

**ONE YEAR AFTER THE NOBEL PEACE PRIZE AWARD
TO LIU XIAOBO: CONDITIONS FOR POLITICAL
PRISONERS AND PROSPECTS FOR POLITICAL
REFORM**

HEARING
BEFORE THE
**CONGRESSIONAL-EXECUTIVE
COMMISSION ON CHINA**
ONE HUNDRED TWELFTH CONGRESS
FIRST SESSION

DECEMBER 6, 2011

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ONE YEAR AFTER THE NOBEL PEACE PRIZE AWARD TO LIU XIAOBO: CONDITIONS FOR POLITICAL PRISONERS AND PROSPECTS FOR POLITICAL REFORM

TUESDAY, DECEMBER 6, 2011

CONGRESSIONAL-EXECUTIVE
COMMISSION ON CHINA,
Washington, DC.

The hearing was convened, pursuant to notice, at 12:05 p.m., in room 2118, Rayburn House Office Building, Hon. Christopher H. Smith, Chairman, presiding.

Also present: Representatives Tim Walz and Frank Wolf.

Also present: Anna Brettell, Senior Advisor and Paul Protic, Staff Director, Congressional-Executive Commission on China.

OPENING STATEMENT OF HON. CHRISTOPHER H. SMITH, A U.S. REPRESENTATIVE FROM NEW JERSEY; CHAIRMAN, CON- GRESSIONAL-EXECUTIVE COMMISSION ON CHINA

Representative SMITH. The Commission will come to order, and good afternoon, everyone.

One year after the independent Nobel Committee awarded the Nobel Peace Prize to Liu Xiaobo, who as we all know is a Chinese intellectual and democracy advocate, Liu remains isolated in prison thousands of miles away from his wife, who authorities are holding under house arrest in Beijing.

In February 2010, I led a bipartisan group of lawmakers in nominating Liu Xiaobo for the prize, at the same time nominating two other persecuted human rights advocates, Chen Guangcheng and Gao Zhisheng, to be joint recipients as part of an international tide of support for the awarding of the prize to Liu Xiaobo.

The Nobel Committee awarded the 2010 Nobel Peace Prize to Liu Xiaobo for his “long and non-violent struggle for fundamental human rights in China.” H. Res. 1717, which I authored, congratulating Liu on the awarding of the prize passed the House with a vote of 402 to 1 exactly one year ago.

Chinese authorities, on the other hand, tried Liu and sentenced him to 11 years in prison for “inciting subversion of state power,” the longest known sentence for that crime, simply for exercising his internationally recognized right to free expression.

According to Chinese authorities, Liu’s conviction was based on Charter 08 and six essays that he wrote. Liu Xiaobo signed Charter 08, as we know, which is a treatise urging political and legal reforms in China based on constitutional principles. Charter 08

states that freedom, equality, and human rights are universal values of humankind, and that democracy and constitutional government are the fundamental framework for protecting these values.

Characteristic of the Chinese Government, officials blocked access to Charter 08. They have questioned, summoned, and otherwise harassed a large number of Chinese citizens for contributing to, or signing, that document. Chinese officials apparently remained livid over the awarding of the prize to Liu and they continue in their campaign to malign Liu and the Nobel Committee.

In addition, they have nearly suspended political relations with the Norwegian Government, claiming the awarding of the Peace Prize to Liu had done “great damage” to the relations between China and Norway. They blame the Norwegian Government because it “supported this wrong decision.”

The apparent violations of Chinese legal protections for defendants that have marred Mr. Liu’s case from the outset are numerous and well documented. In addition, the United Nations Working Group on Arbitrary Detention determined that the Chinese Government’s detention of Liu and the house arrest of his wife are indeed arbitrary.

Mr. Liu’s trial and sentence demonstrates once again the Chinese Government’s failure to uphold its international human rights obligations and also its failure to abide by procedural norms and safeguards that meet international standards. While authorities did allow Liu to attend his father’s funeral memorial service in October, they continue to limit visits from his wife. Over the past year, authorities have allowed her to visit her husband only on a very few occasions.

Beijing authorities are holding Liu’s wife in a de facto form of house arrest. They have cut off telephone and Internet service, and have made her house off-limits to visitors.

As we all know, sadly, Liu Xiaobo is not alone. As of September 2011, the CECC’s Political Prisoner Database, perhaps the greatest database in the world, contained information on 1,451 cases of known political or religious prisoners currently detained. Chen Guangcheng is one of those prisoners. Chen is a blind self-taught legal advocate who advocated on behalf of farmers, the disabled, and women forced to undergo abortions.

Authorities have held him under a form of house arrest in Linyi County, Shandong Province, since his release from prison in September 2011. In effect, Chen’s prison sentence has not ended. Chen served over four years in prison on charges of “international destruction of property” and “organizing a group of people to disturb traffic.”

His real crime, however, was publicizing the abuses of local one-child-per-couple policy officials and trying to use the Chinese legal system to seek justice for the victims of those abuses.

For months officials have confined Chen and his wife in their home, beaten them, and subjected them to 24-hour surveillance. Officials have set up checkpoints around the village where Chen lives to prevent journalists and ordinary citizens from visiting him and his family.

According to one report, 37 people who tried to enter the village in October were attacked by 100 thugs. Under great pressure, au-

thorities recently allowed Chen's elderly mother to go out and buy groceries and other supplies and have allowed his six-year-old daughter to go to school, flanked, of course, by security, and have allowed Chen some medicines sent by supporters, although they have not allowed him to see a doctor about his egregious health problems.

These small concessions mean little in the big picture. Publicly available laws do not seem to provide any legal basis for holding Chen and his family as prisoners in their own home. I would note parenthetically that as Chairman of this Commission I, and members and staff of this Commission, tried just a few weeks ago to meet with Chen on his 40th birthday. We were denied a visa. We will attempt to obtain a visa to visit China on a number of human rights issues, including visiting Chen Guangcheng.

