for justice against all such wrongdoers visiting the United States of America.

As we go forward from here knowing so much about such evil, we must ask ourselves what we can do and what we will do. Sometimes we speak at special hearings just to inform, but today is a day to act. I urge you to support this bill and act on behalf of the oppressed. While we cannot change China's policy of death overnight, we can stand firm on what we believe as a nation and not waver when it comes to our own moral boundaries.

The issue of human rights in China and the opportunity for America to send the strongest possible signal of condemnation **is not** a political or partisan issue for Congress. Nor is it an issue of political ideology for liberals or conservatives. It's a question of whether America will tell China and the world where **it stands** on fundamental questions of decency and humanity.

Frenchman Alex de Tocqueville, who came to America in 1831 to study our nation, warned of the following:

"I sought for the key to the greatness and genius of America in her harbors; in her fertile fields and boundless forests; in her rich mines and vast world commerce; in her public school system

and institutions of learning. I sought for it in her democratic Congress and in her matchless Constitution. Not until I went into the churches of America and heard her pulpits aflame with righteousness did I understand the secret of her genius and power. America is great because America is good, and if America ever ceases to be good, America will cease to be great.

Chairman ROS-LEHTINEN. Thank you so very much, powerful testimony. And, yes, we see the H.R. 2122 filed by Mr. Smith, Mr. Wolf, Mr. Burton, and Mr. Rohrabacher. Thanks for bringing that to our attention.

And this is her book, A Heart for Freedom and really is a remarkable story. And it has got the photograph of when you took that, the bullhorn, in Tiananmen Square. Congratulations.

Ms. LING. Thank you very much.

Chairman ROS-LEHTINEN. A brave fight. Thank you.

Ms. LING. You are welcome to include that in the congressional public record as well. [Laughter.]

I don't know if that is possible, but——

Chairman ROS-LEHTINEN. That will definitely be subject to the length limitations.

And three beautiful daughters. Congratulations.

Ms. LING. Thank you.

Chairman ROS-LEHTINEN. They certainly wouldn't be around in China. Thank you so much.

Mr. Fu, we are also welcoming you to our committee.

Mr. FU. Thank you.

STATEMENT OF MR. BOB FU, PRESIDENT, CHINA AID

Mr. FU. Thank you, Madam Chairman and the Honorable Ranking Member. And I also want to thank the members of the CECC and the leadership of Congressman Chris Smith and Senator Brown for their excellent work.

In the first 10 months of 2011, religious freedom conditions in China continued to be poor. In fact, religious freedom conditions are at their lowest point since 1982, the year Deng Xiaoping officially ended the policy of eradicating religion.

We have seen a hardening in the government's attitude toward religion, and policy changes that were implemented well before the nascent Jasmine Revolution on February 2011 has accelerated since that time.

At this time, the ruling Communist Party continues to see those who peacefully advocate for religious freedom, free speech, independent labor unions, ethnic minority rights, and democracy as the biggest threat to its authority and future power.

The Chinese Government tolerates the practice of religion in a limited capacity within officially controlled organizations and has permitted some discussion about allowing faith-based charity work, but the fact remains that the government also seeks to control and repress any religion or religious group that refused to be totally controlled by the government as well as those with extensive foreign ties and those it regards as a potential threat to the Communist Party. This includes not only just the house church Protestants but other religious groups as well. As China's influence and power grows, this pattern is unlikely to change and certainly not before the 2012 transfer of power to a new generation of senior leadership.

Nonetheless, we do have a two-fold message that offers some hope, particularly if there is concerted, coordinated action from the United States and other governments on human rights. First, international attention matters and can make a difference. That is

because it constrains what the Chinese Government does and how it uses its force against rights advocates.

We have firsthand testimony from dissidents and prisoners that international attention improved their conditions and in some cases even protected them. Chinese security forces remain brutal, but for imprisoned dissidents and religious leaders, silence can mean death in Chinese prisons.

I want to just introduce you. In today's audience, there is a lady from China. She is the wife of a Chinese democracy advocate, Ms. Fung Xiao. And her husband was imprisoned for democracy work already for 8 years. And in February 19th, he was detained and arrested again for simply forwarding some Twitter messages. He did not even organize anything, just forwarding a few Twitter messages. And in the past 8 months, both his wife, Ms. Fung Xiao, and their 6-year-old son were denied any access to even visit their husband and their dad.

And Ms. Fung Xiao coming here, of course, risking lots of things and quitting her job, just wants to make her voice to be known. So I would really ask Members of Congress and media to talk to her to let her know that her husband would not be forgotten.

Chairman ROS-LEHTINEN. We welcome you to our committee. Thank you for your bravery.

Mr. FU. Thank you. She is heading back to China tomorrow morning.

Second, a growing rights consciousness is spreading across China, exemplified by courageous human rights lawyers, such as Gao Zhisheng, Chen Guangcheng, and many others, who challenge the Chinese Government corruption and human rights abuses. The growing netizen community in China is the main conduit by which this religious consciousness is, the rights consciousness is, spreading. The U.S. Government may be the only government that China cares to listen to, must stand firmly and publicly with those in China who are fighting peacefully for freedom and rights. These brave and patriotic souls are fighting for a future China that respects human rights and the rule of law.

The United States should make religious freedom and freedom of expression on the internet priorities of the bilateral relationship. Together, those two rights will do more to improve U.S.-China relations than all of our trade, investments, and cooperation on shared security interests.

I want you to also pay attention to the increasing propaganda campaign by the Chinese Government in the United States. Yesterday I was in Dallas after presenting a copy of the Bible to the President Bush, former President Bush, and First Lady Laura Bush as the freedom collection of his Presidential center. The Bible was hand-copied by the Chinese prisoners in the labor camps in order to read Bible.

And then I found the Chinese Government actually orchestrated a so-called Bible exhibition campaign held already in Washington, DC, and Chicago and this week in Dallas and next week will be in the Billy Graham Evangelistic Association and is nothing but political manipulation, lies. The tragic thing is our Americans—and I think should be awakened up—becomes sponsors, raising funds

for this propaganda all over the U.S. What are they doing? Between those——

Chairman ROS-LEHTINEN. Thank you.

Mr. FU. Thank you very much.

[The prepared statement of Mr. Fu follows:]

Freedom of Religion and the Rule of Law in China in 2011:

A Brief Introduction

——"The only freedom you have is the freedom to follow the Party"

Testimony of Pastor Bob Fu

China Aid Association

at

House Foreign Affairs Committee Hearing

"Congressional Executive Commission on China: 2011 Annual Report"

November 3, 2011

Washington, D.C.

In the first 10 months of 2011, the continued deterioration of freedom of religion and the rule of law in China reached the lowest level since 1982 when Deng Xiaoping ended the official policy of eradicating religion. We have seen a hardening in the government's attitude toward religion in recent years that has accelerated in the past year. While the government tolerates the practice of religion within officially controlled organizations and has permitted some discussion about allowing "faith-based" charity work, the fact remains that the government also controls and represses any religion that does not "adapt" its practices to socialism, that has extensive foreign ties, or that is viewed as a potential threat to the ruling Communist Party. This includes "house church" Protestants, unregistered Catholics, Tibetan Buddhists, Uyghur Muslims, and groups such as Falun Gong. As China's influence and power grows, this pattern is unlikely to change, and certainly not before the 2012 transfer of power to a new generation of senior leadership. Religious groups will either bend to the Party's demands or be broken by its force.

Nonetheless, we do have a two-fold message that offers some hope, if there is concerted, coordinated action from the United States and other governments on human rights.

First, international attention matters and can make a difference. That's because it constrains what the Chinese government does and how it uses its force against rights advocates. The Chinese government remains brutal to those it considers a threat to "social harmony," but we have firsthand testimony from dissidents and prisoners that international attention improved their conditions and in some cases even protected them. ChinaAid is committed to exposing religious freedom abuses and providing world policy makers with intelligence about arrests, harassment, disappearances and torture of religious believers and religious freedom activists.

Second, a growing rights consciousness is spreading across China, exemplified by courageous human rights lawyers such as Gao Zhisheng, Chen Guangcheng and many others who challenge government corruption and human rights abuses. The growing netizen community is the main conduit by which this rights consciousness is spreading. The U.S. government, as the only government that China cares to listen to, must stand firmly and publicly with those in China who are fighting peacefully for freedom and rights. These brave and patriotic souls are fighting for a future China that respects human rights and the rule of law.

The U.S. should make religious freedom and freedom of expression on the internet priorities of the bilateral relationship; because together, these two rights will do more to improve U.S.-China relations than all of our trade, investments, and shared security interests.

1. Deprivation of religious freedom worsens: Protestants and Catholics harshly persecuted

So far this year, ChinaAid has documented the harassment and detentions and arrests of more than 1,5000 members of nearly 30 house churches in 11 provinces, one municipality under direct central government jurisdiction and three autonomous regions. In other words, in nearly half China's regions and cities. The number of Christians detained exceeded 300.

ChinaAid has been closely documenting the peaceful protests of Beijing's Shouwang Church, which has been trying to hold outdoor Sunday worship services since April when it lost the lease for its indoor meeting site due to government attempts to break up and close down the church. Domestic Security Protection Department agents and police have detained, taken into custody, and even mistreated Shouwang church members who showed up for the outdoor services. More than 700 individuals from the Shouwang Church have been detained for various periods since April 2011.

The government has also exerted pressure on Shouwang members at their places of employment and through their landlords. It has even mobilized clergy from the government-sanctioned Three-Self Patriotic Protestant Church, who have participated in police interrogations with detained Shouwang members to argue theological points. The church's senior leadership has all been under house arrest since April, and every weekend several hundred church members are also placed under house arrest to prevent them from going to the designated outdoor worship site.

The Chinese House Church Alliance is also a target of persecution. Its president, Pastor Zhang Mingxuan, has been arrested on many occasions, forcibly sent back to his hometown, and had his rental agreements terminated. Its vice-president, Pastor Shi Enhao, was sentenced in July by the Suqian Municipal Public Security Bureau in Jiangsu province to two years of re-education through labor, a term that he is currently serving.

The whereabouts of prominent Christian rights defense lawyer Gao Zhisheng, one of the first to be "disappeared" by the authorities, remain a mystery, and there is no information as to whether he is dead or alive. On January 10 of this year, Associated Press reporter Charles Hutzler published an exclusive interview with Gao entitled "Gao Zhisheng, Missing Chinese Lawyer, Described Torture Before Disappearing." Hutzler recounted Gao's detailed and anguished descriptions of the torture inflicted on him by the Chinese government in the 14 months after he disappeared into police custody on February 4, 2009.

Dr. Fan Yafeng, the prominent Christian constitutional law scholar, a pioneer in China's legal rights defense movement and founder of the group Christian Human Rights Lawyers of China, was also tortured during nine days in police detention last December, and has been under house arrest since his release on December 18, 2010. All forms of communication with him have either been cut off or are controlled by the authorities.

Alimujiang, a Uyghur Christian house church leader in Xinjiang, has now served three years and nine months of a 15-year sentence. In February of this year, his wife and other family members were notified that their appeal of his sentence, submitted last year, had been rejected and that the original 15-year sentence was upheld.

Rare cases of government action against Christians in Tibet have also occurred. On October 7, 11 Han Chinese church leaders and missionaries were arrested, and to date, two are still in

custody. (ChinaAid has not yet reported this incident as we are still closely monitoring the developments.)

Persecution of Catholics this year and relations between Beijing and the Vatican are cause for concern.

- On March 30, without Vatican approval, the government's Catholic Patriotic Association ordained Liang Jiansen bishop of Jiangmen archdiocese in Guangdong province.
- On June 26, Father Sun Jigen of Handan archdiocese in Hebei province, was taken away by police and held in custody just before his Vatican-approved ordination.
- Respectively on June 29 and on July 14, without Vatican approval, the Chinese Catholic Leshan archdiocese in Sichuan and the Shantou archdiocese in Guangdong province ordained two bishops, Lei Shiyin and Huang Bingzhang.
- In August, several dozen leaders of the underground Catholic church in Tianshui, Gansu province, were detained and taken into custody.

We believe that the Chinese government has since September 2010 escalated the intensity and scale of its suppression of "unregistered" Catholic and Protestant churches. However, the severity of the persecution so far this year has not been as serious as we had expected, with the exception of the situation in Beijing. We believe the reasons for this is not "tolerance" or a "change of policy" by the Chinese government. We attribute it to the following:

1. Many churches have become more cautious and have chosen more secretive and more low-profile ways of operation, trying their best to avoid persecution.

2. Of those churches who have been persecuted, some are not willing to report their experiences to the outside world for fear of harsher persecution.

3. The Jasmine Revolution crackdown on dissent spread thin the government's resources.

4. The brave actions of Shouwang Church since April in defending their rights have made local governments more cautious in persecuting other house churches at this time, especially large house churches.

Of course, the outcome of Shouwang Church's struggle and the status of freedom of religion overall in the final two months of this year are hard to predict. For instance, a wave of persecution usually occurs around Christmas time.

In considering the situation of religious freedom over the past year, we can clearly see that the Chinese government severely and systematically violates religious freedom. Government orders to Three-Self churches and other religious organizations to join in concerts of praise to the Chinese Communist Party when the nation was marking the 90th anniversary of the founding of the Party clearly demonstrate that China's concept of religious freedom is in fact nothing more than the freedom to follow the Communist Party.

In this unsettling situation, however, we also see reason for hope. And that is because of the social, political and cultural effects produced by Shouwang Church's non-violent fight for its rights. This has demonstrated that China's house churches have become the backbone of efforts to promote freedom of religion, human rights and the rule of law and the cornerstone for the development of a civil society in China.

2. Serious deterioration of the rule of law: Rights lawyers and dissidents are "disappeared," imprisoned and tortured

Based on incomplete statistics, about 100 lawyers, rights activists and dissidents have been "disappeared," tortured, imprisoned and even sentenced to prison terms this year. This was not solely the result of this spring's Arab "Jasmine Revolution": as early as September 2010, the government had already begun a comprehensive suppression of house churches in connection with the Lausanne Congress on World Evangelization. China's 200 house church representatives to Lausanne were all persecuted to varying degrees, and all were barred from leaving the country and were unable to attend the conference. Then in October, after dissident Liu Xiaobo was awarded the Nobel Peace Prize, nearly 200 rights activists, political activists and well-known intellectuals were taken into custody, beaten, placed under house arrest, barred from leaving the country or subjected to other kinds of suppression.

The government ratcheted up its crackdown on dissent in response to the Jasmine Revolution. From February to July, more than 1,000 rights activists and dissidents across the country were "invited to drink tea and chat" with or were threatened by police or Domestic Security Protection agents.

The suppression of rights defense lawyers began in December 2010, when Christian constitutional law scholar Fan Yafeng was seized, imprisoned and tortured. Upon his release, he was put under house arrest, where he remains to this day. Thereafter, this model of disappearance, torture and house arrest that was first used on Gao Zhisheng and Chen Guangcheng, coupled with the crackdown during the Jasmine Revolution period, was widely applied to other Christians and rights activists and dissidents.

Between February and March this year, more than 30 rights lawyers disappeared. Some of the more well-known cases of disappearances and violence are listed here:

- In January, eight lawyers appearing in a court in Heilongjiang province were beaten up by police. One was a woman lawyer who was so badly beaten that she miscarried.
- On February 16, well-known Christian human rights lawyer Tang Jitian was kidnapped, and was held until early March, during which time he was tortured.
- On February 19, well-known law professor Teng Biao and Christian human rights lawyer Jiang Tianyong were kidnapped by police and disappeared. Jiang was held for 60 days,

during which he was tortured and subjected to brainwashing "education." Teng was held for 70 days, during which he was tortured.

- Also on Feb. 19, Li Tiantian, a well-known human rights lawyer in Shanghai, was apprehended by police and disappeared. She was released on May 24 after being tortured while in police custody.
- On April 29, well-known Christian human rights lawyer Li Fangping went missing. He was released five days later and had been tortured.
- On May 4, human rights lawyer Li Xiongbing disappeared. He was released more than 30 hours later after being tortured.
- Well-known Christian human rights lawyer Li Subin was also "disappeared" for more than 24 hours.

Then there is the case of blind rights activist Chen Guangcheng, who in 2005 exposed the 130,000 forced abortions and sterilizations performed in a single year by government family planning officials in Linyi, Shandong province. He was sentenced in 2006 to a four-year, three-month prison term, which he finished serving on Sept. 9, 2010. After he returned home, Chen and his wife were placed under house arrest by the local government, which mobilized nearly 100 people to guard the house round-the-clock. (Their address is East Shigu Village, Shuanghou Township, Yinan County, Linyi.) All forms of telecommunications to the house has been blocked and they were not allowed to go outside. They are totally dependent on relatives to deliver all their daily life needs. Chen and his wife, Yuan Weijing, were subjected to severe beatings three times: on February 8, the couple was so badly beaten that they were unable to move from their beds; on February 18, after they smuggled out to international contacts a videotape of Chen describing the circumstances of their confinement, the couple was savagely beaten again by dozens of people; on July 28, the couple was brutally beaten for four straight hours. It is possible that it was this last beating that led to unconfirmed reports that Chen had died. Both of the latter two beatings were carried out by people led by Shuanghou town mayor Zhang Jian.

Since January, everyone seeking to see Chen has been forcibly turned away. Last month, more than 100 people, including some well-known Chinese writers, tried to see him on five separate occasions. Each time they were barred from the village and violently attacked by stone-throwing mobs. For instance, on October 23, more than 30 people tried to visit Chen but were met by a gang of more than 300 people sent by the government who attacked the visitors, injuring every single one of them.

As early as October 4, 2005, when Chen was under house arrest, three well-known Christian human rights lawyers – Dr. Xu Zhiyong, Li Fangping and Li Subin – who traveled from Beijing to Linyi to see Chen were met at the entrance to the village by a group of people who beat them up. In 2006, when Chen was being sentenced, his defense lawyers were also taken into custody

and beaten. About the same time, famous Christian human rights lawyers Fan Yafeng, Gao Zhisheng, Zhao Xin and others launched the "Support Chen Guangcheng" campaign.

According to statistics compiled by Chinese Human Rights Defenders, by April 16 this year, 39 dissidents had been criminally detained. These are some of the more prominent cases:

- Liu Xiaobo's wife, Liu Xia, has been under house arrest since October 2010.
- In late 2010 or early 2011, well-known dissident writer Yu Jie was "disappeared." While in custody, he was so badly tortured that he nearly died several times and was taken to the hospital to save his life.
- On February 11, U.S. Ambassador John Huntsman went to visit well-known human rights lawyer Ni Yulan. On April 7, Ni and her husband were both criminally detained for "causing a disturbance."
- On February 14, Sichuan political activist Ran Yunfei was criminally detained for "inciting subversion of state power." He was released on August 9.
- On February 20, political activist Ding Mao of Mianyang city, Sichuan province, was criminally detained. On March 28, he was formally arrested for "inciting subversion of state power."
- On March 21, Beijing rights activist Wang Lihong was taken away by police for "creating a disturbance," and on Sept. 9 he was sentenced to a nine-month prison term.
- On April 3, the famous Beijing artist and dissident Ai Weiwei was taken away by police. He was released on bail on June 22. He very likely was tortured during his time in custody.
- On April 11, Zhu Yufu, a Christian dissident from Hangzhou, Zhejiang province, was formally arrested for "inciting subversion of state power."
- On April 14, 25-year-old right activist Zhang Yongpan of Jining city, Shandong province, disappeared. Zhang had been following the case of the three netizens' trial in Fujian province and supported in the rights defense case involving the murder case of village chief Qian Yunhui in Lequan county, Zhejiang province. Two weeks later, he was criminally detained for "creating a disturbance," and on May 13 was released on bail.
- Also, Zhang Dajun, the head of a Beijing NGO and a house church leader, was detained for days.

In addition to the above-mentioned cases showing the deterioration of the rule of law, the October 29 adoption of an amendment to the Resident Identity Card Law provides additional legal basis for this deterioration. It was perhaps because the government felt deeply encumbered by a number of legal provisions while engaged in its widespread suppression in the past year of house churches, political activists and dissidents that the Resident Identity Card Law was amended to say, "When citizens apply for, change or register their ID cards, they should be fingerprinted." This measure broadens the scope of the police's ability to investigate and expose citizens' private affairs. Furthermore, the amendments to Articles 38 and 39 of the Criminal

Procedure Law say that in the case of "crimes that endanger national security and terror crimes" subpoenas can be indefinitely extended and notification of family and relatives of an arrest or house arrest can be indefinitely delayed. This provides sufficient legal grounds for secret detentions and imprisonments. The well-known dissident Hu Jia considers these three amendments to be "KGB provisions."

Although the rule of law has deteriorated and China already is a police state, and despite the complete repression in China of the legal defense movement started by the house church Christian and constitutional law scholar Fan Yafeng, this rights defense model is still viable and is the most effective model for public non-violent civil disobedience. The fact that the Chinese government has adopted these two important legal amendments shows that using the law to defend citizens' rights is a very effective model. ChinaAid's legal aid work this year has expanded to helping some Christian dissidents, for example Ding Mao and Zhu Yufu.

Conclusion & Recommendation

For these reasons, the United States urgently needs to adjust and revise the religion and human rights components of its China policy. The Chinese government has expended great financial and human resources on a Chinese Bible exhibition that is touring the United States right now in an effort to convince the American people that freedom of religion exists in China. This shows that China's leaders care deeply about the attitude of the United States. And since the United State is China's most important trading partner, and foreign trade is a major source of the nation's growing prosperity, this naturally puts the United States in an advantageous position in the bilateral relationship, making it possible to adjust its China policy with little cost while attaining significant positive results quickly.

With regard to recommendations for the Administration and Congress for improving religious freedom and the rule of law, ChinaAid believes that the U.S. Commission on International Religious Freedom has many excellent policy recommendations which should be taken seriously by those interested in U.S.-China relations. We urge the CECC and members of Congress to help implement some of the recommendations of the U.S. Commission on International Religious Freedom because we believe these measures will make a difference in the way that human rights diplomacy is conducted with China, now and in the future.

.....

About ChinaAid's Founder and President:

Pastor "Bob" Xiqiu Fu is originally from Shandong province. He graduated from Shandong's Liaocheng Teachers College in foreign languages, holds a double bachelor's degree from People's University and the Institute of Foreign Relations, and taught at the Beijing Municipal

Communist Party School. In the United States, he earned a master's degree from Westminster Theological Seminary and is now working on his PhD.

Pastor Fu was persecuted while in college for taking part in the 1989 Tiananmen Square student democracy movement. The resulting sense of hopelessness led to a spiritual awakening, and Pastor Fu accepted the truth of the Bible and became a Christian passionate about spreading the Gospel. In 1996, when they were leaders of a house church of mainly college students, Pastor Fu and his wife were arrested and imprisoned for two months. They later escaped to the United States and in 2002 founded China Aid Association.

Pastor Fu and his ministry are highly regarded both by those in China and in the international arena. He is an expert on Christian persecution in China and religious freedom issues. He is frequently interviewed by media from around the world and has testified at U.S. congressional hearings and before the European Parliament and the United Nations. In his frequent travels, he has met with government officials in many countries and the leaders of Christian institutions, think thanks and other NGOs for extensive exchanges and cooperation. He is committed to promoting religious freedom, human rights and the rule of law in China.

Chairman ROS-LEHTINEN. Thank you very much, powerful testimony.

Mr. Kamm, welcome.

Mr. KAMM. Thank you, Chairman.

STATEMENT OF MR. JOHN KAMM, CHAIRMAN, THE DUI HUA FOUNDATION

Mr. KAMM. And I would like to commend you for holding this first-ever hearing on the report of the Congressional-Executive Commission on China. Thank you for inviting me.

On August the 30th, the National People's Congress posted on its Web site the text of a draft amended criminal procedure law. While it may be revised, it is expected to pass at the NPC meeting in March.

There are several positive aspects to the amended criminal procedure law. I would point to, for instance, better treatment for juvenile offenders and women in prison. However, in one very important aspect, the amended criminal procedure law represents a step backwards, a step in the wrong direction. And that is in the treatment of those suspected of endangering state security.

If passed, the draft amended criminal procedure law would complete a move underway for many years to create a dual track legal system: One for 99 percent of Chinese citizens suspected of committing crimes, rape, murder, and so on; and the other system for those suspected of committing crimes that threaten the Communist Party and the government's grip on power. And the most serious of those crimes, though by no means the only crime, is endangering state security.

Around the time that the CEEC report is issued, the Chinese Government, quite by coincidence I'm sure, releases statistics on the number of people arrested and indicted for endangering state security crimes in China as well as the number of trials.

What do these numbers tell us? Well, for the third consecutive year, more than 1,000 people have been arrested, indicted, and tried for endangering state security.

Now, in light of this high level of arrests and the virtual absence of any acts of clemency toward prisoners convicted of speech and association crimes, we now can say that there are more people in prison for committing political crimes than at any point since 1989. What can we say about these prisoners? First of all, more than half are ethnic minorities. I am basing this on a statement by the President of the High Court of Xinjiang. More than half of the state security trials in 2010 were held in Xinjiang. Seventy-five to eighty percent of endangering state security crimes are speech and association crimes. And the sentences are long. Acquittals are unheard of in these trials.

Now, in the 2 minutes remaining, I would just like to quickly trace the route of a typical endangering state security suspect through this separate legal system.

The new law provides for electronic monitoring of state security suspects. When they are detained, their families are rarely notified as this would "hinder the investigation." The new criminal procedure law allows for putting state security detainees in non-residential surveillance. The combination of non-notification of the family

and placement in a place other than the residence constitutes enforced disappearance under international law. Access to counsel is restricted. The case itself, the entire case, can be classified as a secret. And once that happens, the trial is closed, nor can there be any media coverage nor can even the family say anything about it.

After conviction, the convicts are sent into prison. In prison, they are classified as so-called important prisoners. There is a code on their uniforms that tells people, anyone who looks at it, that they are a political prisoner.

In prison, they almost never get sentence reductions nor paroles. We are not aware of a single case of a sentence reduction or parole in over 2 years for prisoners serving sentences for speech and association. After the sentence is complete, they have to serve a sentence of deprivation of political rights. And recently the Chinese Government has dusted off a long unknown set of regulations which allow for a special treatment during this period.

I would like to say one more thing about state security detainees. And that is, despite the efforts of the Commission and human rights groups represented here, we know less than 10 percent of their names. In other words, 90 percent of their names we don't know. We must continue to find their names and speak their names, remembering what Milan Kundera told us: That the struggle of man against power is the struggle of memory against forgetting.

Thank you, Chairman.

[The prepared statement of Mr. Kamm follows:]

Advancing rights through dialogue

MAIN: 450 Sutter Street, Suite 900 | San Francisco | CA 94108| USA
BRANCH: Room 701, The Centre Mark | 287 299 Queen's Road Central | HONG KONG
TEL: (415) 986-0536 FAX: (415) 986-0579 EMAIL: duihua@duihua.org

Separate and Unequal: State Security Detainees in China
Testimony to the Committee on Foreign Affairs of the House of Representatives

John Kamm
The Dui Hua Foundation

November 3, 2011

I commend the Chairman on holding this first-of-its-kind hearing on the annual report of the Congressional Executive Commission on China. I am honored to have been asked to testify on the same occasion as Congressman Christopher Smith and Senator Sherrod Brown, members of Congress who, by dint of hard work and deep passion, have kept human rights in the forefront of America's relations with China.

Every year in mid to late September, around the time the CECC releases its annual report, the Chinese government publishes statistics on how many people were arrested, indicted, and tried for endangering state security (hereafter ESS), China's most serious political crime. I am attaching to this statement graphs that map the trajectories of ESS arrests, indictments, and trials since 1998.

The numbers presented offer a rare official glimpse at the scale of the Party and government's efforts to suppress dissent. (Efforts to suppress unauthorized religious activities, petitioning, and protests are not included in these figures, though the same police who deal with dissent also handle the suppression of unauthorized religion and protest.) Because the numbers are published as the Commission's report is being finalized, they are not discussed in this year's or previous years' reports. I'd like to spend the time allotted to me to talk about what the numbers for 2010 tell us.

Last year, there were 1,045 people arrested in 424 cases of endangering state security, and 1,223 people indicted in 419 cases of endangering state security. Although the precise numbers for ESS arrests and indictments are released, the number of ESS trials is lumped together with crimes of dereliction of military duty. This latter crime is rare, accounting for less than one percent of trials in this category, so we can say with some confidence that there were around 670 ESS trials concluded in China in 2010.

This is the third consecutive year in which ESS arrests and indictments have exceeded 1,000. Given the number of arrests that have already taken place this year, more than 10,000 people have been arrested and indicted for ESS crimes since the current Criminal Law was enacted in 1997. The number of ESS trials recorded in 2010 is the second highest total since 1997.

Based on our analysis of sentencing trends, and the fact that there have been no known sentence reductions or paroles issued to those serving sentences for subversion and splittism (and their incitement), we have concluded that there are now more people serving sentences for political

offenses in China than at any time since 1989, the year of the Tiananmen Square crackdown. The majority of those arrested for endangering state security—perhaps as many as 75 percent—are suspected of committing speech and association crimes—subversion, splittism and incitement of subversion and splittism.

Once someone is identified as an ESS suspect, he or she receives very different treatment from most other suspects. After an ESS suspect is detained by the political police—officers of the political security bureau of the Ministry of Public Security or subordinate bureaus of the State Security Ministry—he or she is brought to a detention center. Family members are often not advised of the reasons for the detention as doing so "might hinder the investigation." The proposed revision of the Criminal Procedure Law would make it possible for an ESS detainee to be placed under so-called "residential surveillance" for a period of six months in a location that is not the detainee's residence. The combination of residential surveillance in a place other than one's own residence and a lack of official notification to the detainee's family fits the definition of "enforced disappearance."

Public security and state security bureaus handling ESS cases can apply to their superiors to classify an ESS case as a state secret. Once a case is classified a state secret there can be no mention of it in the media, and even family members who learn about details of the case are prohibited from revealing them to anyone. Classified ESS cases are tried in closed courts. (In recent years foreign citizens tried for ESS crimes have been tried in closed courts that bar the entry of consular representatives in contravention of consular agreements and past practice. American representatives were barred from attending the trial of Dr. Xue Feng, one of two Americans presently serving sentences for ESS crimes in China.)

The proposed amended Criminal Procedure Law grants lawyers greater access to detainees, but makes an exception for those detained for ESS, terrorism, and major crimes of corruption. For such cases, lawyers must apply to the investigators for permission to meet their clients. In practice, permission is often denied.

ESS cases tried in Chinese courts rarely result in acquittals. Of 105 people tried for ESS in Sichuan Province during the 10-year period from 1996 through 2005, only one was acquitted. Moreover, according to official adjudication statistics made available for 2002 and 2004, ESS convictions carry heavier sentences than all other classes of crime: more than 50 percent are sentenced to prison terms of five years or more.

In recent years, and especially after 2008, the majority of defendants in ESS trials have been members of China's national minorities. The situation is especially grim for Uyghurs and Tibetans. In January 2011 the president of the Xinjiang High People's Court revealed that there were 376 ESS trials in Xinjiang in 2010. Included in this number are appeals, but even so we can safely conclude that roughly half of all ESS trials in China took place in Xinjiang last year. Of the 36 trials recorded in Dui Hua's database for 2010, only three involve Han Chinese.

Once those convicted of ESS enter prison they are designated "important prisoners" subject to closer monitoring and reporting than "ordinary prisoners." When it comes to sentence reduction and parole, ESS prisoners are subjected to "strict handling," resulting in clemency rates far lower

than those for the general population. Discrimination takes place at every step of the process by which prison authorities judge ESS prisoners. We are not aware of a single sentence reduction or parole issued to a prisoner serving a sentence for subversion, splittism or incitement since September 2009.

All ESS prisoners who complete their sentences are subject to a supplemental sentence of "deprivation of political rights" ranging from one to five years. DPR means they cannot vote, cannot stand for office and cannot hold a position in a state-owned company. They are prohibited from writing articles or giving interviews. Not long ago, released ESS prisoners could spend their DPR sentences at home. Now the police are using a little known set of regulations issued in 1995—Provisions for the Management and Supervision of Criminals Subject to Public Surveillance, Deprivation of Political Rights, Suspended Sentences, Parole, or Medical Parole by Public Security Organs—to take measures against recently released prisoners, subjecting them to house arrest (as with Hu Jia) and enforced disappearance (as with Hada and Gao Zhisheng).

Presumably, after all sentences have been complete the prisoner is free to resume his or her normal life. Unfortunately, as we have seen in the case of blind lawyer Chen Guangcheng, that is sometimes not the case. Recently released ESS prisoners become part of "the targeted population," a police term used to describe what might be called "the usual suspects." A political crime committed in the neighborhood—mailing an anonymous letter, putting up a poster criticizing a government policy or official—invites that midnight knock on the door, and quite possibly those first steps down the path to another long sentence in a Chinese prison.

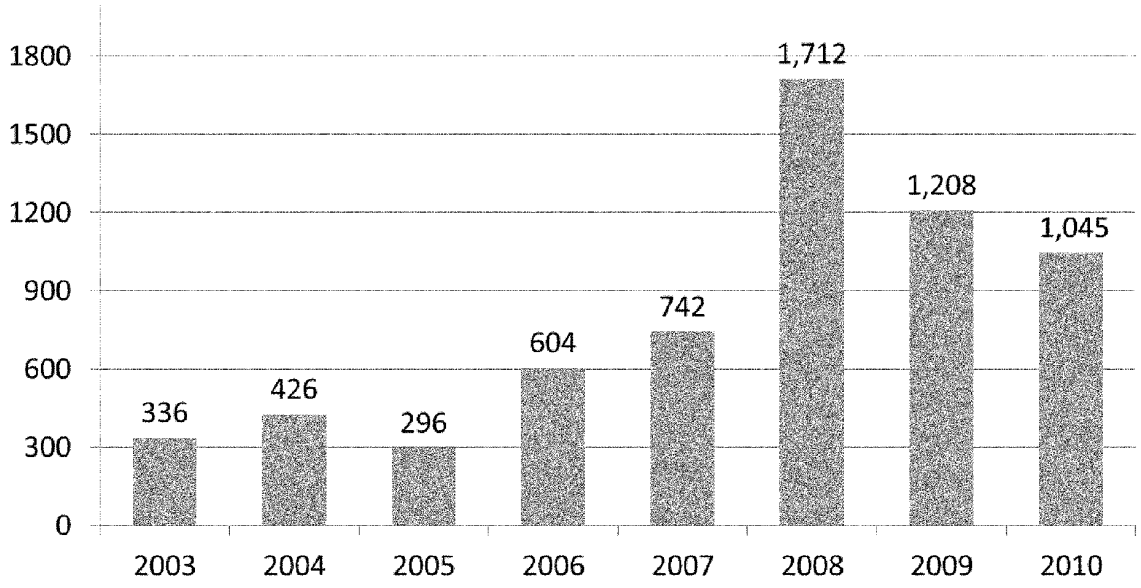
China has for many years worked to establish a dual-track justice system, one for more than 99 percent of its citizens, and one for the rest, a group that the Party sees as threatening its hold on power. This group includes those who come together and speak out against one-party rule, those who attend house churches and practice banned religions, and those who organize so-called "mass incidents." Despite its many improvements—among them better treatment of at-risk detainees including juveniles, women, and individuals assigned to psychiatric detention centers—the amended CPL's treatment of ESS detainees brings closer the completion of this dual-track system. ESS detainees are increasingly treated as a group apart, a group to whom basic rights are denied.