Then there's the case of Gao Zhisheng. Authorities' treatment of the greatly acclaimed lawyer Gao Zhisheng is even more shocking and illustrates the brutality of some officials. Officials revoked Mr. Gao's law license in 2005 in response to his brave efforts to represent fellow Christians accused of "illegally" distributing Bibles and to defend workers and Falon Gong practitioners.

In 2006, officials sentenced Gao to three years in prison on the charge of inciting subversion, but suspended the charge for five years. The five years suspended sentence is set to expire later this month. Today, however, there is no word about Mr. Gao's whereabouts.

After Mr. Gao wrote an open letter to Congress in 2007 criticizing China's human rights record, officials brutally tortured him for 50 days, beating him with electric prods, abused him with toothpicks, and threatened to kill him if he told anyone of the treatment.

Mr. Gao disappeared into official custody in February 2009. When he resurfaced briefly in March 2010, he told friends that he would "disappear again" if his statements about his treatment by his captors since 2009 were made public.

After authorities disappeared him again, the press went public about his torture, which included a beating with guns in holsters, for a period of over two days, which repeatedly made him feel close to death.

It does not seem appropriate to talk about political reforms in China when there is so little progress in improving civil and political rights and when authorities continue to mistreat, abuse, and torture people like Liu, Chen, and Gao. The political prisoners for whom we have names are just a tip of the iceberg. No one knows how many citizens in China are persecuted for their religious or political beliefs.

In mid-February 2011, Chinese authorities launched a broad crackdown against rights defenders, reform advocates, lawyers, petitioners, writers, artists, and Internet bloggers. International observers have described the crackdown as one of the harshest crackdowns on human rights advocates in years, if not decades.

While authorities have released many of those people they detained in February, the rapidity and severity of the crackdown indicates Chinese authorities remain intolerant of freedom of speech

and religion, and a whole host of other fundamental freedoms and rights.

Perhaps the drafters of Charter 08 have it right. The Charter notes that China's policy of reform and opening has increased living standards and economic freedoms in China, but states that the ruling elite fights off any move toward political change.

I'd like to yield to my good friend and colleague, the Ranking Member from the House side, Mr. Walz.

**STATEMENT OF HON. TIM WALZ, A U.S. REPRESENTATIVE
FROM MINNESOTA; RANKING MEMBER, CONGRESSIONAL-
EXECUTIVE COMMISSION ON CHINA**

Representative WALZ. Well, thank you, Mr. Chairman. Thank you to all of our witnesses who are here. I can't tell you, as I say every time, the Chairman's passion, his long history of working on human rights unwaveringly, and the active nature of this Commission now is something I'm very proud of.

The Commission staff, we have some of the best and brightest. They're compiling some of the best database, as you heard the Chairman say, on the issue of political prisoners of anywhere in the world, and for that I'm very proud.

Probably most importantly, though, for the panelists who come before this Commission are some of the most inspiring, some of the most humbling people that I have ever been around because of the experiences and the expertise that it brings here, focusing on an issue that knows absolutely no political differences on this Commission and has continued to move forward on bringing the issue of human rights.

It's not just about China and that's our focus and that's our Commission's mandate, but it's about setting the example, especially for our own country, that these are the things that are important to us. The Chairman's work has certainly propelled this of importance in the Congress as a whole.

Once again, today we are blessed with several great panels that I'm really looking forward to to give us some insight of where we go next, because it truly is all about making sure that everyone has the right to those basic human rights and freedoms that we all care so deeply about.

So, Mr. Chairman, thank you again for convening another great panel, and I yield back.

Representative SMITH. Mr. Walz, thank you very much. And thank you for your passion and for the knowledge you bring, having lived in China, and your comments and your leadership is greatly appreciated.

I'd like to now introduce our first panel. I would just note, the picture on the right, which everyone will recognize, the empty chair. When Liu Xiaobo was awarded the Nobel Peace Prize, many of us, including many of our panelists, were there in attendance, as was I. It was a moving moment beyond words when not only was Liu Xiaobo not there, nor was his wife or anyone else allowed to stand in his stead to receive that very august prize.

So, we lift up that picture. A picture is worth a thousand words. Let it go out from here, because all of you have been steadfast in this fight for human rights in China from day one. Liu Xiaobo and

the others are not forgotten in the least. If anything, we are ratcheting up our efforts to secure his release and his freedom and that of people who have courageously borne the scars of human rights advocacy in the People's Republic of China.

So I'd like to now introduce Perry Link, who is professor emeritus, East Asian Studies, Princeton University. He's currently teaching at the University of California in Riverside.

Dr. Link recently co-edited a book on Liu Xiaobo's essays, which he just gave me a copy of and I deeply appreciate that, "No Enemies, No Hatred: Selected Essays and Poems," Liu Xiaobo. He also did a book entitled, "Empty Chair: Chronicling the Reform Movement Beijing Fears Most." Previously he co-edited the book entitled, "The Tiananmen Papers," a collection of documents leaked by high-level government officials that helped chronicle events surrounding the 1989 Tiananmen demonstrations and their suppression.

Representative SMITH. Then we'll hear from Li Xiaorong, who is an independent scholar and human rights activist who has co-founded and served on the boards of Chinese human rights non-governmental organizations. She was a research scholar at the Institute for Philosophy and Public Policy of the University of Maryland, where she also taught graduate courses. She has published a book on ethics and human rights and many academic articles. Her research projects have won support from many well-known foundations and organizations.

Then we will hear from Marian Botsford Fraser, who is chair of the Writers in Prison Committee of PEN International. We all know that Liu Xiaobo was a former president of the Independent Chinese PEN Center. She is a Canadian writer, editor, and broadcaster. She is the author of three acclaimed non-fiction books. She has been an active member of PEN International since 1991, including serving as president of PEN Canada. She has undertaken three freedom of expression missions on behalf of PEN International, including one to China in 2011.

Then we'll hear from Carl Gershman, who has long been before this Commission and a great leader for human rights and democracy and is president of the National Endowment for Democracy, a private congressionally supported grant-making institution with the mission to strengthen democratic institutions around the world through non-government efforts.