There is one other fact about ESS prisoners I'd like the Committee to consider: despite the hard work of the CECC and groups like Dui Hua, we know less than 10 percent of the names of people arrested for endangering state security in China. In this sense, more than 90 percent of ESS detainees have effectively been disappeared.

Knowing so little about those we are trying to help, those in China and abroad who seek justice for individuals imprisoned for exercising their internationally recognized human rights are hindered. Yet, with this Committee's support and firm commitment to the freedom and dignity of the individual, we continue searching for those whose names must be spoken and remembered, mindful of what Milan Kundera told us, that the struggle of man against power is the struggle of memory against forgetting.

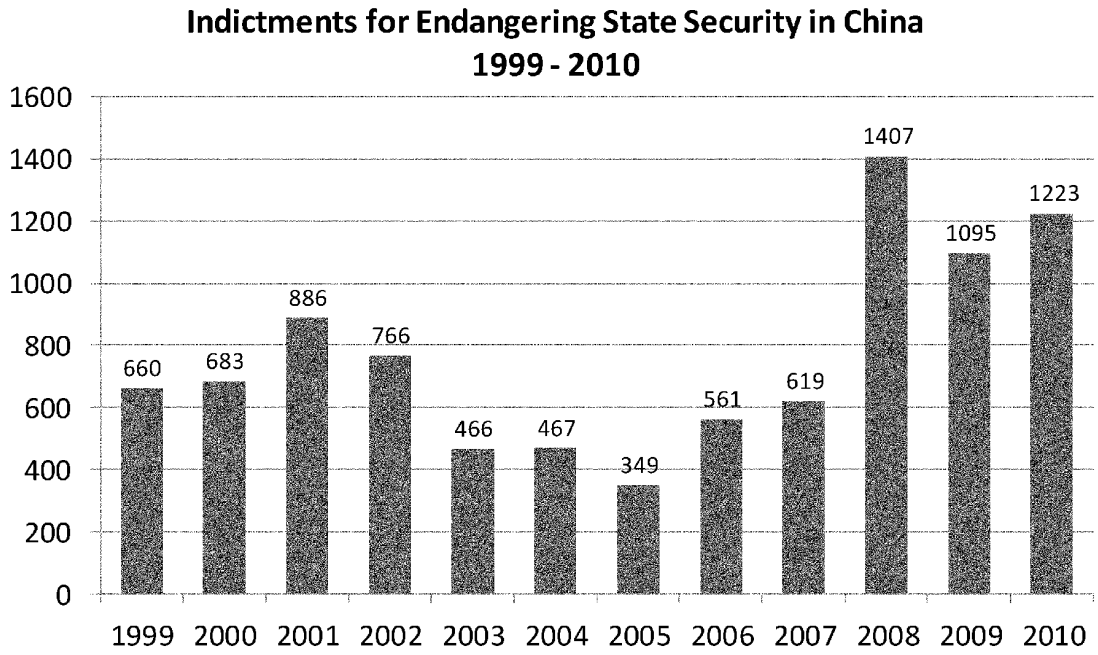
Thank you.

ESS Arrests Still High



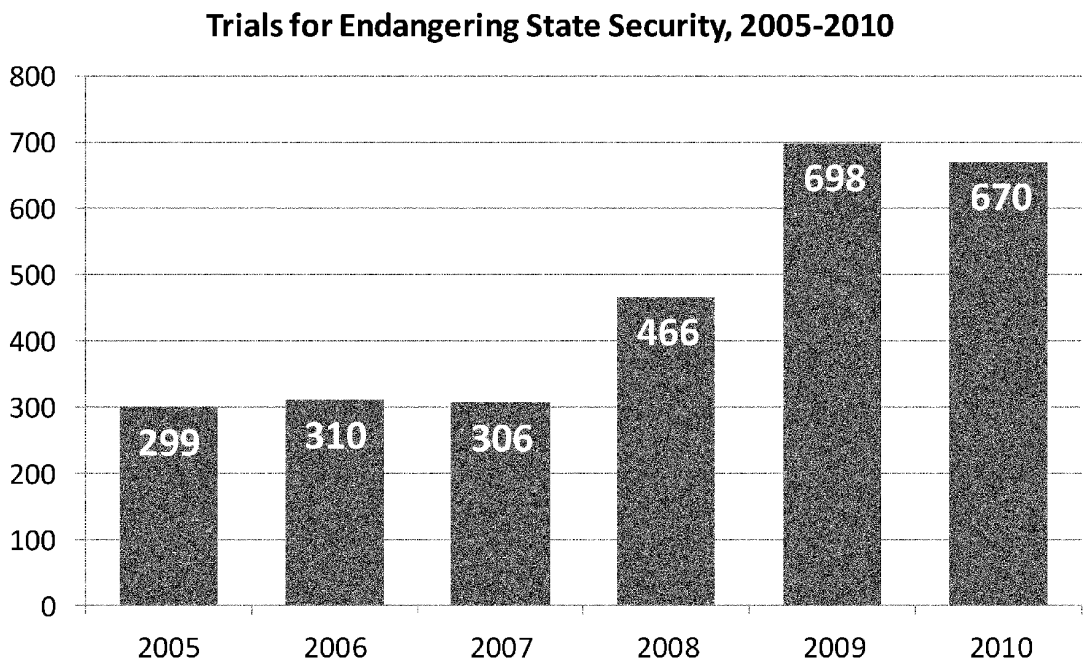
Source: *China Law Year Book*, 2004 - 2011

ESS Indictments



Source: *China Law Year Book*, 2000–2011

Rise in ESS Trials



Source: *China Law Year Book*, 2006 - 2011

Chairman ROS-LEHTINEN. Powerful statement. Thank you so much. I had forgotten that statement. Say that again.

Mr. KAMM. Excuse me?

Chairman ROS-LEHTINEN. Give me that phrase again.

Mr. KAMM. Oh, yes. The struggle of man against power is the struggle of memory against forgetting.

Chairman ROS-LEHTINEN. Thank you. Thank you so much.

Mr. Bhuchung Tsering?

STATEMENT OF MR. BHUCHUNG K. TSERING, VICE PRESIDENT FOR SPECIAL PROGRAMS, INTERNATIONAL CAMPAIGN FOR TIBET

Mr. TSERING. Thank you, Madam Chairman, Congressman Berman, and members of the committee.

Chairman ROS-LEHTINEN. Hold that a little bit closer to your mouth.

Mr. TSERING. This hearing comes at a critical juncture in the modern history of Tibet. As, Madam Chairman, you yourself referred, Tibetans in unprecedented numbers have started resorting in their despair and some would say in their extraordinary courage and conviction to the most extreme form of protest imaginable: Self-immolation. Just today we received news of another Tibetan who committed self-immolation and who has died as a result of it.

We value the work of the CECC and commend its annual report, not only for its rigor of its reporting but also for the breadth of its scope.

I would like to comment on the CECC's report by linking it to what is happening with Tibetans in Tibet today. With today's development, 12 Tibetans have self-immolated since March 2009 and 11 since March of this year. All but three of these were from the Kirti Monastery in Ngaba, a Tibetan region in Eastern Tibet.

Why are these young Tibetans resorting to such grave actions? And why are they mostly clustered around Kirti Monastery? Much of the answers can be found in the annual report of the CECC. It talks of very many religious restrictions in Tibet today, including a rigorous campaign to discredit His Holiness the Dalai Lama.

Similarly, the report highlights the fact that nine of ten Tibetan autonomous prefectural governments have issued or drafted regulatory measures to restrict religious actuators. On top of these restrictions, specifically the Ngaba region has been subjected to a severe security crackdown since the pan-Tibetan demonstrations of 2008.

Although the recent developments have drawn attention to Eastern Tibetan areas, the fact is that all over Tibet, the Tibetan people are experiencing a tense atmosphere. A climate of fear pervades in all Tibetan areas because of the misguided policies of the Chinese Government.

The timing of today's hearing is propitious. This afternoon, the elected head of the Central Tibetan Administration in Dharamsala, Dr. Lobsang Sangay, will be testifying before the Tom Lantos Human Rights Commission. Since the Dalai Lama relinquished his political role, the Kalon Tripa, as Dr. Sangay's position is called, has assumed a much more important role. Dr. Sangay will also be joined by Kirti Rinpoche, the spiritual head of the Kirti Monastic

community, where much of these immolations have taken place. And I urge members and all of you to attend this afternoon's hearing.

I would also like to request that the text of the testimonies of Dr. Sangay and Kirti Rinpoche be inserted in the record.

As Members of Congress deal with the recommendation of today's hearing, we would like to support all recommendations. Specifically we would also like to add three more recommendations based on our perception: First, update and strengthen the Tibetan Policy Act.

The Tibetan Policy Act of 2002 is a comprehensive and pragmatic expression of congressional support for the Tibetan people. We urge the committee to explore further ways to strengthen the Act to take into account new developments in Tibetan politics, including development inside Tibet.

Given Congress' longstanding promotion of international religious freedom, the committee should explore whether the Tibetan Policy Act can be used to clarify U.S. policy on the succession or reincarnation of the Dalai Lama and issues that might have much consequences in the coming period. That act can also be updated to include legislature authorization and policy guidance for assistance for Tibetan refugee settlements.

Second, promotion of the Tibetan-Chinese dialogue. The Congress should continue to send the strong message to China that it supports His Holiness the Dalai Lama's initiative for a solution to the Tibetan issue through dialogue. And many Members of Congress have referred to this issue.

Third, restrictions on Chinese delegations from or about Tibet. The State Department reports that three-quarters of diplomats' requests to visit Tibetan areas are denied by the Chinese Government.

On the other hand, here in the United States, Tibetan Americans are subjected to a racially discriminatory process when they apply for visas at the Chinese Embassy and consulates. And many of them do not get permission even after that. However, China is freely able to send delegations to the United States to denounce His Holiness the Dalai Lama and to spread its propaganda about Tibet.

The Congress should look for ways to impose restrictions in a situation where the Chinese Government is not respecting the diplomatic principle of reciprocity. As an example, the State Department could be asked to deny visas to those people who had been involved with the current ongoing crackdown in Kirti Monastery and to get an explanation of the pretext or conditions under which monks have been removed and their current whereabouts.

In conclusion, I once again appreciate the opportunity to testify here today and welcome the committee's examination of the human rights in China and Tibet through its oversight of the CECC report.

Thank you, ma'am.

[The prepared statement of Mr. Tsering follows:]

Testimony of
Bhuchung K. Tsering
Vice President for Special Programs at the
International Campaign for Tibet
before the
House Committee on Foreign Affairs hearing on the
Congressional-Executive Commission on China: 2011 Annual Report

November 3, 2011

Madam Chairman, Congressman Berman, and Members of the Committee. I thank you for this opportunity to testify on the Tibet aspects of the annual report of the Congressional-Executive Commission on China (CECC).

This hearing comes at a critical juncture in the modern history of Tibet. Tibetans in unprecedented numbers have started resorting in their despair – and some would say in their extraordinary courage and conviction – to the most extreme form of protest imaginable: self-immolation.

We value the work of the CECC and commend the annual report not only for the rigor of its reporting, but also for the breadth of its scope. The CECC provides a valuable service in covering a wide spectrum of human rights abuses committed by Chinese authorities in Tibet: from threats to the Tibetan language to political imprisonment; from the steady eradication of the Tibetan nomadic lifestyle to regulations to exert control over Tibetan Buddhism; from harassing, detaining and imprisoning writers to jailing Tibetans who came to the aid of monks who had burned themselves. I would like to comment on the CECC report by linking it to what is happening with Tibetans in Tibet today.

On October 25, Dawa Tsering, a monk in his thirties from Kardze Monastery in Eastern Tibet (Kardze (Chinese: Ganzi) Tibetan Autonomous Prefecture), set fire to himself, thus becoming the 11th Tibetan to have self-immolated since March 2009, and the tenth since March of this year. All but two of these were from the Kirti Monastery in Ngaba, a Tibetan region in Eastern Tibet.

Why are these young Tibetans resorting to such grave actions? And why are they mostly clustered around Kirti Monastery? To find possible reasons for these ongoing tragic developments, I recently spent some time looking through reports from the area around Ngaba over the past year.

Simply put, much of the answers can be found in the latest annual report of the CECC. The report says, "During the past year, the Chinese government and Communist Party continued the campaign to discredit the Dalai Lama as a religious leader and expanded government and Party control over Tibetan Buddhism to impose what officials describe as the "normal order" of the religion." Similarly, the report highlights the fact that 9 of 10 Tibetan autonomous prefectural governments issued or drafted regulatory measures that increase substantially state infringement of freedom of religion in Tibetan Buddhist monasteries and nunneries. These are clearly the basis for Tibetan grievances.

On top of these religious restrictions, Ngaba has been subject to a severe security crackdown since the pan-Tibetan demonstrations in March 2008. That same month, a 16-year-old schoolgirl,

Lhundup Tso, was shot dead when Chinese police opened fire on unarmed Tibetans who had joined a protest following a prayer session at Kirti monastery. Following the recent acts of self-immolation, the crackdown has only intensified, as evidenced by a recent secret video taken by foreign journalists, which showed a smothering armed security presence on the main street of Ngaba.

Although the recent developments have drawn our attention to eastern Tibetan areas, the fact is that all over Tibet the Tibetan people are experiencing a tense atmosphere. A climate of fear pervades in all Tibetan areas on account of misguided policies of the Chinese government. These policies are well documented by the CECC report and are consistent with research done by the International Campaign for Tibet.

The CECC report also clearly highlights another factor for Tibetan grievances, namely China's insistence on wholly dominating all aspects of Tibetan culture and identity, and the lack of any positive outcome on negotiations with the envoys of His Holiness the Dalai Lama.

The timing of today's hearing is propitious. At 2:00 this afternoon, the elected head of the Central Tibetan Administration in Dharamsala, India, Dr. Lobsang Sangay, will be testifying before the Tom Lantos Human Rights Commission. Since the Dalai Lama relinquished his political role in the Tibetan government in exile, the Kalon Tripa, as Dr. Sangay's position is called, has assumed a more important role. I urge members and all of you to attend this afternoon's hearing. Also testifying at the hearing is Kirti Rinpoche, the spiritual head of the Kirti Monastic community, who will speak to the conditions in which these tragic acts of self-immolation have occurred.

As Members of Congress consider policy toward China and Tibet, the International Campaign for Tibet lends its support to the recommendations on Tibet contained in the CECC's report. I would like to highlight the recommendation calling for "increased support for U.S. non-governmental organizations to develop programs that can assist Tibetans to increase their capacity" in the areas of cultural preservation, environmental protection and sustainable development. The U.S. Agency for International Development currently operates a small but effective grant program that aids marginalized communities on the Tibetan plateau, operated by The Bridge Fund and other groups. Continued Congressional support for this valuable initiative is needed and appreciated.

In addition, we would like to offer some select policy recommendations to the Committee:

1. Update and strengthen the Tibetan Policy Act.
The Tibetan Policy Act of 2002 is a comprehensive and pragmatic expression of Congressional support for the Tibetan people. We urge the Committee to explore further ways to strengthen the Act to take into account new developments in Tibetan politics. The Tibetan exile community, under the wisdom of the Dalai Lama, has fully developed democratic self-governance. Given the pro-democracy upheavals in the Middle East and North Africa, and the intensive reaction of the Chinese government to suppress anything similar at home, U.S. policy-makers should reflect on the Tibetans' democratic achievement, assess what it means for change inside China, and consider enhancing its relationship with the Central Tibetan Administration.

Moreover, given the Congress' long-standing promotion of international religious freedom, the Committee should explore whether the Tibetan Policy Act can be used to clarify U.S. policy on the succession or reincarnation of the next Dalai Lama, for which the officially atheist Chinese government is attempting to claim exclusive authority.

Lastly, the Tibetan Policy Act can be updated to include legislative authorization and policy guidance for assistance for Tibetan refugee settlements in the Indian subcontinent, much as the Act already provides policy principles for support of development projects in Tibet.

The Committee has already taken a positive step in this direction. In June of this year, the Committee held an oversight hearing on the Tibetan Policy Act of 2002; I refer you to the testimony of ICT's Chairman of the Board, Richard Gere, for several recommendations. Subsequently, the Committee approved H.R. 2583, the Foreign Relations Authorization Act, which contained several amendments to the Tibetan Policy Act, including a measure to authorize a U.S. consulate in Lhasa, Tibet.

2. Promotion of the Tibetan-Chinese Dialogue.
The Congress should continue to send the strong message to China that it supports His Holiness the Dalai Lama's initiative for a solution to the Tibetan issue through dialogue with the Chinese leadership. On October 12, 2011, Dr. Lobsang Sangay issued a statement in which he reiterated his "firm commitment in finding a mutually acceptable solution in the spirit of the Middle-Way Approach." He further said, "I have therefore asked the two envoys of His Holiness the Dalai Lama to make efforts to resume the dialogue at the earliest convenience." Since January 2010 there have not been another round of dialogue between the two sides.

Similarly, it has been four and half years since the US Special Coordinator for Tibetan Issues has testified to Congress on the state of the dialogue between the Chinese government and the envoys of the Dalai Lama. Special Coordinator and Under Secretary of State Maria Otero should be invited to offer the U.S. government's position, along with Special Envoy of His Holiness the Dalai Lama Lodi Gyari to offer his perspective, as has been done in the past.

Such a hearing would also provide the Committee with the opportunity to conduct oversight of the Special Coordinator's office, including whether it has sufficient resources and staff to carry out the responsibilities as laid out in the Tibetan Policy Act.

3. Restrictions on Chinese delegations from or about Tibet.
The State Department reports that three-quarters of diplomats' requests to visit Tibetan areas are denied, and all foreign visitors are required to get a special permit to visit the Tibet Autonomous Region. Here in the United States, Tibetan Americans are subjected to a racially discriminatory process when they apply for visas at the Chinese Embassy and consulates and even then many do not get permission to visit Tibet. However, China is freely able to send delegations to the United States to denounce His Holiness the Dalai Lama and to spread its propaganda about Tibet. The Congress should look for ways to impose restrictions in a situation where the Chinese government is not respecting the diplomatic principle of reciprocity. As an example, the State Department could be asked to deny visas to relevant officials until authorities provide a full accounting of the forcible removal of monks from Kirti monastery, including an explanation of the pretext or conditions under which monks were removed and their current whereabouts.

In conclusion, I once again appreciate the opportunity to testify today and welcome the Committee's examination of the human rights in China and Tibet through its oversight of the CECC annual report.

Chairman ROS-LEHTINEN. Thank you very much. Thank you for testifying.

Dr. Richardson, you are now recognized.

STATEMENT OF SOPHIE RICHARDSON, PH.D., CHINA DIRECTOR, HUMAN RIGHTS WATCH

Ms. RICHARDSON. Thank you very much for having us, as always, to members of the committee, also to the CECC for producing another excellent report, and to my distinguished co-panelists.

I was asked this morning to speak specifically about policy recommendations, although I strongly share many of the concerns that have been articulated, particularly about the immolations. So I would like to focus on four particular issues.

First, I think there has never been a point in time when it is so clear that the securing of U.S. interests, broadly speaking, in China has a considerable bearing on securing human rights and the rule of law there. Given that, the U.S. needs to raise these concerns through diverse and coordinated actors, not just the usual suspects of the State Department.

Doing so is more likely to produce results because it will address a broader spectrum of Chinese officials and indicate a seriousness of purpose by the U.S. While we do see more diverse agency representation in the bilateral human rights dialogue and the strategic and economic dialogue, that participation is not being put to discernible use between meetings. Nor are all of the relevant agencies given the opportunity and urged to assume an obligation to discuss human rights issues.

Nearly 3 years into this administration, there is still no functional interagency working group on human rights issues that could coordinate such an effort, and critical opportunities are being missed as a result.

We also continue to see cabinet members visit Beijing or receive their counterparts and fail to raise human rights issues. Attorney General Eric Holder is a laudable exception. There is a human rights issue in China for every U.S. agency and for every cabinet member. They must be tasked with raising those issues in every interaction with their Chinese counterparts. I think we should imagine what the world would be like if Mr. Smith got to sit in on every high-level interaction with the Chinese Government.

Second, we cannot emphasize enough how much continuity matters when speaking about human rights issues with the Chinese Government. They are as attuned to what goes unsaid from one meeting to the next as they are to what is said or what is said differently and are eager for an opportunity to suggest that the U.S. has softened its stance.

This administration initially turned in a distressingly weak performance on these issues, found its voice in late 2010, but now seems to be fading again. Secretary Clinton's January 2011 speech and former Ambassador Huntsman's strong and unapologetic remarks on human rights are fundamentally undermined when Vice President Biden and Ambassador Locke in September 2011 not only offer softer remarks but go so far as to suggest that the Chinese and the American people, not governments, have different views on human rights.

It is equally unhelpful that many American officials continue to raise human rights following a disclaimer that it is a topic about which the two sides will disagree. In fact, there is strong popular support inside China for universal human rights. Simply put, the U.S. needs to get and stay on message.

Third, American officials do themselves and human rights defenders in China little good when they merely say publicly that human rights were discussed with the Chinese Government, period, full stop, with no details.

A statement just last week exemplifies this problem, "The two sides also discussed the South China Sea and human rights." But what got discussed? Individual cases? Broader trends? The costs the U.S. would impose for noncompliance or regression? And what was the outcome? An account of topics discussed and outcomes not only serve to underscore U.S. concerns but enables other actors to amplify the message and judge progress or obstacles.

Assistant Secretary Posner helped buck this trend when he spoke publicly after the last round in Beijing of the bilateral human rights dialogue, describing the Chinese Government's responses to queries about individual cases as "having given no comfort."

Finally, while it is appropriate that the U.S. focuses some of its human rights diplomacy on the Chinese Government, this should not be to the exclusion of efforts directed at a much larger Chinese audience and at independent voices. The U.S. should put social media to better use, particularly by making very senior officials available regularly to communicate with people in China and do a better job of listening to and acknowledging a far broader audience, rather than placing the views of a decidedly unrepresentative government at the center of its thinking.

President Obama should meet with former Chinese, Tibetan, and Uyghur political prisoners, as many people on this committee have, and publicly praise the countless acts of bravery against arbitrary rule that take place every day. U.S. officials manage in nearly every speech to reassure the Chinese Government that the U.S. "welcomes a strong and prosperous and successful China." Could those officials not offer comparable words of appreciation for those who are doing and risking the most to actually affect the rule of law, greater transparency, and decent governance? Short of having the Chinese Government react constructively to their concerns, what could be more empowering to those who struggle for what the U.S. says it wants in China than hearing the U.S. raise their concerns about human rights?

Even the most determined U.S. policy on these issues may not yield immediate change from or with the Chinese Government, but long term, the messages will be absorbed and not least will immediately encourage those who are fighting every day here and now to protect their rights.

Thank you.

[The prepared statement of Ms. Richardson follows:]

Testimony of Sophie Richardson,
China Director,
Human Rights Watch:

House Committee on Foreign Affairs
November 3, 2011

**"Congressional Executive Commission on China:
2011 Annual Report"**

Chairman Ros-Lehtinen, ranking member Berman, members of the Committee,

Human Rights Watch would first like to express its thanks to the Committee for holding this timely hearing; a focus on human rights abuses in China is very welcome. We also wish to extend our congratulations to the Congressional Executive Commission on China for another excellent annual report.

2011 has indeed been a difficult year for human rights and human rights defenders in China. Unnerved by the "Arab Spring" uprisings, and with much of the world's attention focused on the Middle East, the Chinese government cracked down on dissent to an extent we have not seen in over a decade. The authorities also strengthened internet and press censorship, put under surveillance and restricted the activities of many critics, and took the unprecedented step of rounding up over thirty of them, disappearing them for weeks.

More broadly, the Chinese government continues to restrict the freedoms of expression, association, and religion; profoundly politicize the judiciary; and shows no sign of altering its repressive policies in ethnic minority areas. It justifies such measures on the grounds of maintaining "social stability" and achieving a "harmonious society," and has radically empowered the domestic security apparatus to achieve those objectives.

A growing number of people in China—some who would identify themselves as dissidents or human rights defenders, many others who think of themselves as ordinary citizens—are highly aware of their rights and are demanding greater respect for them. Official and scholarly statistics estimate that 250-500 protests occur per day; participants number from ten to tens of thousands.

Successive American administrations have pledged repeatedly that the promotion of human rights in China remains at the core of US policy towards that country; the current administration is no exception. But now more than ever before, securing a host of US interests in China is inextricably linked to securing human rights and the rule of law there. American consumers remain at risk until the Chinese government unshackles the domestic press to report on substandard products. Achieving US goals on climate change are not simply predicated on China embracing technological changes, but also on China listening to—rather than persecuting—environmental activists. And the full spectrum of American

interests in China is chronically in jeopardy so long as that government maintains its chokehold on the mass media and the legal system. Quite simply, advancing US interests requires progress on human rights in China.

Too often we hear American and other governments' officials question the efficacy of pressuring the Chinese government over its appalling human rights record. But why did authorities release Ai Weiwei, the internationally-known artist who was "disappeared" for 80 days, just prior to a Chinese leadership visit to Europe, where outrage over Ai's treatment was particularly visceral? Why did the authorities finally relent and allow the six-year-old daughter of Chen Guangcheng, a legal activist still held under house arrest, to attend school after domestic protest over the family's treatment grew louder? Because the Chinese government remains susceptible to domestic and international pressure, despite the hype surrounding its role as world banker. When hundreds of ordinary Chinese citizens demonstrate extraordinary courage to try to visit Chen at his home in Shandong province, the right question to ask is not, "Does pressure work?" but rather, "How best can the US assist in those efforts to secure human rights?"

With this in mind, we offer four broad recommendations:

First, given the broadly-held stakes in securing better human rights protections in China, the US needs to raise these concerns through diverse and coordinated actors, not just the "usual suspects" at the State Department. Doing so is more likely to produce results because it will address a broader spectrum of Chinese officials, and indicate a seriousness of purpose by the US. While we see more diverse agency representation in the bilateral human rights dialogue and the Strategic and Economic Dialogue, that participation is not being put to discernible use for human rights purposes between meetings. Nor are all of the relevant agencies given the opportunity—and urged to assume an obligation—to discuss the human rights dimensions of everything from drug inspections to land tenure to whom the Chinese government designates as a "terrorist." Nearly three years into this administration, there is still no functional interagency working group on human rights that could coordinate such efforts, and important opportunities to defend rights are being missed as a result. Moreover, we continue to see cabinet members visit Beijing or receive their official counterparts and fail to raise human rights issues; Attorney General Eric Holder's October 2010 public remarks about Liu Xiaobo are a laudable exception. There is a human rights issue in China for every US agency and every cabinet member; they must be tasked with raising those issues in every interaction with their official Chinese counterparts.

Second, we cannot emphasize enough how much continuity matters when speaking about human rights issues with the Chinese government. That government is as attuned to what goes unsaid from one meeting to the next as it is to what is said, or what is said differently, and is eager for the opportunity to suggest that the US has decided to pull its punches. This administration initially turned in a distressingly weak performance on China and human rights issues, found its voice and courage in late 2010—offering up some extremely strong views particularly in Secretary Clinton's January 2011 speech—but now seems to be fading again. We are encouraged when we hear Deputy Secretary Burns emphasize in October 2011 the universality of human rights in China but discouraged when President Obama appears to espouse the idea of "different traditions" of human rights in January 2011. Secretary Clinton's and then-Ambassador Huntsman's strong and unapologetic remarks on human rights are fundamentally undermined when Vice President Biden and Ambassador Locke not only offer softer remarks but go so far as to suggest that Chinese and American people—not governments—have different views on human rights. We hope Ambassador Locke will uphold the standard set by former Ambassador Huntsman, who was particularly effective on human rights issues. It is equally unhelpful that many American officials continue to raise human rights following a disclaimer that it is a topic about which the two sides will disagree. In fact, there is strong support inside China for universal human rights, and the US should be focused on overcoming the political circumstances that restrict rights and honest discussion about rights in China. Simply put, American officials need to get—and stay—on message.

Third, American officials do themselves and human rights defenders in China little good when they merely say publicly that human rights were discussed with Chinese government officials—period, full stop, with no further details. A statement just last week included an example: "The two sides also discussed the South China Sea and human rights." But what got discussed—individual cases? Broader trends? What costs the US would impose for non-compliance? And what was the outcome? An account of topics discussed and outcomes not only serves to underscore US concerns but enables other actors to amplify the message and judge progress or obstacles. Assistant Secretary Posner helped buck this trend when he spoke publicly after the last round in Beijing of the bilateral human rights dialogue, describing the Chinese government's responses to queries about individual cases as having "given no comfort."

Finally, while it is appropriate that the US focuses some of its human rights diplomacy on the Chinese government, this should not be to the exclusion of efforts directed at a much larger Chinese audience and at independent voices. We appreciate the US's efforts to make information available in Chinese, and to communicate with Chinese citizens through *weibo* (microblogs) and other electronic media. But still-greater use of those media is essential,

particularly by making very senior officials available regularly to communicate with people in China, simply to demonstrate the normalcy of doing so. Conversely, the US needs to do a better job of listening to a far broader audience rather than placing the views of a decidedly unrepresentative government at the center of its thinking. President Obama should meet with former Chinese, Tibetan, and Uighur political prisoners—as many on the committee have done—and find ways to publicly praise the countless acts of bravery against arbitrary rule that take place every day. US officials manage in nearly every speech to reassure the Chinese government that the US "welcome[s] a strong and prosperous and successful China that also plays a greater role in world affairs." Could those officials not offer comparable words of appreciation for those who are doing—and risking—the most to actually effect the rule of law, greater transparency, and decent governance? Short of having the Chinese government react constructively to their concerns, what could be more empowering to those who struggle for what the US says it wants in China than hearing the US raise their concerns about human rights?

In addition to these suggestions, we offer these discrete recommendations:

- Urge that Secretary Clinton raise with her Chinese counterparts at the highest levels the need for the Chinese government to resume dialogue with the Dalai Lama and Tibetan government representatives in response to the ongoing crisis around the Kirti monastery. In addition, and in light of the fact that Kalon Tripa Lobsang Sangay—the head of the Tibetan government in exile—has been elected through a process considerably more democratic and transparent than the selection of any PRC leader, the US government should receive him at senior levels.
- Devote as much or more attention in public and private remarks to human rights abuses inside China when current Vice President Xi Jinping makes his first major visit to the US in 2012, as the US did during President Hu Jintao's January 2011 state visit.
- Maintain funding not only for Tibetan language programs for RFA and VOA, but also for the Mandarin, Cantonese, and Uighur services; these are irreplaceable means of transmitting information into and out of all regions of China.
- Stress, when seeking cooperation with China on counterterrorism efforts, that the threat of terrorism cannot be an excuse to persecute or curtail the human rights protections of specific ethnic groups.
- Regularly summon members of the American business community to discuss their operations inside China to ensure that those do not run counter to efforts to promote human rights.

- Continue to push for diplomats, journalists, United Nations special rapporteurs, and independent human rights groups to have access to parts of the country where it is restricted.
- Consider tabling a resolution on China's human rights record at the United Nations Human Rights Council.
- Commit to reiterating on December 10, 2012, the US's call for 2011 Nobel Peace Prize winner Liu Xiaobo, his wife, Liu Xia, and all others arbitrarily held in China to be freed.

Even the most determined US policy on these issues may not yield immediate change inside the Chinese government. But long term, the message will be absorbed, and not least it will immediately encourage those who are fighting every day to protect their rights.

Thank you.

Chairman ROS-LEHTINEN. Thank you so much. Good policy recommendations.

I will ask the first questions. I wanted to talk about the one-child policy. And Ms. Ling can answer or anyone else. You had pointed and we saw the photo of what had happened in one family's struggle just a few weeks ago. And in the report, they highlight one case, a similar case, in October of last year, where local family planning officials in southern China kidnapped a woman.

Ms. LING. Yes.

Chairman ROS-LEHTINEN. She was 8 months pregnant——

Ms. LING. Yes.

Chairman ROS-LEHTINEN [continuing]. With her second child. They detained her for 40 hours——

Ms. LING. Yes.

Chairman ROS-LEHTINEN [continuing]. Forcibly injected her with a substance that caused the fetus to be aborted. And during that time, the husband was not permitted to see her. And I wanted to ask you, how widespread are such coercive practices, the example that you showed us, the many examples in the report?

And related to that, the population statistics, as you point out, clearly indicate a growing gender imbalance in China with a lack of female children and young women of marriageable age due to this coercive——

Ms. LING. Yes.

Chairman ROS-LEHTINEN [continuing]. One-child policy that they say does not exist and their preference for male children. Many have termed the selective abortion of female fetuses as gendercide.

Ms. LING. Yes.

Chairman ROS-LEHTINEN. Why do you think that this is being done? Why don't they realize that the obvious problems that they will be facing in the future in the increasing shortage of women and girls? And why don't they alter their policy to at the very least for their own survival be able to stop this practice?

Ms. LING. Yes. Thank you, Chairwoman, for this excellent question. First of all, CECC did an excellent report, the one-child policy abuses, including that case you mentioned. That was caught on Aljazeera's TV. And the woman, who was 8 months pregnant, with her belly full—the baby was almost full term—was already injected with poison and was dead. That video is on All Girls Allowed's Web site as well.

And I, working with my lawyers, went to her aid afterwards. Unfortunately, we did not know beforehand. We learned after we intervened, that the government compensated them for some financial compensation and housing assistance. What I want to say is, affirming all of the panelists' suggestions, is that when we speak out, China does cave in, does cooperate, does make improvements in human rights.

The second thing regarding China's current enlarging gender imbalance also shows and also confirmed by China's recent census report that China has a large gender imbalance. For every six girls that are scheduled to be born, the number six girl will be aborted, or killed right after birth, or abandoned. And so, therefore, the number six boy would have grown up with no wife to marry.

So after 30 years of this policy, China today has over 37 million single men, called single branches. As a result of this large amount of men who, you know, could not find a wife to marry, they become a major source for sex trafficking. Today 60 percent of the world's trafficking takes place in China.

And, in addition to that, China had our expert testify in June at the Ending Gendercide Coalition meeting. They believe China is on the verge of HIV and other sexual disease epidemic breakout because of that very reason, because the commercial sex industry is unregulated.

The third thing is China has a rising problem with sex trafficking against young girls. We discovered in our report in Putian, one city has over 3 million residences, up to between 100,000 to 600,000 people, might be the result of child bride trafficking.

What has happened is that families are taking matters into their own hand. They go to the black market. They create the black markets to demand girls to be bought at ages as young as 3 years old to eight or nine. So All Girls Allowed volunteers were able to reunite 4 of these families in China, but every year there are over 600,000 cases where children are trafficked, mostly women.

You asked the question, why does China not take action to end this? Yes, we heard the All Women's Federation and the central government's Family Planning Committee, making noise about how they have got to eradicate this kind of gendercide. They are going to take the family who is going to bore their baby girls into serious punishment. But why have they not done this effectively, aggressively?

For example, there is another way to do it, is to welcome baby girls to come in. All Girls Allowed has a baby shower program. For as little as $240 a year, $20 a month, we can work. We can save a baby girl and her mother and last year we were able to save 550 baby girls. And these are the pictures.

Chairman ROS-LEHTINEN. Thank you. Is that part of your——

Ms. LING. Yes, it is part of the report. And so it can be done. So we encourage U.S. to continue to do some of that. Just welcome baby girls.