In addition to presiding over the endowments and grants programs in many countries around the world, he has overseen the creation of the Quarterly Journal of Democracy, International Forum for Democratic Studies, the Reagan Fasell Democracy Fellows Program, and the Center for International Media Assistance.

So, welcome all four of our distinguished witnesses on panel one. Dr. Link, if you could begin.

STATEMENT OF PERRY LINK, CHANCELLORIAL CHAIR FOR INNOVATIVE TEACHING, COMPARATIVE LITERATURE AND FOREIGN LANGUAGES, UNIVERSITY OF CALIFORNIA, RIVERSIDE; PROFESSOR EMERITUS, EAST ASIAN STUDIES, PRINCETON UNIVERSITY

Mr. LINK. Thank you, Mr. Chairman. It's an honor to be here and I salute you and your colleagues on the Commission for your wisdom and your passion, obviously, in holding this important hearing.

Liu Xiaobo is one of those unusual people who can look at human life from the broadest of perspectives and reason about it from first principles. His keen intellect notices things that others only look at, but do not see.

Hardly any topic in Chinese culture, politics, or society evades his interest and he can write about upsetting things with analytic calm. We might expect this kind of steadiness in a recluse, a hermit poet, a cloistered scholar, but in Liu Xiaobo it comes in an activist. Time and again, he has gone where he thinks he should go and done what he thinks he should do as if havoc and the possibility of prison simply were not there.

Fortunately for us, his readers, he writes utterly free from fear. Most Chinese writers today, including the best ones, write with political caution in the backs of their minds and under a shadow that looms as their fingers pass over their keyboards: What topics should I not touch? What indirection should I use? Liu Xiaobo does none of this. What he thinks, we get.

His starting point almost always is deeply humane. For example, in this book he analyzes China's obsession with Olympic gold medals, those shining badges of state-sponsored chauvinism, from the viewpoint of six-year-old divers whose retinas are ruined for life by repeated impacts with the water's surface. He points out that Confucius, for all his fame, in fact, ranked pretty low among ancient Chinese thinkers in his sympathy for the poor and the oppressed. Liu surveys the political jokes that course through China today and notes that "in a dictatorship, the grins of the people are the nightmares of the dictators."

At his trial for subversion two years ago, Liu said that the bloody massacre on June 4, 1989, in Beijing, was a turning point in his own life. Every year since then on that date he's written a poem for the "lost souls." In one of these he writes that "at that moment the watching world was as a defenseless lamb/slaughtered by a blazing sun/Even God was stupefied, speechless."

Liu is different from most Chinese writers in his attention to transcendent values. He praises the great Chinese writer Lu Xun for an ability to look beyond mundane matters to problems of isolation and despair in the human condition. He describes how, on a visit to the Metropolitan Museum of Art in New York in 1988, he was suddenly overwhelmed to realize that his preoccupations with the specific problems of China seemed petty when measured against profound challenges to the human spirit.

Liu sees the roots of Chinese problems today in its political system, not in people. He insists that no individual person, including any who prosecuted or imprisoned him, is his personal enemy. His ultimate goal is regime change, but done peacefully.

On this point China's rulers, who charge him with subverting their power, actually see him correctly. They are also correct to perceive that his ideas would be broadly popular inside China if they were allowed to circulate freely, and that of course is why they are so eager to block them.

Liu writes that change in China will be slow, but he is optimistic that unrelenting pressure from below from farmers, petitioners, rights advocates, and perhaps most important, hundreds of millions of Internet users, eventually will carry the day.

Chinese people have always shown special reverence for Nobel prizes in any field, and this fact has made Liu Xiaobo's Peace Prize especially hard for the regime to swallow. When China's rulers put on a mask of imperturbability as they denounced Liu's prize, they are not only trying to deceive the world but at a deeper level are lying to themselves.

When they try to counter Liu's prize by inventing a Confucius Peace Prize and then give it to Vladimir Putin, citing his "iron fist" in Chechnya, there is a sense in which we should not blame them for their clownish appearances because these spring from an inner panic that they themselves cannot control.

Liu Xiaobo sits in prison, in physical hardship, but in his moral core there can be no doubt that he is much more at peace than the men who oppress him.

Thank you.

Representative SMITH. Dr. Link, thank you very much for your testimony.

Now I'd like to ask Li Xiaorong to proceed.

[The prepared statement of Mr. Link appears in the appendix.]

STATEMENT OF LI XIAORONG, INDEPENDENT SCHOLAR

Ms. LI. Thank you, Mr. Chairman, for this opportunity to speak at this special occasion. One year after winning the Nobel Peace Prize, Liu Xiaobo continues to languish in a Chinese prison without regular family visits. His wife, Liu Xia, has been under illegal house arrest. Liu Xiaobo's family has been under heavy pressure to keep silent, and only recently was able to convey some information about his current situation to the press.

One of Liu's brothers reportedly said that Liu Xiaobo was allowed briefly out of prison on September 18 to mourn his father's death, and that his brother and Liu Xia were each recently allowed a rare opportunity to visit Liu at the Gingo Prison.

Back in 2009, on December 25, Liu Xiaobo was convicted of inciting subversion of state power by the Beijing Number One Municipal Court. Liu was sentenced to 11 years in prison, with 2 years' deprivation of political rights. It was one of the longest sentences handed down for the so-called crime of inciting subversion of state power in recent years.

Officials left no doubt that the legal system, despite any promise of reform, was simply the Communist Party's tool to stamp out its critics, and that the crime of inciting subversion of state power is so vaguely ill-defined that it can be conveniently used by the CCP to serve their political purposes. Liu's conviction was based entirely on his writings, expressions of his political opinions, and his non-violent activities.

From the time of the arrival of a policeman at Liu's apartment in Beijing on the evening of December 8, 2008, to his imprisonment incommunicado today, the prosecution of Liu Xiaobo has been marred at each step by violations of his legal constitutional rights and international human rights.