Chairman ROS-LEHTINEN. Thank you so much.

Ms. LING. And change the culture. But there's an alarming trend, which we suspect is taking place. The government does not want to get rid of all the single man because these single man are a resource for potential military expansion together with its nationalism and ambition. And they never gave up to use military force to take over Taiwan.

Chairman ROS-LEHTINEN. Thank you.

Ms. LING. There could become a global threat to peace, to the U.S. and the world.

Chairman ROS-LEHTINEN. That is true. Thank you so much. Thank you for that testimony.

Mr. Berman is recognized for his questions.

Mr. BERMAN. Thank you very much, Madam Chairman. And thank all of you for your testimony and a number of your recommendations.

In some of your testimony, you contrast the Chinese Government and the Chinese people. Prime Minister Wen, called for political re-

form in China and acknowledged the Chinese people's need for democracy and freedom is irresistible. What do you think he meant by "political reform"?

Our general view of the Chinese Government is a totally top-down democratic centralism. Is there some debate within Chinese Government leadership circles about this irresistible need for greater democracy and freedom? What is your sense from following what the Chinese, what the Communist Party and the Chinese Government are doing on this? What did he mean?

Ms. RICHARDSON. I can try to take a stab at this. I think there's a big asterisk at the end of that phrase, which is that he's talking about democracy or political participation with Chinese characteristics, which means that the Chinese Communist Party remains in power and unchallenged.

And by "political reform," I think he means ways of resolving serious kinds and incidents of protest or unrest or grievances but not by offering up, for example, competitive elections. It does not by any stretch mean democracy in the way that you or I would understand it. It is about resolving isolated problems without really allowing genuine political participation. This is my interpretation.

Mr. BERMAN. Did you want to just—because I have one more question. So if one of you could just speak? And then I want to ask my other question.

Mr. FU. Okay. I think the observation is, of course, you know, maybe as an individual. As a leader, Premier Wen has the intention or wanted to advance some kind of political reform. But, of course, words need to meet with action. I think it is more fundamental to protect the control and dictatorship of the one-party political system as well as their economic interest of the——

Mr. BERMAN. So basically what you are really saying is he is saying that this is a maneuver to enhance the ability of the party to continue control, show a little leg or something, as part of a strategy of maintaining control?

Mr. FU. Yes, like, you know, the government leader has been talking about, loudly about, the building of harmonious society.

Mr. BERMAN. Right.

Mr. FU. At the same time, the capital city of China, every week they are cracking down a church.

Mr. BERMAN. Let me just see if I—on the internet, battle between the government censors and the people who are trying to circumvent that censorship. What is the most effective U.S. policy to help promote internet freedom in China? Do any of you have any thoughts about that?

Ms. RICHARDSON. I will take a stab at it.

Mr. BERMAN. Sure.

Ms. RICHARDSON. Well, first of all, I think ensuring that U.S. companies are themselves not part of the problem, but, rather, a part of the solution I think making sure that the U.S. as part of its diplomacy is really engaging through these means and using it as a way of demonstrating the normalcy of people communicating with government officials, there have been various legislative attempts to push for greater internet freedom in China and other places. I think the current version of GOFA, which Mr. Smith started, includes a lot of the concerns that we have, both about how

to characterize countries, how to sanction ones that restrict internet access. But I think demonstrating or leading by example should be at the core of the thinking.

Mr. BERMAN. All right. I think my time has expired.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Berman.

Mr. Rohrabacher, the chairman of the Subcommittee on Oversight Investigations, is recognized.

Mr. ROHRABACHER. Thank you very much, Madam Chairman.

I want to follow up on what Mr. Berman was just getting to. And that is the role played by U.S. corporations. If you could just give me very short answers? Because I have got a couple of other questions I would like to ask.

Do you believe that American corporations that are now doing business in China have had a positive impact on the level of human rights, respect for human rights, by the government or have they, instead, created an impression that Americans don't really care, thus having a negative impact? Just could you give a very, very short answer for each of you?

Ms. LING. Yes.

Mr. ROHRABACHER. Negative impact or a positive impact? Have American corporations given the impression that we Americans believe in this and, thus, the people they work with, at least the local officials, know that we stand for something different or have they, by and large, given the impression we don't care about it and, thus, encouraged them to encourage local officials in the wrong direction?

Ms. LING. Our understanding is the American corporations in China have not set a good example. And they basically, you know, came out with a dictatorship, making profit. As a result of that, America's middle class and poor people are losing our jobs to China. And the rich people——

Mr. ROHRABACHER. No, no, no, no. I'm asking whether or not——

Ms. LING. Right. Sorry.

Mr. ROHRABACHER [continuing]. American corporations have had a good impact on——

Ms. LING. Human rights.

Mr. ROHRABACHER [continuing]. On, actually, enforcement of human rights or have they had a negative impact?

Ms. LING. Negative impact. Sorry.

Mr. FU. Much more negative than positive.

Mr. ROHRABACHER. More negative than positive?

Mr. KAMM. In the area of civil and political rights, marginal at best.

Mr. ROHRABACHER. Marginal at best?

Mr. KAMM. I would say more on the negative side.

Mr. TSERING. I would say more on the negative side.

Ms. RICHARDSON. I'm with John on this, more on the negative side with some marginal improvement, very marginal.

Mr. ROHRABACHER. Okay. What especially is true, Madam Chairman, with those corporations that sell electronic equipment or other types of equipment that permits the Chinese dictatorship to more efficiently oppress its own people and track down its opponents and those are things that we should be embarrassed as Americans that any of our citizens would stoop to that level.

I would like to ask a question about the forced abortions. Did you say there were 400 million babies that have been forcibly aborted?

Ms. LING. Yes. This is the number that was given by Chinese Government. They were boasting under the one-child policy, they were able——

Mr. ROHRABACHER. So one needs to do something that will demonstrate the magnitude of what 400 million fetuses, 400 million human beings are all about. That is more than the population of our country. So it is probably the population of North America. And gone, dead, you know, snuffed out. People need to know the magnitude of this crime——

Ms. LING. Absolutely correct.

Mr. ROHRABACHER [continuing]. Monstrous crime against humanity, not just against the women of China but all humanity.

Now, how have women rights organizations in the United States responded to this massive crime against women? Have they played a positive role or have they, like our corporations, ignored this issue?

Ms. LING. From our knowledge, they have done very little.

Mr. ROHRABACHER. So are women's rights organizations, the great bastion of liberal change in America, like our corporate leaders, not standing up for, what should be, the principles which they stand for? Do you agree with that?

Mr. FU. Yes. I agree.

Mr. KAMM. I would agree with that.

Mr. TSERING. I would think so, yes.

Ms. RICHARDSON. Yes and no.

Mr. ROHRABACHER. Yes or no? I can't hear you.

Ms. RICHARDSON. There are some organizations that have done some work on this issue, but it has certainly not—you know, I think if we are talking about 400 million people——

Mr. ROHRABACHER. Okay.

Ms. RICHARDSON [continuing]. It is not at least that order of magnitude.

Mr. ROHRABACHER. You know, shame on us if we don't live up to our own ideals.

Finally, one last question for Mr. Tsering. Does your organization believe that—let me make sure I get the wording down for this question. In 1987, President Reagan signed into law a congressional resolution condemning China's occupation of Tibet as a country. In 1991, another resolution was signed into law that stated that Tibet was an occupied country. Does your organization believe that what is going on in Tibet today is a violation of human rights of Chinese people who live in Tibet, meaning you're Chinese, or is this a violation of your human rights as the people of Tibet, which is an occupied country?

Mr. TSERING. I think if you look at history, it is categorically clear that Tibet is an occupied country.

Mr. ROHRABACHER. So your organization believes that Tibet is another country that the rights of the people are being violated by foreign power?

Mr. TSERING. Historically if you look at it, it is so.

Mr. ROHRABACHER. Okay. Thank you very much.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Dana Rohrabacher.

Mr. Higgins of New York is recognized.

Mr. HIGGINS. Thank you, Madam Chair.

Ms. Ling, I was noticing in your biography that you were a student leader in the Tiananmen Square uprising some 22 years ago. And I look at that as the precursor of what we have witnessed over the past year in the Arab world with a lot of uprisings there. It is often said that the two most powerful forces in the world today are youth and technology and that these uprisings are not about material things. They are about people that wanted to be treated as citizens and not subjects.

I am curious to know from you. Twenty-two years ago we didn't have Twitter. We really didn't have Facebook. We didn't have YouTube. We clearly had the internet but in its infancy. What was the means of communication to effectively organize—because, you know, today's technology is used both for aspirational purposes but also for organizational purposes as well, what was the means of communication 22 years ago that brought so many young people into Tiananmen Square, particularly in the midst of a government that is very good at repression?

Ms. LING. I was one of the key leaders of 1989's movement. And I just recently finished my memoir 22 years later, A Heart for Freedom, to put all of these pieces together. What brought us together, what led to the crackdown, and what is the meaning and why?

What brought us together is the desire to be free, the desire to create a better, peaceful China. What led to the crackdown was the government's fear that they would lose control and the desire that they can do whatever to massacre their own people and they would be able to get away with that. And they were right for the most part. The rest of the world, you know, all screamed for a few years, went back to them, now do business, resumed diplomatic relationship, that is wrong.

That was no mean to China. Yes, youth and technology are a key part, but ultimately is the heart for freedom, the desire for freedom placed by God into us. And that is what I learned.

One recent example is that Canada's strong condemnation of persecution of Falun Gong did not halt their corporation. In fact, it was followed by a new trade agreement expanding Canada's grain export to China.

So be strong. Be courageous. That is all I can say. And we are going to visit Europe next week. I will definitely present all the report we are doing today. We are creating. We are not stopping creating an international coalition effort to strengthen the human rights voices.

Mr. TURNER. Thank you for your courageous efforts.

Ms. LING. Thank you.

In China, through the massacre, God brought the best out of an evil situation. He is freeing China by bringing more and more people to come to know Him through Jesus.

Mr. HIGGINS. You know, I understand the issue of emotion and the heart, but the tools of organization, the tools of collaboration are found in social media.

Ms. LING. Yes.

Mr. HIGGINS. And we see other parts of the world where people who feel oppressed are rising up using those tools, again both for aspirational purposes and organizational purposes. My question is, you know, you can ban all of these media outlets, but what the internet has allowed us to do today——

Ms. LING. Right.

Mr. HIGGINS [continuing]. Is take something that is occurring in a very remote part of the world and put it on a global platform.

Ms. LING. Absolutely.

Mr. HIGGINS. And that gives you the ability again to organize to inspire.

Ms. LING. Yes, yes.

Mr. HIGGINS. Why haven't the oppressed Chinese people been able to successfully utilize the social media to do a modern-day demonstration, much like you did 22 years ago in Tiananmen Square?

Ms. LING. They are doing that. The cases from Aljazeera that were able to feature the woman with the forced abortion was exposed on China's Twitter, through micro blogging in China. So those kinds of works are taking place. They are not clear yet, but it is still brooding. It is taking place.

And I do want to advocate for Voice of America and Radio Free Asia. Those media in 1989 were instrumental to help bring the voice of freedom back to China. I give you an example.

Four days after the massacre, when the whole world did not really know what happened at Beijing, I was on my way to escape. And when I saw the leaders were denying about the massacre, I made a radio tape and that radio tape was smuggled out of China before me and 2 days later when I was hiding inside China, I heard my own voice coming back through the Voice of America.

I do believe we should continue leveraging the traditional media and the new media and to encourage the Chinese people to rise up, to collaborate. We also should remember that the Chinese Government is becoming much more sophisticated as well. And so our challenge is bigger. And that is why I believe fundamental spiritual beliefs and strength from the faith, knowing the God who will set China free will inspire people to put their lives at risk again to continue to search for freedom. And that day will come.

Mr. HIGGINS. Thank you. I am out of time, and I yield back.

Chairman ROS-LEHTINEN. Thank you very much, Mr. Higgins.

Mr. Turner of New York is recognized.

Mr. TURNER. Thank you, Madam Chair.

We are fortunate to have two Tiananmen survivors here with us today. I would like to ask you how you feel about the lifting by the EU of the Tiananmen sanctions against China and what effect the human rights situation in that country will be. Also, what is the effect on morale, people who are striving for human rights with this apparently lifting of the sanctions?

Mr. FU. Certainly, the lifting of the sanctions that has been upheld starting right after the Tiananmen massacre sent a very wrong signal, sent one signal to the Chinese dictators that after years of economic diplomacy, they can win, at least approval, from important international body. It sent the wrong signal to the Chi-

nese people. Of course, that only maybe economic matters is the most important.

I think the spirit, however, the spirit of the Chinese people for freedom is continuing to grow. And you have like the—every Sunday in the past 30 Sundays, one church, house church, in Beijing with 1,000 members, they lost their property to worship. And they have to go outdoors.

So every Sunday there are deliveries, sometimes as many as 500. They risk their own lives because the guards, the security forces were right out the doors. So they climb the windows in the darkness, sometimes from Saturday, Friday night, hiding in the parks, hotel room, in order to go to the worship place to have altar worship. And so far in the past 30 weeks, already over 500 of the members were detained. All their church leaders, pastors, elders had been under house arrest without any freedom of movement. Yet, they are still doing it.

And even the blind activist, you know, Chen Guangcheng, the government has mobilized maybe 200 or maybe even more hooligans or government hired guards tried to pick up the visitors. Yet, you know, every day now the netizens, they just keep going, keep going through picking up, but they are not discouraged. We think freedom will prevail.

Mr. TURNER. Thank you, Mr. Fu. Did you ever——

Ms. LING. Would you like my comments as well? Thank you.

Mr. TURNER. I most certainly would.

Ms. LING. Yes. Thank you.

I do believe EU lifting the human rights ban is a huge mistake. And appeasement with evil does not work. It never worked in the past. It would not work with China. Rather, I wanted to point out when international communities stand up against China on basic human rights, instead of losing ground, they are gaining.

Mr. TURNER. Just on a different note, not that many years ago, as a businessman, I thought prosperity would bring in democracy there, contact with the West, contact with Hong Kong. And, instead, what we have seen is a morphing economically from communism to fascism and keeping the worst elements of both philosophies. So keep up the fight.

Ms. LING. Thank you very much. I am an entrepreneur myself. I completely agree with you. President Hu Yaobang, his death led to the movement in 1989. He was advocating for three reforms: Economical, political, and spiritual. I am glad to report back economically after the reform Deng Xiaoping wanted China to have this total rich and poor gap.

Five thousand families own 70 percent of China's wealth. And the other middle class people divide the other 20 percent. But 465 million people live in extreme poverty. And they're forgotten because the world only sees the glimpse and glare of the rich.

And politically there are continued human rights abuses, very little, no political reform. But China has a vibrant faith movement on Earth today. That is the hope.

Back 22 years ago, I did not understand what he meant by three reforms. Now I think that is a good recipe for a free China. So don't give up.

Mr. TURNER. Yes.

Chairman ROS-LEHTINEN. Thank you.

Mr. TURNER. Keep educating us. Thank you.

Chairman ROS-LEHTINEN. Thank you, Mr. Turner.

Mr. TURNER. Thank you, Madam Chairman.

Chairman ROS-LEHTINEN. Mr. Connolly of Virginia is recognized.

Mr. CONNOLLY. Thank you, Madam Chairman. And welcome to our panelists.

Let me ask Mr. Fu and maybe Ms. Ling. What lessons do you think the Chinese Government has learned or taken away from its own experience with the Tiananmen Square tragedy?

Ms. LING. The Chinese Government—so in doing my memoir, to research that, I wanted to understand what made Deng Xiaoping want to kill. He was terrified because he realized that Tiananmen was not just a student movement. It was an international force for democracy. If he did not stop that trend, China would be set free. In his mind this was making chaos. And so he had to use tanks.

One raised questions about opposition, saying, "How would the international community react to it?" And he said, "Well, don't worry about it. They will yell and scream for a few years. And then they will come back because we are such a big piece of meat. And they all want a piece of action off us."

And, unfortunately, his prediction was correct. So that is what happened in the past 22 years, both in the U.S.-China relationship and also the European-China relationships. That needs to be stopped. The Chinese Government has been rewarded for their brutality by us being silent, by us trading off human rights, human dignity, humanity with trade, with national security, all the other interests. And that did not make America stronger. We are a much weaker United States as a result of that.

As Tocqueville said in 1831, America is great because it is good. Once it ceases its goodness, it will cease to be great. That is why I am so thankful today as the chairwoman is hosting this first ever CECC report hearing. It is so important to know that appeasement does not do America any good where the crossroads——

Mr. CONNOLLY. Ms. Ling, we are dealing with foreign policy here in the House Foreign Affairs Committee. And you used the word "appeasement." So what is the alternative? Would you have favored the severing of diplomatic relations and trade relations and economic relations between the United States and the People's Republic of China over Tiananmen Square?

Ms. LING. No, I would not favor totally abolishing our relationship, but I would favor when we go in, we come back to our staff according to a godly manner that is act justly, love, mercy, and walk humbly with our Lord, our God. The Chinese Government itself is finding their own faith. And the very fact they are having a Confucius statue right in front of Mao's memorial is their own declaration that the communism ideology is dead.

The Tiananmen massacre not only killed the faith of the Chinese people toward the ideology. It also killed their very own belief. So they are looking. They will look after people who really have true faith, have true value. Yet, what I would encourage us, is engage them on the dialogue, on the trade relationship, particularly on the trade relationships, to have a code of conduct in accordance with basic respect for human rights. Instead of just focusing on trade

and profitability, that worsen the basic labor conditions, and human rights abuses, I would like to see U.S. pass a trade code of conduct law to require all companies, for example, to refuse——

Mr. CONNOLLY. Thank you.

Ms. LING [continuing]. And not tolerate fascism imposing the one-child policy and forced abortion.

Mr. CONNOLLY. Thank you very much.

Ms. LING. You're welcome.

Mr. CONNOLLY. Ms. Richardson, my time is running out here. The Nobel Peace Prize last year was awarded to the imprisoned Chinese literary critic and dissident Liu Xiaobo. To what extent do you think that the award of that prize had an impact on the Chinese Government with respect to human rights observance, if any?

Ms. RICHARDSON. Oh, it made them nuts. They hated it. And the reaction it prompted I think really was extraordinary. And it demonstrated their true colors in the sense that what other government would dispatch a deputy foreign minister to Norway to try to intimidate the Norwegian Government and a nongovernmental organization into not doing this? You know, who would prevent so many people from going? Who would prevent the lawyer's wife from going? Who would have locked this guy up? You know, I think it really sort of laid bare the way the government——

Mr. CONNOLLY. Of course, we had people in this country making fun of the fact that the President of the United States was the recipient of the Nobel Peace Prize, but that is a different issue we will talk about some other time.

Go ahead.

Ms. RICHARDSON. No. Just one or two other very quick points. I think part of what is being said here is that part of what our community often asks for is simply that human rights issues get the same kind and amount of attention as trade issues or security issues and that the U.S. be consistent in its discussion of human rights issues with China, as it is elsewhere.

To me, it is astonishing that, for example, we are heading into a leadership transition in China. There is no discussion about whether there should be competitive elections. That is just off the table.

You know, the new Tibetan prime minister in exile, it is true that the man may have only gotten 40,000 votes, but that is 40,000 more votes than Hu Jintao ever got. And, you know, the U.S. does not step forward to recognize these attempts at democratic rule.

You know, this is not a guy who has received an appropriate level of high-level attention. This is the kind of consistency in attention that we are asking for.

Mr. CONNOLLY. Thank you very much. Thank you, Madam Chairman.

Chairman ROS-LEHTINEN. Thank you, Mr. Connolly.

Mr. Manzullo, the chairman of the Subcommittee on Asia and the Pacific, is recognized.

Mr. MANZULLO. Thank you, Madam Chair, for calling this important hearing.

The Congressional-Executive Commission on China, on which I have had the honor of serving as a commissioner for several years, is charged with the singular mission to improve and monitor

human rights and development of rule of law in China. The Commission's annual report is an important tool for human rights advocates around the world. It shows that there are over 5,600 people in prison in China for violating basic concepts of human rights. China's progress on the rule of law development is equally lacking.

As chairman of the Subcommittee on Asia and the Pacific and as founder of the Manufacturing Caucus, time after time after time, manufacturers, many of which are in my district, come to my office showing the latest rip-off in intellectual property, sham court trials, et cetera.

We are always asking the administration to do more to urge China to improve its human rights. I will be holding a hearing this month on the administration's efforts to give China $4 million of taxpayers' funding to help promote the use of clean energy technology in China. Some say American aid is as high as $300 million to China. Our subcommittee will be exploring that. This is the same time that our U.S. Trade Representative is fighting the case at the WTO against illegal Chinese Government subsidies in the clean energy sector.

I am also very much appalled over the lack of basic freedom of worship in China. The Chinese Government itself is setting up a sham Catholic Church, not allowing the real Catholic Church the right to be governed by the Holy See; that is, the Pope, and also the uprooting of Protestant churches, dismantling of the home churches, et cetera.

Pastor Fu, you mentioned in your testimony under conclusions and recommendations that the U.S. Commission on International Religious Freedom, which is a different commission than the Congressional-Executive Commission, has many excellent policy recommendations. I was looking at the recommendations of the Commission on International Freedom. One is the right of Catholics to recognize the authority of the Holy See in matters related to the practice of their faith, including the making of bishop appointments, the right of Protestants to worship free from state controls over doctrine, and to worship in unregistered house churches free from harassment, detention, and other abuses. I don't even have time to mention what is going on with the Buddhists, Muslims, and other people in other faith communities.

Pastor Fu, how do you see the United States Government trying to implement at least these two recommendations of the U.S. Commission on International Freedom?

Mr. FU. I think the U.S. Government, especially the administration and Congress, should have, one, the China expert in the use of the Commission, Dr. Scott Flipse, described it as a Facebook policy, like transparent, consistent, coherent policy, on this issue, not this administration have under-the-table thing. That administration at one time, they have some talk about a little bit and the other administration maybe just using the human rights dialogue or doing something.

I think this should be consistent policy and transparent to stand very clearly and state very clearly this is what the United States of America stands for. And every congressman or senator, every administration official or, you know, even the state officials when

they visit China, they should talk a lot and clearly make this as a priority.

Mr. MANZULLO. Well, Pastor Fu, I chaired the U.S.-China Interparliamentary Exchange for several years. We brought up these topics at the talks, and nothing would come of it. How much more forceful can this country be?

Mr. FU. I do have specific recommendations, such as I think the U.S. Embassy and consulates in different cities should invite those, the internet activist leaders or democracy activists, or even active civil society builders or historic leaders, to have tea or, you know, the Chinese security forces always force them to have tea. But I think the U.S. Embassy officials and designated personnel should invite them to go in the Embassy parameter and regularly and publicly announce and even business leaders to let them mingle together to talk to each other. I think that will send a very strong signal.

And another thing, when there is a rest for dissidence, like Mr. Teng Biao, his wife is here, Ms. Fung Xiao. Like that, if there is a case like that, I think the Embassy officials should make a formal request to attend a court hearing. And you prevent it from going, but I think the fact when the Nobel Peace Prize winner Liu Xiaobo's trial was there, I think the European Union, the human rights officer, the U.S. Government officials were also—just in front of the Embassy, in front of the courtroom I think itself would send a strong signal of solidarity.

Mr. MANZULLO. Thank you, Pastor Fu.

Chairman ROS-LEHTINEN. Thank you so much, Mr. Manzullo, for those questions.

I am pleased to yield 5 minutes to Mr. Rivera, my Florida colleague, who, similar to my district, represents so many constituents who understand what living in a Communist regime is like. Mr. Rivera?

Mr. RIVERA. Thank you so much, Madam Chair. Thank you for having this important hearing.

I know we like to refer often to the Chinese leadership as Chinese officials or Chinese leaders. I am going to refer to them what I think is more appropriate and justified in light of what happened in Tiananmen Square, in light of what has happened historically in Tibet, in light of what has happened with the one-child policy as really the butchers of Beijing.

And I would refer to a couple of incidents. For example, when Secretary of State Hillary Clinton in her inaugural trip to Asia, when she met with some of the butchers of Beijing and she stated, "It might be better to agree to disagree on human rights" as a perfect example of what you spoke of in terms of appeasement to tyrants and why that type of appeasement doesn't work.

It seems that perhaps with this administration, it has been more important to worry about our debt obligations to the butchers of Beijing than speak out against continued widespread human rights abuses.

I know at a private dinner in January, I doubt very much whether President Obama when he met with the chief butcher of Beijing, Hu Jintao, whether he raised any of these important issues or Vice President Biden in his August trip to China, where he met with

several of the butchers of Beijing focused more on the U.S. debt problem than he did on human rights issues.

I think what we need to do is make sure and put the focus where it should be, on many issues that you have raised. And, in particular, I would like to ask a question regarding some of the activities of the butchers of Beijing with respect to Tibet and to Mr. Tsering specifically. There has been unrest, which has increased since 2008 in Tibetan ethnic areas under Beijing's administration, which have taken a new tragic turn in the past year with the practice of self-immolation.

Last week a monk reportedly became the tenth person this year to set himself on fire in protest of the Chinese occupation. Nine other Tibetans in their late teens and 20s, including 5 monks, 3 former monks and a nun, have self-immolated since March, with 5 or more of them dying from their injuries.

The Miami Herald reported on November 1st that "The response so far by the Chinese Communist Party, the butchers of Beijing, has been to knuckle down even more." Towns in the area are reportedly full of police. Internet access is shut off in many areas.

Those suspected of sympathizing closely with activist monks are said to have disappeared. These protests seem directly connected to the suppression taking place at nearby Kirti Monastery, where 300 monks were taken away earlier this year for reeducation and disappeared. Is this the case? And what do you know about this?

Mr. TSERING. Congressman, that certainly is the case. And I have to go back. We learned that today yet another Tibetan had committed self-immolations. And she died as a result.

I think there is no doubt that all of these are taking place because of the repressive policies of the Chinese Government in all Tibetan areas. And it is particularly so that in recent years, the Chinese policies have been restricting or even further limiting the small freedom that Tibetan people had to express themselves, their identity, their religion, their culture.

And initially in the past, maybe before 10 years ago, some areas, like the areas where Kirti Monastery or in other areas, had relatively more flexible policy than the Tibetan Autonomous Region, which the Chinese call Tibet. But now the Chinese Government has sort of blanketly imposed restrictions all over Tibetan areas, even in nonpolitical matters, so much so that they affect the very life of the Tibetan people. And when people are forced to choose means like self-immolation, it shows that it is a desperate situation.

Mr. RIVERA. Well, to continue that, with respect to relocation, there are indications that the protests broke out as a result of Chinese policy decisions designed to displace ethnic Tibetans in the area with Han Chinese settlers. Is this also an issue?

Mr. TSERING. I cannot say that we have evidence to say this is the policy, but what is happening in Tibetan areas today is that more and more non-Tibetans, particularly the Han Chinese, are coming in, which in a way marginalizes the Tibetan society. And since the very identity of the Tibetan people is linked with our culture, our religion, when these freedoms are being curtailed on the one hand, and on the other hand, there are other players, so to say, in the society in which they live, it creates conflict with the situa-

tion. And when the government doesn't pay attention to it, it results in such consequences.

Mr. RIVERA. Thank you very much, Madam Chair.

Chairman ROS-LEHTINEN. Thank you so very much for excellent panelists. Thank you for your powerful statements, for your policy recommendations. And I thank the audience also for staying with us and members of the press as well and members of our committee. With that, the committee is adjourned.

[Whereupon, at 11:53 a.m., the committee was adjourned.]

APPENDIX

Material Submitted for the Hearing Record

FULL COMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-0128

Ileana Ros-Lehtinen (R-FL), Chairman

November 02, 2011

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held in **Room 2172 of the Rayburn House Office Building (and available live, via the WEBCAST link on the Committee website at http://www.hcfa.house.gov):**

DATE: Thursday, November 3, 2011

TIME: 10:00 a.m.

SUBJECT: Congressional-Executive Commission on China: 2011 Annual Report

WITNESSES:

Panel I
The Honorable Christopher Smith
Chairman
Congressional-Executive Commission on China

The Honorable Tim Walz
Ranking House Member
Congressional-Executive Commission on China

Panel II
Ms. Chai Ling
Founder
All Girls Allowed
(Student leader, 1989 Tiananmen Square protests)

Mr. Bob Fu
President
China Aid

Mr. John Kamm
Chairman
The Dui Hua Foundation

Sophie Richardson, Ph.D.
China Director
Human Rights Watch

Mr. Bhuchung K. Tsering
Vice President for Special Programs
International Campaign for Tibet

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF FULL COMMITTEE HEARING

Day *Thursday* **Date** *11/03/11* **Room** *2172 RHOB*

Starting Time *10:04 A.M.* **Ending Time** *11:53 A.M.*

Recesses [ ] (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

Presiding Member(s)

Rep. Ileana Ros-Lehtinen

Check all of the following that apply:

Open Session [✓]
Executive (closed) Session [ ]
Televised [✓]
Electronically Recorded (taped) [✓]
Stenographic Record [✓]

TITLE OF HEARING:

Congressional Executive Commission on China: 2011 Annual Report

COMMITTEE MEMBERS PRESENT:

Attendance sheet attached.

NON-COMMITTEE MEMBERS PRESENT:

HEARING WITNESSES: Same as meeting notice attached? Yes [✓] **No** [ ]
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Rep. Connolly SFR
Maria Otero - SFR
Ms. Ling - (2) SFR's
Mr. Tsering - (2) Sangay testimony and Rinpoche testimony SFR's

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *11:53 A.M.*

Jean Carroll, Director of Committee Operations

Hearing/Briefing Title: Congrssional Executive Commission on China: 2011 Annual Report

Date: 11/3/11

Present	Member
X	Ileana Ros-Lehtinen, FL
	Christopher Smith, NJ
	Dan Burton, IN
X	Elton Gallegly, CA
X	Dana Rohrabacher, CA
X	Donald Manzullo, IL
X	Edward R. Royce, CA
X	Steve Chabot, OH
	Ron Paul, TX
	Mike Pence, IN
	Joe Wilson, SC
	Connie Mack, FL
	Jeff Fortenberry, NE
	Michael McCaul, TX
X	Ted Poe, TX
	Gus M. Bilirakis, FL
	Jean Schmidt, OH
	Bill Johnson, OH
X	David Rivera, FL
	Mike Kelly, PA
	Tim Griffin, AK
	Tom Marino, PA
	Jeff Duncan, SC
	Ann Marie Buerkle, NY
	Renee Ellmers, NC
X	Robert Turner, NY

Present	Member
X	Howard L. Berman, CA
	Gary L. Ackerman, NY
	Eni F.H. Faleomavaega, AS
X	Donald M. Payne, NJ
X	Brad Sherman, CA
	Eliot Engel, NY
	Gregory Meeks, NY
	Russ Carnahan, MO
X	Albio Sires, NJ
X	Gerry Connolly, VA
	Ted Deutch, FL
	Dennis Cardoza, CA
	Ben Chandler, KY
X	Brian Higgins, NY
	Allyson Schwartz, PA
	Chris Murphy, CT
	Frederica Wilson, FL
	Karen Bass, CA
	William Keating, MA
	David Cicilline, RI

The Honorable Gerald E. Connolly (VA-11)

HCFA Full Committee Hearing: Congressional-Executive Commission on China: 2011 Annual Report
Thursday, November 3, 2011
10am

China is often front and center in a myriad of U.S. policy issues such as trade, intellectual property, consumer safety, and the economy. In fact, it was a trade issue that led to the creation of the Congressional-Executive Commission on China (CECC). When the United States granted China permanent normal trade relations (PNTR) in 2000, Members of Congress required the monitoring of alleged human rights violations through the creation of the CECC. The Commission's annual report sheds light on Beijing through the lens of human rights and reminds policymakers that economic success alone cannot paper over long-standing and unresolved international concerns on human rights or other issues. Acknowledging those issues, as this report does, can send a powerful message to domestic and international audiences. As the 2011 report states:

> *Human rights and rule of law developments in China are important to the rest of the world. The rights to freedom of expression, association, and religion are universal and transcend borders.*[1]

Beijing's relationship with Pyongyang is no secret, and this year's CECC report sheds light on China's continued practice of unlawful repatriation. According to media reports, "Chinese officials continue to enforce a system of rewards to facilitate the capture of North Korean refugees and members of their support network."[2] The report goes on to outline the value of providing information on North Koreans—a Chinese national can get up to 3,000 yuan, or $456[3] for providing credible intelligence on defectors. Moreover, China will not give United Nations refugee authorities "permission to operate along [China's] northeastern border with the DPRK."[4] Similarly, the U.S. Department of State's 2010 Human Rights Report on China said Beijing "arrested and detained individuals who provided food, shelter, transportation, and other assistance to North Koreans."[5] One wonders how China's close relationship with North Korea will affect China's reputation on the world stage.

Labor rights continue to be an issue of concern in China. According to the 2011 report, "workers in China still are not guaranteed...full worker rights in accordance with international standards, including the right to organize into independent unions."[6] In fact, authorities "harass, detain, and imprison labor advocates and lawyers whom officials deemed to be threats to 'social stability'."[7] The irony is that given the foundation of its government, one would think China would recognize basic labor rights, such as the right to organize into a labor union, or to advocate on one's behalf in the workplace. Yet the report lays out the abuses that migrant workers, in particular, face. In fact, they "[lack] access to reliable social insurances, specifically payments covering occupational injuries and diseases," along

[1] Congressional-Executive Commission on China, *2011 Annual Report*, p. 3.
[2] Ibid., 131.
[3] Ibid., 131.
[4] Ibid., 131.
[5] US State Department, *2010 Human Rights Report; China*, p. 44.
[6] CECC 2011 report, p. 67.
[7] Ibid., 69.

with "wage arrears and non-payment of wages."[8] This is particularly troublesome, given the "persistent occupational safety issues" faced by Chinese workers.[9]

The lack of freedom of religion in China has often caught the world's attention, particularly since the formal incorporation of Tibet into China in 1951 and the subsequent exile of the Dalai Lama in 1959. China recognizes only five official religions and requires followers of these religions to register with the government; the five religions are: Buddhism, Catholicism, Islam, Protestantism, and Taoism.[10] The hand of Beijing is heavy and ever-present in the practice of religion. For example, the State Administration for Religious Affairs (SARA) outlines rules for religious houses of worship, such as Tibetan monasteries; and last year, SARA announced its intention "to begin drafting measures for the management of religious schools of Muslims' pilgrimage to Mecca (Hajj)."[11] Beijing does not discriminate when it comes to religious control. In fact, "the government and Party continued to harass and detain unregistered Catholics who practice their faith outside of state-approved parameters."[12] And this Committee is quite familiar with the "extensive, systematic, and in some cases violent efforts to pressure Falun Gong practitioners to renounce their belief in and practice of Falun Gong."[13]

The point in bringing up these issues is not to embarrass or single out China. On the contrary, human rights concerns are not limited to one country. The 2011 CECC report is a helpful reminder that no matter how economically advanced a country is, success on the global stage will be measured by its actions across a spectrum of important economic and social concerns. As China continues to advance economically and technologically, it has a real opportunity to confront social issues in a meaningful way that will garner a positive international reaction. In the end, an internal respect for human rights would be an important step toward building external credibility.

[8] Ibid., 72.
[9] Ibid., 76.
[10] Ibid., 94.
[11] Entire sentence, including quote, are from Ibid., 94.
[12] Ibid., 96.
[13] Ibid., 98.