For instance, from December 8, 2008, to June 23, 2009, Liu was held under residential surveillance at an undisclosed location in Beijing. Except for two police-escorted visits by his wife, Liu had no contact with the outside world.

Once Liu's case was turned over to the Beijing municipal prosecutor's office in early December 2009, his lawyers were given very little time to prepare his defense. During the trial of December 23, 2009, Mr. Liu and his defense lawyers were not allowed to fully present their defense in court. The presiding judge interrupted Liu Xiaobo and cut him short during his prepared remarks.

Liu's two lawyers were given a total of less than 20 minutes to present their arguments. Liu's trial was essentially closed to the public. With the exception of two family members, all other spectators in the small courtroom were young males in plainclothes, apparently put there to occupy the seats in order to keep Liu's other family members and supporters and observers from the diplomatic community out of the way.

Liu's wife, Liu Xia, was denied permission to attend the trial. The practice of unlawful secret detention prior to Liu Xiaobo's sentence has profound ramifications and a chilling effect in the country's rapidly declining climate for rule of law reform in the last few years.

Since then, the same kind of secret detention and forced disappearances have been applied on multiple occasions, for example, to many activists and lawyers during the government crackdown and online calls for tradition-style Jasmine revolution protests last February and to the artist Ai Weiwei.

In February, within a few weeks, a total of 52 individuals were criminally detained and at least 24 were subjected to forced disappearances, 5 were sent to reeducation through labor camps, 4 were placed under illegal residential surveillance, and 2 were held in psychiatric hospitals.

As we speak—a draft revision of the Chinese criminal procedure law is under consideration in the National People's Congress, the government is trying to legalize such secretive detention or forced disappearances.

If anyone had expected that the government would take some positive steps toward honoring the spirit of the Peace Prize and improve the human rights situation in China as a result of the historical decision, one would be very disappointed. Awarding Liu Xiaobo the prize was no doubt a game-changer; it drew unprecedented scrutiny to the government's systematic human rights abuses since 1989.

After the Peace Prize, together with other precipitous events, the once-popular argument that when it comes to China there should be somehow double standards and human rights concerns should not get in the way of U.S. trade and strategic priorities has somehow seemed to be on the defensive.

The question remains, however, whether the international community is doing anything effectively or doing enough to support those Chinese who risk their own lives and liberty to fight for democracy and human rights, such as Liu Xiaobo, Chen Guangcheng, Gao Zhisheng, Liu Xianbin, Chen Wei, Wang Lihong, Ni Yulan, and the many, many others.

Thank you.

Representative SMITH. Thank you very much, Ms. Li, for your testimony.

I'd like to now ask Ms. Botsford Fraser to proceed. Let me just note that we're joined by Chairman Frank Wolf, who is not only a member of this Commission, but also co-chairs the Lantos Human Rights Commission and is the subcommittee Appropriations Chair for the justice and other agencies on the Appropriations Committee. So we're glad to have him here.

[The prepared statement of Ms. Li appears in the appendix.]

**STATEMENT OF MARIAN BOTSFORD FRASER, CHAIR, WRITERS
IN PRISON COMMITTEE OF PEN INTERNATIONAL**

Ms. BOTSFORD FRASER. Thank you, Chairman Smith, members of the Commission. I am Marian Botsford Fraser and I chair the Writers in Prison Committee of PEN International. I'm very grateful to the Commission for the opportunity to reflect on the situation of Liu Xiaobo, who is a PEN colleague and a former president of the Independent Chinese PEN Center [ICPC], and also on the prospects for greater freedom of expression in China.

Since 1921, PEN International has been fighting for freedom of literature and freedom of expression. We currently have 144 PEN centers in more than 100 countries worldwide.

In Liu Xiaobo's case and in all of our advocacy, PEN is guided by the human rights norms that countries around the world are required to uphold. The right to freedom of expression is enshrined in both the Universal Declaration of Human Rights created 63 years ago and the International Covenant on Civil and Political Rights [ICCPR]. Only 19 nations have not signed the ICCPR. The People's Republic of China is among seven states that have signed the covenant but haven't yet ratified it.

Liu was sentenced in December 2009 to 11 years in prison for seven phrases extracted from his essays and from Charter 08, which he had helped to draft. In none of those phrases did Liu call for the overthrow of the government. He expressed his opinions, he offered critiques of current realities, and considered ways to make life in China more democratic and more just.

I was honored to be part of a PEN delegation at the Nobel Peace Prize ceremony in Oslo last year. We were gratified by the international recognition of Liu's efforts to promote peaceful change in China, but we were saddened by the Chinese authorities' response and the subsequent crackdown, which included the arrest of Liu Xia.

That crackdown was followed early this year by another even more severe wave of repression, this one targeting dissent thought to have been inspired by uprisings in the Middle East.

This summer I was part of a PEN delegation that went to Beijing to gauge the level of repression and current climate for freedom of

expression and to deliver a message of solidarity to our colleagues. What we found was a mixture of absurd restrictions and repression on the one hand, and positive signs and hope on the other.

In Beijing, 11 of 14 writers invited to the U.S. Embassy for a discussion about freedom of expression were prevented from attending, many after visits and warnings from the *guobao*, the security police. We could only assume that their telephone and Internet communications were monitored and that the Embassy's may have been as well.

Other private meetings with individuals we arranged were also canceled after visits from the *guobao*. We had also hoped to meet with Liu Xia, but with her Beijing compound guarded and her communication lines cut, we were cautioned not to attempt a visit, nor could we visit with Teng Biao and Ye Du, two other members of ICPC who were rounded up earlier this year, also being held incommunicado in their homes. This was discouraging.

We were appalled by the intrusiveness and sheer size of the surveillance state and the severity of restrictions imposed on our PEN colleagues. The Chinese Government still doesn't allow the ICPC to function fully inside the country and Liu Xiaobo is only 1 of 40 writers in prison in China whose cases PEN is following today.