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE ILEANA ROS-LEHTINEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA, AND CHAIRMAN, COMMITTEE ON FOREIGN AFFAIRS

Statement of Maria Otero,
Under Secretary of State for Democracy and Global Affairs,
U.S. Special Coordinator for Tibetan Issues, and
Commissioner, Congressional-Executive Commission on China

U.S. House of Representatives Committee on Foreign Affairs
Hearing on

Congressional-Executive Commission on China: 2011 Annual Report
Thursday, November 3, 2011

Chairman Ros-Lehtinen, Ranking Member Berman, and esteemed members of the Committee, thank you for calling this hearing today on the Congressional-Executive Commission on China's 2011 Annual Report.

I would like to congratulate Chairman Smith, Cochairman Brown and my fellow members of the Commission on an excellent report. I especially would like to recognize the Commission's staff for their fine work, expertise and diligence. The work of the Commission, including its published reporting and its Political Prisoner Database, is a tremendous resource, and I am honored to serve as a Commissioner. Political prisoners and human rights advocates cited in the 2011 annual report include rights defender Chen Guangcheng, lawyers Jiang Tianyong and Gao Zhisheng, Nobel laureate Liu Xiaobo, journalist Memetjan Abdulla, bishop Su Zhimin, labor advocate Zhao Dongmin, Tibetan nomad Ronggyal Adrag, monk Choeying Khedrub, former monk Jigme Gyatso, and many others. Shining a light on human rights in China and particularly on conditions in Tibetan areas is always important, and certainly could not be more important than it is at the present time.

As U.S. Special Coordinator for Tibetan Issues, I would like to draw attention to a number of the Commission's findings on Tibet. Over the last year, Tibetans who peacefully expressed disagreement with government policy faced increased risk of punishment, as the Chinese government continued to criminalize such expression under the guise of "safeguarding social stability." The Chinese government also substantially increased state infringement of freedom of religion in Tibetan Buddhist monasteries and nunneries. Government security and judicial officials detained and imprisoned Tibetan writers, artists, intellectuals, and cultural advocates who lamented or criticized government policies.

In July, when I participated on the Commission's panel, "The Dalai Lama: What He Means for Tibetans Today," I noted my deep concern with the deteriorating human rights situation in Tibetan areas of China, and specifically with the abuse and forcible removal of monks from Kirti Monastery and the heavy security presence there. The recent self-immolations of young Tibetans, many of whom have been affiliated with Kirti Monastery, are desperate acts that reflect intense frustration with human rights conditions, including religious freedom, inside China. The Commission has thoroughly documented the policies that many believe have created escalating tensions and a growing sense of isolation and despair among Tibetans. These policies include dramatically expanded government controls on religious life and practice, ongoing "patriotic education" campaigns within monasteries that require monks to denounce the Dalai Lama, increasingly intensive surveillance, arbitrary detentions and disappearances of hundreds of monks, and restrictions on and imprisonment of some families and friends of self-immolators.

The U.S. government repeatedly has urged the Chinese government to address its counterproductive policies in Tibetan areas that have created tensions and that threaten the unique religious, cultural and linguistic identity of the Tibetan people. Senior State Department officials have consistently and directly raised with the Chinese government the issue of Tibetan self-immolations. We have urged the Chinese government to allow access to Tibetan areas for journalists, diplomats and other observers. We also have asked the Chinese government to resume substantive dialogue with the Dalai Lama or his representatives. When President Obama met with the Dalai Lama at the White House in July, the President stressed that he encourages direct dialogue to resolve long-standing differences and that a dialogue that produces results would be positive for China and Tibetans.

I have had the honor of meeting several times with the Dalai Lama, and I also have had the opportunity to speak with Tibetans who live in China, and in India and Nepal. The U.S. government believes that the Dalai Lama can be a constructive partner for China in dealing with the challenge of resolving continuing tensions in Tibetan areas. The Obama Administration hopes that Chinese leaders will pursue substantive dialogue to resolve remaining differences and provide all Chinese citizens with peace, prosperity, and genuine stability.

MATERIAL SUBMITTED FOR THE RECORD BY MR. BHUCHUNG K. TSERING, VICE PRESIDENT FOR SPECIAL PROGRAMS, INTERNATIONAL CAMPAIGN FOR TIBET

Testimony of
Dr. Lobsang Sangay
Kalon Tripa, Central Tibetan Administration
before the
Tom Lantos Human Rights Commission
November 3, 2011

Chairman McGovern, Chairman Wolf, Commission Members, thank for giving me the opportunity to testify before the Tom Lantos Human Rights Commission.

This is my first visit to Washington, D.C., since assuming the office of Kalon Tripa of Tibet following the historic transfer of political authority by His Holiness the Dalai Lama earlier this August.

The late Tom Lantos has a special place in the hearts of the Tibetan people. He was a dear friend to His Holiness the Dalai Lama and his message of compassion. He was an eloquent and passionate advocate for the cause of Tibet and the Tibetan people's quest for dignity. We are proud that the House of Representatives has honored his legacy by putting his name on this esteemed commission dedicated to the promotion of human rights.

The commission itself is also special for Tibetans. In 1987, its predecessor, the Congressional Human Rights Caucus, was the first parliamentary body to give His Holiness the Dalai Lama a public audience. For this we extend our utmost gratitude.

The United States Congress has been the vanguard of the Tibet cause for more than two decades. We are deeply grateful for the invaluable support, both programmatic and policy, that you have provided over the years. The benefits of this support are real and tangible. A young Tibetan refugee who has fled her home in Tibet is now able to get a real Tibetan education in India that is unavailable in occupied Tibet under the People's Republic of China. She benefits from the United States humanitarian aid that provides an essential lifeline to the refugees who make the dangerous transit across the Himalayas, through Nepal, and into exile.

Take the example of the monks of Tongren, who lit fireworks last year to celebrate the meeting between President Obama and the Dalai Lama, in defiance of Chinese attempts to undermine his influence. They heard about this through the Voice of America and Radio Free Asia Tibetan services, which provide a vital link to the outside world in the face of Chinese attempts to seal off Tibet.

In very difficult times, American support keeps Tibetans' spirits up and their hopes alive – hopes that the future may bring change that will allow Tibetans to reclaim their dignity and their fundamental freedoms. The seven Tibet programs supported by the United States government are very small in your budget, but their impact in the lives of Tibetans is immense and, I believe, a smart investment toward your country's efforts to promote democracy and human rights.

I come here to report to you on the state of Tibet – the daily struggles of Tibetans inside Tibet trying to maintain their dignity under the iron fist of repression, and the continuing efforts of those of us living in freedom, working to preserve Tibetan culture in exile until we can return home.

I am proud to say that the Tibetan spirit is strong. Through the brilliant leadership of His Holiness the Dalai Lama for all these years, our issue remains alive, our hopes remain buoyant. The rule imposed on us by Beijing may be tough, but the Tibetan people are tougher still.

Democratic transition. The year 2011 has been a momentous one in the history of Tibet. Since the 17th century, His Holiness the Dalai Lama has served as both the spiritual and the temporal leader of the Tibetan people. The current Dalai Lama, the 14th, Tenzin Gyatso, held political office as the head of the local Tibetan government based in Lhasa, Tibet, before he was forced to flee into exile in 1959.

In the following decades, the Dalai Lama quietly proceeded to dismantle the traditional theocratic aristocratic system and, with his wisdom, prepared the Tibetan people for the day when they would have to be their own leaders. In 1960, Tibetans in exile elected their first parliament. In 1991, we had the first direct election of the chief executive.

And in March of this year, His Holiness announced he would relinquish the last vestiges of his formal political role in the government. These changes, ratified by our parliament, put the leadership of the Tibetan people in the hands of the elected leadership – the executive branch (under the Kalon Tripa) and the parliament.

A few days after His Holiness's announcement, the Tibetan exile community held an historic vote. In elections that were judged free and fair by international observers, the Tibetans elected me as the next Kalon Tripa, with 55 percent of the vote, and a new 44 member parliament.

Let me be clear, this does not mean that the Dalai Lama has retired. He remains the spiritual and most revered leader of the Tibetan people, and is identified as such in the Tibetan Charter (our constitution). He continues to travel the world and meet with world leaders, as he did with President Obama this past July.

This democratic transition is an important one for the United States to absorb. Recall that in 1991, in legislation signed into law by the first President Bush, Congress declared that, "Tibet's true representatives are the Dalai Lama and the Tibetan Government in exile as recognized by the Tibetan people." The Tibetan Policy Act of 2002 directs the State Department's Special Coordinator for Tibetan Issues to "maintain close contact with religious, cultural, and political leaders of the Tibetan people." The U.S. government already engages with the Central Tibetan Administration, notably in regard to the Tibetan support programs. It is worth the effort to consider how the world's oldest continuous democracy can deepen its engagement with the democratic Tibetan government.

This democratic fulfillment is also important in the context of the "Arab spring" and the new wave of democratic, anti-despotic movements. The last few years have witnessed democratization not only in the Tibetan government based in northern India, but in Bhutan and Nepal, countries on the southern periphery to Tibet and the People's Republic of China. This follows the democratic achievements in the 1980s and 1990s in Taiwan, South Korea, and the Philippines, on China's eastern rim.

The Tibetan fulfillment of democracy provides inspiration to all those inside the People's Republic of China, not just Tibetans, who yearn for the democratic freedoms long denied by the ruling Communist Party. It clearly undermines the (false) notion peddled by Beijing that democracy is a western value not suitable to an Asian context.

Further, this achievement sends a clear message to Beijing that leadership of the Tibet freedom movement has been entrusted to a younger generation. China is calculating that the Tibetan cause will fade when the current Dalai Lama passes. This will not happen.

In short, American investment in Tibetan democracy is a wise one and on the right side of history.

Of the United States and the international community, we ask you to:

> (1) Affirm that Tibet's true representatives are the Dalai Lama and the Central Tibetan Administration as recognized by the Tibetan people;
>
> (2) Support the transfer of political power to the new Kalon Tripa of Tibet and the Parliament in Exile of the Central Tibetan Administration;
>
> (3) Commend the Tibetan exile community on their successful development and implementation of democratic self-governance;

Middle Way approach on Tibet-China relations. The Tibetan people remain firmly committed to non-violence. We do not view China as a nation and Chinese as a people with malice but with respect. Tibetans and their distinct culture have lived alongside our Chinese brothers and sisters for thousands of years.

When His Holiness appeared before the Human Rights Caucus in 1987, he presented his "five point peace plan," one of the first articulations of his 'Middle Way' approach before an international audience. Guided by his wisdom, my administration will continue the Middle Way policy, which seeks genuine autonomy for Tibet within the People's Republic of China. This remains the best opportunity for a durable solution for both the Tibetan and Chinese peoples. We believe in a peaceful resolution for Tibet, which means a peaceful process and peaceful dialogue. We stand ready to negotiate with the Chinese government anytime, anywhere.

Repression and religious freedom in Tibet. In 2008, Tibetans across the Tibetan plateau rose up in dramatic and largest protest of Chinese policies. Since that time, more than 150 separate protests have taken place across the Tibetan plateau. Sadly, rather than responding to the legitimate grievances of Tibetans, Chinese authorities responded by making a hard line harder, turning many parts of Tibet into a virtual state of martial law. This has driven the Tibetan people to a desperate situation.

In 1950, when the Chinese and their Army of "liberation" came to Tibet, they promised Tibetans a 'socialist paradise.' After more than 60 years of misrule in Tibet, there is no socialism, just colonialism; there is no paradise, only tragedy.

Political repression, cultural assimilation, economic marginalization and environmental destruction continue in occupied Tibet. The new railway line from Beijing to Lhasa is exporting our natural resources and importing more Chinese migrants. Today, around 70 percent of private-sector firms in Tibet are owned or run by Chinese, and more than 50 percent of government officials are Chinese. Yet approximately 40 percent of Tibetans with university and high school degrees are unemployed.

I recall a photo of a help-wanted sign from Lhasa a couple years ago. A shop was looking to hire Tibetans at 30 renminbi and Chinese at 50 renminbi, a blantant case of economic discrimination. Tibetans have been made second-class citizens in their own land.

The U.S. government has consistently found that repression in Tibet is "severe," as documented in annual State Department reports on human rights and religious freedom and the reporting by the Congressional-Executive Commission on China. Chinese authorities impose extremely rigid regulations on day-to-day religious activity. Acts of religious devotion are seen suspiciously as expressions of political separatism. To revere openly His Holiness the Dalai Lama can be considered a criminal act. Monks and nuns routinely encounter interference in their ability to conduct teaching and practice of Tibetan Buddhist religious traditions.

The Tibetan religious community has been particularly affected during the recent crackdown. A case study can be made in the town of Ngaba (Chinese province of Sichuan, Tibetan area of Amdo).

Kasur Kirti Rinpoche who will testify after me will attest that since 1996 Kirti Monastery, and others in the region, have been targeted for "patriotic education," or political indoctrination. Local schools that were started by Kirti monastery's sister monastery in Kansu were forcibly shut down, cutting off basic education to rural children, which was deeply resented by the monastic and lay communities in the region. Kirti Rinpoche, who fled into exile in 1959, has only been allowed to visit Ngaba once, in the 1980s. His visa request to travel to Tibet has been repeatedly denied. Monks at Kirti monastery revere him as their spiritual head and hold him in as high a regard as the Dalai Lama. These policies create deep resentment among the people in the area.

It is in this context that we have seen the tragic self-immolations of ten Tibetans, all but one from around Kirti monastery, to protest against Chinese government policies, demand freedom and the return of His Holiness the Dalai Lama. Tibetans are being pushed to the brink. We all wonder what we can do in the face of this tragic situation. The Tibetan Cabinet recently held a day-long special prayer service, including His Holiness the Dalai Lama, His Holiness the Karmapa and Kiri Rinpoche, in solidarity with those Tibetans who have sacrificed their lives for the cause of Tibet.

The Tibetan administration does not encourage or support self-immolations. While we feel the pain of those Tibetans sacrificing themselves, at the same time, as Buddhists, we can't help but wish that their precious lives were not lost. His Holiness the Dalai Lama's position has been clear and consistent on any form of drastic action. He has always appealed to the Tibetans not to resort to such desperate acts.

We ask the Chinese government to stop its repressive policies, including suspension of implementation of religious control regulations, review of religious and security policies implemented since 2008 in Ngaba, and a transparent dialogue with the leaders of Tibetan Buddhist schools.

Of the United States and the international community, we ask you to:

> (1) call on China to abide by its obligations to international human rights conventions
> with respect to the religious freedoms and basic human rights of the monastic and lay communities in Ngaba, and seek a full accounting of the forcible removal of monks from Kirti monastery;
>
> (2) demand access to Ngaba by journalists, diplomats and United Nations officials;
>
> (3) call on the China to stop implementing counterproductive policies and aggressive 'patriotic education' programs in Tibetan-populated areas such as Sichuan, Gansu and Qinghai, places where human rights violations have created tensions; and
>
> (4) urge the Chinese government to resume its dialogue with the representatives of the Dalai Lama toward genuine autonomy for Tibetans within the People's Republic of China.

Reincarnation/succession. No issue illustrates the Chinese government's desire to control the hearts and minds of the Tibetan people, and demonstrates it moral bankruptcy, more than the attempt to dictate the reincarnation of the Dalai Lama. It may be complicated, but it is not esoteric. This issue is not only a matter of fundamental religious freedom, but it is a political one that gets to the heart of the Tibet problem.

In 2007, the Chinese authorities approved regulations requiring government approval for the recognitions of lamas as reincarnate "tulkus." Government bureaucracies must approve reincarnations of high lamas, and the State Council reserves the right to deny recognition. The rules state that no foreign entity can interfere in the selection of reincarnate lamas, and require all reincarnate lamas to be reborn within the PRC.

The purpose and position of the Chinese government is very clear: only it can approve the next Dalai Lama.

This situation, of course, is absurd. The Chinese Communist Party, synonymous with the government, is officially atheist. Their leadership has never believed in reincarnation and treats religion as poison. They have no experience, and certainly no right, to interfere in matter of the heart and of the spirit.

On September 24, 2011, the Dalai Lama gave a statement laying out his position. Citing the tenets of Tibetan Buddhism and centuries of practice and tradition, His Holiness makes the case that (1) the future of the institution of the Dalai Lama is up to the Tibetan people, and (2) that he will determine whom his successor will be, either through a process of reincarnation or emanation of his spirit.

The coming political fight is clear. The Chinese authorities will attempt to hijack the process for selecting the next Dalai Lama, exactly as they did with the 11th Panchen Lama 16 years ago, in the hopes it will extinguish the distinct Tibetan identity. In this they will fail. I am confident that Tibetan people and Buddhists around the world will whole heartedly follow the guidance of the 14th Dalai Lama, and embrace the boy or girl that is his true successor.

Buddhism has been around for 2,500 years, the Chinese Communist Party for merely 90. I believe we will outlast them.

I ask members of the Commission, on behalf of the Congress and the U.S. government, to see the battle over the Dalai Lama's succession as a fundamental issue of religious freedom worthy of advocacy and protection. On this issue, I recommend that the U.S. government:

> (1) join with other governments around the world to adopt a unified position on the successor to the Dalai Lama, based on fundamental principles of religious freedom; and
>
> (2) express to the Chinese government that the United States believes that the relationship between the Dalai Lama and the Tibetan people will be solely determined by the Tibetan people.

Refugee resettlement: Since 1959 the Tibetan exile community has persevered due to the tremendous generosity of our Indian hosts. The government and people of India gave us

lands to settle and to farm. But after half a century, these settlements are aging. Infrastructure is crumbling. Our human capital is thinning. Our sustainability is at risk.

One of the biggest challenges I face as Kalon Tripa is how to revitalize the Tibetan refugee settlements in India and Nepal so that they can continue to serve as the foundation for our efforts to preserve Tibetan culture until the time we can re-import it back to Tibet.