At the same time we were surprised by the widespread dissatisfaction with the state of freedom of expression in China. Many of the writers we met with, even those not considered dissidents, decried the level of censorship and self-censorship and the one-party system behind this repression, censorship that extends its tentacles deep into the literary life of China, into bookshops where bookshop owners are beaten and prevented from holding literary events.

The frank expressions of those we met in Beijing seem to mirror the aspirations of China's citizens. At the end of our trip, a high-speed train collided with another outside the city of Wenzhou, killing 40 people and injuring almost 200. The government's attempts to cover up this tragedy, which included literally trying to bury the train at the scene, sparked outrage around the country. In five days, Chinese citizens posted 25 million messages critical of the government's handling of the accident on China's microblogs, or weibos.

That campaign, unprecedented in its breadth and tenacity, has since been emulated in several other scandals and tragedies. Similarly, Chinese citizens who want to comment on the kinds of politically sensitive topics that dominate Liu Xiaobo's essays are finding new ways to elude the censors, using word-play, humor, satire, posting photographs of themselves silently supporting political prisoners, as in the dark glasses campaign for the blind lawyer Chen Guangcheng.

Citizens are beginning to ask why this lawyer was being confined inside his home after his release from prison. Murong Xuecun, a well-known and popular writer, recently documented his own attempt to visit Chen and the beating he got when he did. In a harrowing account published in *The Guardian* he said, "We just wanted to verify what it takes in this country, at this time, to visit an imprisoned free man."

This surge of activism, citizens simply asking the question “why,” lends hope that China is changing. People are coming to realize, as Murong said of Chen Guangcheng, that “at the moment his freedom was arbitrarily being taken away, your freedom came under threat.”

When Liu Xiaobo was awarded the Nobel Peace Prize last year the Nobel committee chairman, Thorbjorn Jagland, noted that the severe punishment imposed on Liu made him more than a central spokesman for human rights. Practically overnight he became the very symbol, both in China and internationally, of the struggle for such rights in China.

So on the anniversary of that date, PEN would like to thank, again, the Norwegian Nobel Committee, this Commission, and all governments, organizations, and individuals around the world that have stood with Liu Xiaobo. We ask everyone to redouble their efforts so that by this time next year he and his wife Lui Xia are free.

Thank you.

Representative SMITH. Ms. Botsford Fraser, thank you very much for your testimony and for your leadership.

I would just note that if anyone has to leave, our witnesses or anyone who is so interested, we hope to have everyone who would like to sign that picture and when Liu Xiaobo gets to accept his Nobel Peace Prize someday—God willing someday soon—in person, when he makes his way to Washington we would like to present him with that.

Carl Gershman?

[The prepared statement of Ms. Botsford Fraser appears in the appendix.]

STATEMENT OF CARL GERSHMAN, PRESIDENT, NATIONAL ENDOWMENT FOR DEMOCRACY

Mr. GERSHMAN. Thank you, Mr. Chairman. It's wonderful to see you again.

I've been asked to address, briefly, three issues: The impact of China on global democratic trends, including the significance of the so-called China model of authoritarianism; the prospects for democratic reform in China, including the necessary pre-conditions for democratic institutions; and, finally, the influence of the Nobel Peace Prize on Chinese society and official policy.

Regarding China's impact on global democratic trends, it's now common knowledge that China exerts an anti-democratic influence in world politics. Liu Xiaobo has said that China serves as a “blood transfusion machine” for smaller dictatorships in North Korea, Cuba, and elsewhere.

In addition to providing economic and political support to such regimes, it shares tactics bilaterally with autocrats such as Lukashenko in Belarus, Mugabe in Zimbabwe, and Chavez in Venezuela; and it cooperates multilaterally with Russia and the Central Asian countries through the Shanghai Cooperation Organization.

China also projects its system of authoritarian capitalism as an alternative model to the system of democracy with a mixed economy that exists in the United States, Europe, and many other

countries around the world. There are some people in this country who are persuaded of this model's effectiveness. Just last Thursday the SEIU's [Service Employees International Union] former president, Andy Stern, published an article in the Wall Street Journal entitled, "China's Superior Economic Model," that praised its system of central planning.

But this model is flawed for three fundamental reasons. First, as Liu Xiaobo pointed out in his 2006 essay "Changing the Regime by Changing Society," two decades of reform have eroded, to one degree or another, each of the four pillars of China's totalitarian system. Comprehensive nationalization is giving way to a system where independent economic activity "has given individuals the material base for autonomous choices."

The system of "all-pervasive organization" that eliminated all independent activity "is gone and never to return," according to Liu, and society is now "moving toward freedom of movement, mobility, and career choice."

The "mental tyranny" of an imposed ideology has succumbed to the information revolution that has awakened individual consciousness and awareness of one's rights. While the fourth pillar of political centralization and repression remains, according to Liu people have lost their fear of repression and the victims of persecution, far from being socially isolated and humiliated, now "inspire reference" in the society and are able to put their accusers "into the moral position of being defendants."

The second reason the model is flawed, according to Yu Jiangrong, the well-known Chinese scholar and sociologist, is that it is characterized by "rigid stability" and "dichotomized black-and-white thinking" in which the "expression of people's legitimate interests"—land issues for peasants, wages for workers, homeowner rights for urban residents, minority rights for Tibetans, Uyghurs, and Mongolians—becomes a threat to the social order and is adamantly opposed.

A rigid system, according to Professor Yu, is by definition brittle and can break under stress. It lacks the resilience of democracy where government is accountable and conflicts can be resolved lawfully. Professor Yu indeed fears that without such resilience, China will not be able to escape what he calls "the tragic fate of two millennia of the cycle of alternating chaos and order."

The third flaw is that the Chinese regime lacks political legitimacy. It has achieved a degree of performance-based legitimacy by using market reform to generate material wealth. But such legitimacy is inherently unstable since it is not immune to the business cycle, which is why Chinese Premier Wen Jiabao, speaking after the National People's Congress in 2007, described the economy as "unstable, unbalanced, uncoordinated, and unsustainable."

No wonder the recent spike in worker protests in Guangdong has caused such alarm in Beijing. Without the authority that derives from receiving popular consent, Andrew Nathan has written, the Chinese regime lives "under the shadow of the future, vulnerable to existential challenges that mature democracies do not face."

Regarding the preconditions and possibility for China's democratic transition, the picture is mixed. The brightest area is media liberalization, with social media and the Internet as a whole driv-

ing traditional media over the past five years. As Liu Xiaobo noted, this has spread democratic values, including rights, awareness, and the desire to hold the government accountable.

Even though those most active with social media only account for 40 percent of the Chinese Internet users and 14.2 percent of all Chinese, they are having an impact throughout the society, and even workers using cell phones and social networking platforms use it to organize informally, despite official restrictions.

Less encouraging is the fact that civil-society organizations continue to be highly restricted. The immense Chinese countryside remains woefully underserved by civil-society organizations. Most democrats now look to the rights defense movement as a critical way to advance the possibility of a transition. With increasingly broad participation and a convergence between middle class and working class, this movement strives to bring the struggle of workers and farmers into the mainstream. It is pushing for concrete gains in the rule of law and more distributive justice. But with the government showing no interest in giving this movement space, the conditions for a gradual and peaceful transition are limited.

The concern of many Chinese activists is that increasing repression will delay a regime transition for so long that, when it does happen, which they think is inevitable, it will be accompanied by bloodshed and social turbulence. Thus, the probability of the regime surviving in its current form dwindles, along with the possibility for a peaceful transition and democratic consolidation.

Finally, regarding the influence of the Nobel Peace Prize, I think it deepened the Chinese Government's legitimacy crisis. For one thing, as *The Economist* noted at the time, Beijing's disastrous response to the prize portrayed for the whole world to see "the government's insecurity at home." And it didn't help when the audience of thousands rose in repeated standing ovations as Liv Ullmann read "I Have No Enemies," Liu's final statement at his trial, with his empty chair of honor constituting a powerful indictment of the regime.

With all its stirring symbolism, the Nobel ceremony represented the confirmation by the international community of the sentiments of a good part of the Chinese society. As Liu himself said three years before the Nobel award, political persecution "has gradually turned into a vehicle for advancing the moral stature of its victims, garnering them honors for being the 'civic conscience' or the 'heroes of truth,' while the government's hired thugs have become the instruments that 'do the dirty work.'" Herein lies China's hope. May its leaders begin to listen to such heroes before it is too late.

Thank you.

Representative SMITH. Mr. Gershman, thank you very much for your testimony.

I'd like to yield to Chairman Wolf, if he has any comments to make.

Representative WOLF. Thank you, Mr. Smith. I believe you were there in Oslo. Yes, I do have a question. Is that what this is for?

Representative SMITH. Or comments.

Representative WOLF. I'll wait for questions. Go ahead.

Representative SMITH. Okay. Thank you.

Let me just ask a few opening questions, if I could. First of all, thank you all for your very eloquent statements on behalf of Liu Xiaobo and all of those who are languishing in either the laogai or some detention center, being tortured, mistreated because they espouse a human rights policy that unfortunately the Chinese Government finds objectionable.

Paradoxically, Liu saw gradual and incremental change en route to full and unfettered democratization, yet the highly visible and unjust incarceration and detention ongoing, dissing the entire free world that rallied around him and the others, but certainly in Oslo—I mean, the sentiment, which continues unabated, was extraordinarily strong.

But it seems to me that denying Liu the award, denying him the release from prison underscores Beijing's insecurity and weakness. I like what you said, Dr. Link, when you quoted him, "utterly free from fear." The fear is in the government, it's not in the Gulag.

It seems to me that this pushes China toward a tipping point faster and I think the end of this dictatorship and the matriculation of democracy is likely to happen sooner rather than later because of this highly insecure government and the way it has reacted. So I would like to ask you, at best the Chinese Government has mismanaged this.

I mean, in broad daylight, with all eyes wide open, they not only have kept him in prison, and others, but the way—and those of us who were in Oslo were shocked, and maybe not shocked, about how the Chinese Government went into overdrive, propaganda-wise, to hurl insults and accusations against him, against the Norwegian Government, and all the others.

So they have mismanaged it certainly from a public relations point of view, as well as from a governmental point of view. Is it that their arrogance is so high, are they so insecure, or is it that they think there is no sustainable penalties that might be meted out to them, particularly as they go around the world with some nouveau cash in their pocket to seemingly help some of the struggling countries in Europe and elsewhere.

Why are they so brazen? Anybody like to take that? Carl?

Mr. LINK. I think you're right about the insecurity, yes. On the question of whether they feel there are no penalties around the world out of a kind of an arrogance that money can do anything for them, I think that's part of the answer, too. I think "both" is the answer to your question. It's an inner insecurity as well as a new-found confidence, if that's the word, that money can do anything.

Liu Xiaobo has written about this as well, that the new way to control everything in Chinese society now is money. In the Mao era it was power and thoughtwork and so on, but money is playing that role now. But still, it's a seal atop a twisting ball, is the metaphor I like. I think they're constantly having to adjust and feel insecure, so I think you're quite right about that.

Mr. GERSHMAN. I don't think it's unique. I think around the world you have dictatorships that hold onto power and behave in a very brazen way. China's brazenness is increased by its size. It's a big country and has growing power in the world, and it's throw-

ing its weight around. But what I find remarkable is the degree of its insecurity.

It derives from the fact that its economic performance is creating divisions in the society, the feeling on the part of the masses that they're not benefiting from the growing wealth. And so you're seeing great disturbances as workers get laid off. They don't have any means for representation.

The regime has also lost moral legitimacy, which we know from past experiences is ultimately the most important thing. I remember once Elena Bonner saying that back in the 1970s they were just 11 dissidents with a typewriter, and look what happened to the Soviet Union. This frightens regimes today.

Representative SMITH. Yes.