Education will be the number one priority of my administration. We seek to create 10,000 Tibetan professionals in the next two decades. We will establish a Tibet Policy Institute to serve as an intellectual platform to envision, develop, and execute policies that will strengthen Tibet. We will create also "sister settlements" to strengthen solidarity between Tibetans in India and the West and launch Tibet Corps which offers talented community-minded Tibetan professionals and college students an opportunity and platform to serve their community through a voluntary service program.

Our settlements are crowded. While we must revitalize, there is also a need to have Tibetan refugees settle in countries outside of India and Nepal. As His Holiness has long advocated, a vibrant Tibetan diaspora in the West is an essential element in our effort to maintain global support for the Tibetan cause.

To advance these two goals, the United States has already contributed much. In 2009, Congress approved $2 million in the Foreign Operations bill for settlement revitalization. We are currently working with USAID on the final disposition of these funds. We are deeply grateful for this aid.

In an act of foresight two decades ago, Congress approved legislation granting immigration status to 1,000 Tibetans from India. This program was successfully implemented, at no cost to the taxpayer. In the current Congress, Congressmen Jim Sensenbrenner and George Miller have introduced H.R. 699, to initiate a new and limited immigration program for Tibetans. Tibetan-American communities now exist across the country and are ready and able to receive a new round of immigrants. This legislation would help fulfill His Holiness' vision.

While Tibetans in South Asia are strong in spirit, self-reliant, and determined to reunite our people, we are still refugees. Those in India, while appreciative of Indians' generosity, do not enjoy full rights. They live in special settlements. They cannot go home to Tibet due to a legitimate fear of persecution. Those in Nepal face additional hardships. Three quarters lack documentation, which the government of Nepal has failed to provide. They suffer harassment due to the heavy pressure exerted by China in Nepal.

The U.S. government is successfully executing the resettlement of Bhutanese refugees from Nepal, relieving the Nepalese of one intransigent refugee problem. The U.S. government has proposed to resettle some Tibetans from Nepal, but this has not been approved by the Nepalese government.

Resettlement of Tibetan refugees from Nepal, and from the most remote and destitute settlements in India, is another path to achieving His Holiness' goal. It would also serve U.S. foreign policy goals in Nepal. In this light, I recommend that Congress:

(1) approve H.R. 699, the Tibetan immigration bill; and

(2) urge the Administration to resettle Tibetan refugees from South Asia, including the Nepal program that is already on the table, and a potential India program that would target Tibet refugees in the most marginal communities.

Tibet's environment and strategic importance. Tibet sits between two of the largest countries in the world, and at a crossroads that connects China to South and Central Asia. The Tibetan plateau has some of the largest deposits of fresh water outside the two poles. It is the source of many of the Asia's major rivers, including the Yarlung Tsangpo (Brahmaputra), Senge Khabab (Indus), the Langchen Khabab (Sutlej), the Macha Khabab (Karnali), Arun (Phongchu), the Gyalmo Ngulchu (Salween), the Zachu (Mekong), the Drichu (Yangtse) and Machu (Huang he or Yellow River), these rivers flow into China, India, Pakistan, Nepal Bhutan, Bangladesh, Burma, Thailand, Vietnam, Laos and Combodia. These rivers system and their tributaries sustains the lives of millions of people in the Asian continent.

For millennia, the Tibetan people have served as the guardians of the plateau, its rivers and environment. China's policies, however, are creating potential disasters. For one, they are forcibly removing Tibetan nomads, the land's traditional stewards, from the grasslands, while at the same time promoting mining and foresting. Changes in Tibet's ecology could have negative effects far beyond the plateau. Temperatures are rising faster on the plateau than the global average. Glaciers are melting. Water flows and monsoon patterns are more variable.

At the same time, China is undertaking massive dam construction on these major rivers. Additional projects to divert waters to China's drought-ridden areas could have major consequences for downstream nations like India, Bangladesh, Cambodia and Laos whose livelihood depends on rivers that flow from Tibet.

The United States should work in partnership with other nations to promote a multilateral framework on regional water sharing, in order avoid potential conflicts over water resources.

In addition, China is building out new railway lines through Tibet and into Nepal, expanding their economic, political and military reach into South Asia. Newly built airfields in Tibet offer the Chinese military new possibilities for power projection to the nation's south and west.

Conclusion: This year's dynamic events – the Tibetan election and His Holiness' devolution of power -- showed the world our commitment to genuine democracy and the universal principle of human freedom. Through this achievement, we are demonstrating

that Tibetan unity is built upon and sustained by universal democratic principles that transcend region, sect, gender, and generations. With this unity, we can strengthen and sustain the Tibet movement until the time that His Holiness returns to Tibet and the Tibetan people regain their freedom.

China is the fastest growing major economy in the world and is backed by the largest army in the world. Sadly, however, China lacks moral power, which cannot be purchased in the market or imposed with military might. It has to be earned. As long as Tibetans are repressed, there will be resistance and a continuation of this moral deficit. Finding a lasting solution to the Tibet question will go a long way toward restoring China's positive image in the minds and hearts of people around the world, as well as towards protecting its territorial integrity and sovereignty. We will continue to reach out to the Chinese people to build mutual understanding and trust.

I look forward to the day when the United States can look with pride that, through its political and programmatic support, it helped nurture a lasting solution to the Tibet problem. Such an achievement would be one of the most defining stories of the 21st century, as it would reaffirm faith in humanity's capacity to build peace, non-violence and universal freedom. This would be a victory not only for the Tibetan people, but for all the marginalized people around the world.

Testimony of Kirti Rinpoche, Chief Abbot of Kirti Monastery
to the Tom Lantos Human Rights Commission
on the grim human rights situation in Tibet as reflected
by many cases of self-immolation
November 3, 2011

I would like to thank the US Congress for giving me this precious opportunity to talk about the worsening human rights situation in Tibet today.

Today at this session I would like to report that Tibet was an independent country that the Communist China occupied. It has been more than half a century since the occupation and the situation in Tibet has been deteriorating year by year. The main reason for this is the fact that the early promises made by China to help the Tibetans through the so-called Democratic Reforms have disappeared like a rainbow and instead policies to oppress the Tibetan people were carried out. The Chinese government has not brought about any positive policy changes by pretending not to know that the promises it made earlier have now totally disappeared. As a result the local party cadres carry out repressive policies such as to deny religious freedom and forceful confiscation of farm and nomadic produce. By decreeing everything that they say as laws, the legal punishment has now become a source of income, which has rendered any hope of justice worthless and consequently driven the Tibetan youth into desperation.

Tibet is divided into so-called autonomous regions and autonomous provinces, which sounds nice and appears to have liberal political systems. But in fact let alone such tolerant system, Tibetans do not even have half rights that ordinary Chinese do. The policies framed by the Han chauvinists / ultra-nationalists have driven the Tibetan people to the end of their tether. It has become a fact that whether a Chinese is educated or not he or she is bound to become a leader. Moreover, the fact that even the few Tibetans who work for the Chinese government are not trusted indicates that there is racial discrimination. If the Chinese leaders had accepted the mutually beneficial Middle Way policy initiated by His Holiness the Dalai Lama, Tibetans and the Chinese by now would be having the same equal relations as enjoyed during the time of Tibet's great religious kings.

Hu Yaobang accepted that the Han chauvinists / ultra-nationalists officials, who are the real people who engage in separatism, have kept the central government in dark by filing reports written in flowery language. At this point, I would like to report about the situation in Tibet in general and particularly the events taking place in Ngaba in Amdo, a province in North-eastern Tibet that has close personal association with me. Apart from the general suffering of the people of Ngaba Autonomous Prefecture, the people of this region have a particular wound causing excessive suffering that spans three generations. This wound is very difficult to forget or to heal.

1. **The wound of the first generation**: Ngaba in Amdo was the first place that the People's Republic of China attacked during its occupation of Tibet. Before the founding of PRC, in 1935 during the Long March when the Red Army marched through Ngaba, the Chinese army destroyed Lhateng Monastery, which housed over two thousand monks. They then walked through Muge Gonchen during which many monks and civilians were either killed or wounded. The army convened a meeting in Muge Monastery and later confiscated valuables and grains from Gyarong Choktse, Kyomkyo, Japhuk and Datsang Monastery, which led to the first-ever famine in Tibet. This was the first time that Tibetans in this region survived by eating leaves of trees.

The king of Choktse, chief of Meu and people from many other areas fought against the occupying army but were defeated by sheer numbers of Chinese soldiers. The relatives of Aku Thapkey, the forty-fourth abbot of Ngaba Kirti Monastery and many others were shot dead. When the Red Army Chief, Zhu De, and his soldiers occupied the central prayer room of the Kirti Monastery during which they looted and destroyed images of Buddhas and Bodhisattvas, the people realised that the Red Army members were not only against religion but they were also looters. It was during this time that Mao saw the vast Tibetan region and developed the idea about its occupation, which was done by ordering the Eighteenth Army to be sent into Tibet the year after the PRC was founded in October 1949. These events have caused a wound in the heart of Ngaba people, which is hard to heal.

2. **The wound of the second generation**: In 1958 the so-called Democratic Reform was carried out in Ngaba. The Cultural Revolution began in 1966 and two years later a local Red Guards called Hung Cheng was formed in Ngaba. All these campaigns, enforced one after another, led to the imprisonment of hundreds of thousands of Tibetans, torture, public struggle sessions, famine and other forms of inhuman persecutions. The king of Meu, Trinley Rapten was tortured until he committed suicide by jumping into a river. The Tulku of Jigme Samten Tsang and many others were sentenced to death. In short a policy to eliminate the entire Tibetan people was carried out. All the religious institutions were destroyed. Even names of all the places and people in Tibetan language were changed into Chinese, thus undermining and stifling Tibetan language and culture. For over half a century, the rich natural resources around Ngaba, particularly forests, were excessively exploited, leading to landslides, floods and other natural disasters. The destruction of the natural environment is so extensive that it appears beyond repair. Thus these caused wounds in the hearts of the second generation of Tibetans growing under Chinese rule.

3. **The wound of the third generation**: Since 1998, the 'Patriotic Education' campaign has been strongly enforced in monasteries around Ngaba. In the same year, on 27 April Thupten Ngodup, an elderly Tibetan man, set himself on fire and died in the Indian capital city of Delhi. In 2003 and again in 2008, the school with over 1200 students run and managed by Kirti Monastery in Ngaba was forcefully shut down and private schools such as Bontse School and another school near Khashe Thon operated by Tibetans were taken over by the government. However, the Chinese monasteries and Chinese people are permitted to run and operate schools.

On 16 March 2008, when the people of Ngaba led by the monks of Kirti Monastery peacefully protested in Ngaba district, the Chinese security forces immediately cracked down against the protesters, killing 23 Tibetans. Kirti Monastery was surrounded by the Chinese forces and was cut off from the outside world, turning it into a virtual prison. Since then five military garrisons have been built up in Ngaba district. According to a recent report by New York-based Human Rights Watch, the security expenses in Ngaba is twice as much as other areas in China's Sichuan Province. This report further states that there are now over fifty thousand armed security personnel in Ngaba area.

Since 20 March monks of the Kirti Monastery have been divided into eight divisions and a 'Patriotic Education' campaign is forcefully imposed on them almost day and night. Monks' quarters are searched, all electronic devices have been confiscated, holy scriptures are cut into pieces by knives and monks are forced to stamp on photos of His Holiness the Dalai Lama. About 100 monks were arrested en-mass, tortured and interrogated. Furthermore, the ritual instruments offered to the monastery's protective deity were seized and the monastery was wrongly accused of possessing weapons to fight against the Chinese government and this accusation was widely propagated. Two monks from Kirti Monastery, one monk from Dongri Monastery and another monk from Gomang Monastery committed suicide in their quarter because of torture and intense fear. A 70-year-old monk from Kirti Monastery died from heart attack under this suffocating circumstances and the Kirti Monastery was barred from holding an important religious festival in the winter. Likewise an order was given to ban this year's Tibetan New Year celebration, which was planned according to traditional Tibetan astrological calculation.

On 27 February 2009, 27-year-old monk, Tapey, from Kirti Monastery in Ngaba set himself on fire as a protest against China's repressive rule. The security personnel instead of putting out the fire shot him. His whereabouts remains unknown to date.

Following the immolation incident of 20-year-old monk, Lobsang Phuntsok, on March 16, 2011, the armed security personnel have been deployed in the Kirti monastery and surrounded the monastery for the second time. All communication to the outside world was cut off for the past seven months, the situation in Kirti monastery became like a dreaded jail. Within the barricaded monastery, the monks were divided into fifty-five groups and over 800 government officials moved into the monastic compound. They carried out 'political re-education' and 'patriotic education' campaigns, which were strictly imposed on the monks. There have been cases of starvation in the monastery as well.

Electronic surveillance apparatus such as listening devices and CCTV cameras in the monks' quarters and watchtowers are being built in all sides of the monastery. Furthermore, unscheduled searches are being carried out in monks' rooms at any time by smashing the

windowpanes, walls and doors, and monks are randomly beaten, dogs let loose on the people and there are also cases of thieving by security personnel. Monks are threatened that the monastery would be destroyed if they did not excel in 'Patriotic Education' and 'Re-education' campaigns. In nutshell, the monks are driven to a state of utter fear and desperation.

On the night of 21 April 2011, a large contingent of army swooped down on the monastery and arrested more than 300 monks in military trucks and were detained in an unspecified location. Since then many new rules have been imposed such as banning young boys to become monks, setting limit to the number of monks in the monastery and threatening that the survival of the monastery was in the hands of the monks.

Thus on 15 August, Tsewang Norbu, a monk from Nyatso Monastery in Kham set himself on fire to protest against the brutal Chinese rule in Tibet.

On 26 September by 18-year-old, Lobsang Kalsang and 19-year-old Lobsang Kunchok, both from Kirti Monastery, set themselves on fire on 3 October 3. Subsequently many others followed suit: 17-year-old Kalsang Wangchuk from Kirti Monastery on 7 October, 19-year-old Choephel and 18-year-old Khaying on 15 October, 19-year-old Norbu Damdul on 17 October, 20-year-old nun Tenzin Wangmo, from Mamae Dechen Choekhorling nunnery on 25 October and Dawa Tsering, a monk of Kardze Monastery on 26 October. These brave Tibetans set themselves on fire to protest against the China's oppression and to bring attention to the deteriorating situation in Tibet.

On 29 August, the Chinese authorities accused three monks from the Kirti Monastery of aiding Phuntsok, who set himself on fire. Phuntsok's uncle, Lobsang Tsunduc, 46, was sentenced for eleven years in jail on 29 August, 22-year-old Lobsang Tenzin (aka Tenzin Gyalmokha) to thirteen years on 30 August and 21-year-old Lobsang Tenzin (aka Nakten) was sentenced to ten years in jail.

Three more monks from Kirti Monastery were sentenced: 30-year-old Tsekho and 22-year-old Lobsang Dhargyal to two and six years, respectively, on 5 September; and Dorjee to a

three-year jail term. In all these case no legal or judicial procedures were followed during the trial. The decisions of the court were kept secret and only made available much later.

Thus, from 16 March 2008 to 17 October 2011, thirty-four Tibetans have died in Ngaba region from extreme torture, execution, suicides and by setting themselves on fire and more than 619 have been detained (this does not include mass detention of 300 Kirti monks). Only 108 detainees have been put on trial. There have been over 20 writers, poets and intellectuals among the 619 who were detained.

In brief, for the Tibetan people both in and outside Tibet, particularly those born and raised under the red banner, there is no greater expression of their desperate opposition to the Chinese government than by resorting to the most powerful method of a non-violent movement, which is by refraining from causing any harm to the Chinese people and appealing to the Chinese government, than by setting themselves on fire. The main slogans chanted were: "His Holiness the Dalai Lama must be allowed to visit Tibet. Tibet demands freedom. We want religious freedom." Most of those who have committed self-immolation have already died. If any of them are still alive, we ardently appeal to you to please save their lives.

During the first wave of repression in Ngaba this year, His Holiness the Dalai Lama, along with the peace-loving governments and individuals, have urged China to stop repression and start earnest negotiation with His Holiness the Dalai Lama. Since the Chinese government not only refused to listen to those appeal but also continue resorting to oppression, it has been the main cause behind the wave of self-immolation protests. If repression continues, it will certainly harm the interest of both Tibet and China. If the repression and the hard line policies are stopped, it will naturally lead to peace and harmony. In fact, in order to promote harmony between Tibetans and the Chinese, I have recently proposed that I will extend my full cooperation whenever required. Upon requests from many of the people concerned, I have, time and again, approached the Chinese government for permission to visit Tibet, thinking that my visit will give me an opportunity to deliver a few words of advice and solace. Unfortunately, I have yet to receive any response from the Chinese government.

The Tibetan youth are setting themselves on fire is a proof of the sufferings of the Tibetan people. They want their appeal heard by peace-loving governments and people around the world, including world leaders and human rights organizations, so that they could appeal to China to stop oppression in Tibet and also to tell that that repression cannot bring stability. In order to forge a friendly co-existence between the Tibetan and Chinese peoples and in order to create a harmonious society as advocated by Hu Jintao, the dialogue between Tibet and China must start at the earliest. We also urge you to pressure China to allow independent international delegates and the media to visit Ngaba and other Tibetan areas. Your support restores the inner strength of Tibetan people, both in and outside Tibet. As one of the spokespeople of the Tibetans, it is my duty to convey to you the aspiration of the Tibetan people, particularly those who have been directly affected by the recent events in Tibet.

I would like to express my deep appreciation for giving me this opportunity to testify on behalf of the Tibetan people and their plight.

[NOTE: Material submitted for the record by Ms. Chai Ling, founder, All Girls Allowed, is not reprinted here but is available in committee records.

○