Ms. BOTSFORD FRASER. I think the level of desperation is demonstrated also in the way in which the surveillance state is functioning within the country and the degree to which it hampers people at the most ordinary levels of life. For example, one of the people that we met with in Beijing who was allowed to come to the U.S. Embassy meeting, hasn't actually done anything bad since 1998. He has not been detained and he has never been accused of anything, and yet he's under constant surveillance all the time.

So I think that this indicates a level of a sort of almost haphazard and kind of frantic, desperate sort of surveillance, sort of just scattershot, really.

Ms. LI. I would just add to that, insecurity, arrogance, mismanagement, and panic. It was a profound sense of unpreparedness and shock that this small country, Norway, a few people on the Nobel Peace Committee, would dare to do this to China. So I think this has provoked a certain soul-searching and it is an indication that the regime, as Carl said, is degenerating into a sort of profound lack of moral legitimacy, both in society and within the government.

Representative SMITH. I appreciate that.

Mr. Gershman, you mentioned Elena Bonner. Twice, she testified here, right where you sit, and made very similar comments about the importance of a few people having a profound impact when they stand firm. But they do need the support of other countries like the United States, like our European friends, like friends in Africa, Latin America, and everywhere else in the world who cherish and believe in fundamental human rights.

I am wondering if, one year later, we have done enough to ensure that Liu Xiaobo is, (A) not forgotten in any way, shape, or form; and (B) that his cause and the cause of the others is kept front and center. I would note parenthetically that we had a press conference and hearing to express great disappointment that when Hu Jintao was here, many people in this room raised the case of Liu Xiaobo and Gao and Chen, and many others, very strongly and with great detail, including the Commission, including the Human Rights Subcommittee, which I chair, and it was never even mentioned, publicly at least—maybe privately.

But the Associated Press asked a great question, and all of a sudden there is a problem with communications at the joint press conference with President Obama and Hu Jintao and he couldn't answer it for some reason. The President said something that I

hope he retracts, President Obama, that they—they, being the Chinese—have a different culture and they have a different political system.

That rubbed even the Washington Post profoundly the wrong way, which did a huge editorial, “Obama Defends Hu Jintao on Rights Issues.” A different culture? Harry Wu spent 20 years in the laogai being tortured. Bob Fu spent time there as well, who will testify later. They understand perfectly human rights and democracy. The culture is profoundly in favor of these rights, so I do hope our own administration does more and in a much more visible way.

Your comments on that? I mean, this is a bipartisan Commission. We speak out. Right before the Olympics when President Bush was being not as strong as he could be—as a matter of fact, weak, to some extent—on human rights in China, Mr. Wolf and I went to China right before the Olympics, brought the Commission’s list of prisoners, and were very unhappy with our own ambassador, and even Condoleezza Rice, who was talking about what venue they wanted to attend, was it swimming, was it track and field, rather than going to prisons and trying to promote the reform agenda. So there’s no partisanship here. I would hope the administration would do more. Any comments you might want to have on that?

Mr. GERSHMAN. I recall, Mr. Chairman, that at the NDI [National Democratic Institute] dinner at the beginning of November, Secretary Clinton, talking about the Arab Spring, said that we can walk and chew gum at the same time. In other words, we can support democracy even as we work on the very practical issues that the Administration must address with the governments in the Gulf, or in this case, China.

I think striking that balance is key. We recognize that the United States has great interests with China—economic interests, political interests, and so forth. But that in no way should prohibit us from also expressing the strongest support for democracy and human rights. There’s no contradiction there. The Administration has said it themselves. I think they’re increasingly following it in their policies, and I hope they’ll continue to do that.

Representative SMITH. Well, I would just take one disagreement with the “continue.” I hope they will do it. I mean, Mrs. Clinton did say that she was not going to allow human rights to “interfere” with climate change and peddling U.S. Treasury debt. And I say that with respect to the Secretary of State. This man, and all of these men and women, are suffering irreparable harm to their bodies and minds in these horrific Gulags and we need to be much more visible and louder.

Mr. Walz?

Representative WALZ. Well, thank you, Mr. Chairman. I’ll probably piggy-back a bit on that. I absolutely refuse to believe that we need to capitulate our stances on human rights with this false choice of upholding human rights versus economic growth. I think that’s a trap. I don’t believe it. I think you can certainly do both and we can demand that of our trading partners.

I think what we’re trying to understand, and I said when I came to this hearing that I think, unfortunately, maybe the Chairman is right, this is one of the small outposts of this being spoken of. Sometimes this type of discussion is not accepted in polite company

in Washington because we may offend someone over our trade policies. I think we need to reset that. We need to reset that approach to it. It certainly doesn't mean that we live in our own glass house and understand that we need to do things ourselves, but it's this quest to try and get human rights to the forefront.

My question to all of you is one that I always try and understand on these panels. This discussion here can be for domestic consumption, but what I'm most proud of is that door is open and we're quite aware that this ends up getting back. We hope it gets back to folks in China who maybe somewhere down along that bureaucratic line, listen a little bit.

What are our best approaches to this? What are the best ways to ensure—what I'm always trying to understand, and I tell this story, I did spend some time living in China in the 1980s and I traveled back—I always say 34 times, but because it's China, every time I went I learned a little bit less and I'm one trip from knowing nothing about China, because I'm always trying to understand the people, and this dichotomy I have with a regime that doesn't seem to honor those ideas, but a people who do on an individual and a community basis. I'm trying to figure out, what can we do?

What is the best way? What are the things the Chairman is talking about, of asking the administrations, regardless of politics? How do we best help people like Liu Xiaobo and how do we help the average person who is not a Nobel Prize recipient, but is sitting there in their home thinking things could be different? Can any of you help me try and—from your experience and understanding?

Mr. LINK. I'm madly flipping through the book here because Liu Xiaobo himself addresses this question. If I can find the quote in a few minutes, I'll read it to you.

Representative WALZ. Okay.

Mr. LINK. But he, in receiving a prize in San Francisco in 2002, where he was barred from going but he sent a statement, said—and this isn't verbatim, but his idea was—it's profoundly uplifting for us to hear the goodwill expressions of human beings in other parts of the world in support of our work.

I would argue that it's not only to the dissidents that it means a lot, but precisely because of the Elena Bonner phenomenon. You have a few people at typewriters who are called "dissidents." In fact, they are spokespeople for much larger groups of people who don't dare to speak out. After all, what is it that makes a dissident? It's the willingness to put your head on the line.

Everybody else is watching, and when the principle can be articulated people who otherwise are silent feel enthusiasm from within. So I think the short answer to your question is that human beings everywhere, including us and our government, ought to make clear moral statements about what's going on.

Representative WALZ. I couldn't agree more.

Mr. LINK. And have it be out there, and it'll be heard by people who don't dare to speak. Lots of people who don't dare to speak.

Representative WALZ. Thank you.

Do you dispel this myth that the sociological factor that the Chinese quest for stability in some cases outweighs that quest for individual personal justice? This idea of, don't rock the boat, because when the boat's been rocked in the past we've had decades of un-

rest. Do you reject that as a reason that the Chinese—we hear this sometimes, that the Chinese public is not themselves as concerned with pushing this as are the diaspora, for lack of——

Mr. LINK. Yes. I think that's a technique of the ruling elite. If you look at the history of the Communist experience in China and ask the question, where has chaos originated——

Representative WALZ. Yes.

Mr. LINK. From the top. Mao Zedong created more of it than anybody else. The Tiananmen massacre was from the top. The wealth gap between rich and poor that Carl refers to as creating so much stability is because the power elite hangs on power and wealth.

Representative WALZ. Yes.

Mr. LINK. The causes of chaos and instability are from the top, not ordinary people. So I think that's an utterly false argument. It's very smart for the regime to use it in their ruling techniques. I mean, they could have read Machiavelli on "The Prince" on how to do this. But should we take it seriously? No, not at all.

Representative WALZ. If I could ask Ms. Botsford Fraser, what's being passed around amongst Chinese people that they're reading, if you know, of things that are inspiring them? I watched this, having worked in being with my friends for some time, and it would be after work drinking a beer and then they would tell the jokes.

I found it—I tried to listen to the Chinese political jokes. One of the problems was, they many times relied on a play on words of the Chinese language, and my Chinese was so weak that I laughed out of courtesy, not because I got it. But I found that those jokes, when I did understand them, were very telling, how people were seeing it. I am wondering from a writer's perspective or how you see it, what are they saying?

Ms. BOTSFORD FRASER. Certainly when we were there we had the impression of a very deep and very rich and very lively literary culture and a very sophisticated literary culture, and it's one where individual writers understand the need to speak both to the citizens of China and also the outside world, and they're quite strategic in how they decide to manage that, to manage their own careers in terms of the kinds of books that they publish.

So I would say that it's a very rich culture. I am not a Chinese speaker and I don't know the literature, but I certainly had that sense of a very dynamic culture. But I think the other aspect of this is the changes in technology and the way that social media and the way that figures like Ai Weiwei, for example, have dramatically changed the way that Chinese citizens are speaking to one another and the kinds of—you mentioned the political jokes, the imagery, the satire, the ways that all of these things are sort of spreading across social media and become the sort of—the language of how people understand their situation.

And I think for a lot of people one of the turning points is not only the issues such as freedom of expression, which has now become an issue that affects everybody because everybody wants to have a cell phone and be able to use it, and suddenly freedom of expression isn't an abstract thing, it's about me being able to use my cell phone and me being able to read the Internet in countries all around the world.

But it is also about the identification that people like Ai Weiwei have introduced into the broader culture, the younger culture, where people get it. They get those kinds of visual images.

Representative WALZ. Yes, that's the thing. And Mr. Chairman, thank you for indulging me. I'll leave you with this. I was thinking right prior to June 4, I remember it just stood out for me. I thought it was a very funny short joke and I thought it really exemplified what was happening prior to the spring revolution. This must have been in 1988.

Someone told me it was President Reagan—it dates you on this—but President Gorbachev and Deng Xiaoping all got the opportunity to meet God. And President Reagan said, when will America be truly free and democratic and open? And God said, oh, 25 years, and President Reagan cried. President Gorbachev says, when will the Soviet Union, Russia, become truly free and open? He said, it'll be 50 years, and President Gorbachev cried. And then Deng Xiaoping said, when will China be truly open and free? And God cried.

The issue at the time was, and you could tell, there was something happening in the society. I just say this as a small thing, and it's a writer's piece of it, in honoring someone like Liu, that there's a profound understanding of the culture that we need to understand and what we can do to facilitate that. So, thank you for indulging me, Mr. Chairman, and thank you.

Representative SMITH. Thank you.

Chairman Wolf?

Representative WOLF. Thank you, Mr. Smith. I'll thank both of the members for their comments and questions. I have been encouraged by listening to your comments. They express the feelings that I have, but I think you all have forgotten more about China than I will ever know, so you validate some of the things that I think are going to happen or are happening.

To ask you a couple of questions, does Liu's wife—can she have visitors? If someone were to fly there and just say, we're going to take a cab over, can you visit? Can you knock on the door? Can you go inside?

Ms. BOTSFORD FRASER. When we were there we were told no, that we absolutely would not be able to. I will say that the diplomatic community in Beijing tries very hard to visit Liu Xia. They make a point of going to her compound and asking permission to visit her and they are denied permission to visit her. This happens over and over again, and it is done by almost all—not all, but a large number of the embassies in Beijing make this effort.

Representative WOLF. Has the American Embassy ever made the effort?

Ms. BOTSFORD FRASER. Yes, they have. All of the embassies do this on a regular basis. They see this as part of their mandate there.

Representative WOLF. Second, where do you think we are in the timeline if we had to compare China with the Soviet Union? And we know how it collapsed. I think you could do this in an appropriate way. If you recall, Ronald Reagan said—in 1983, he said, "Tear down this wall," and then he goes to the Danilov Monastery

and gives a very powerful speech, and yet Gorbachev comes to his funeral.

So you don't have to be just—you can raise human rights and religious freedom concerns in an appropriate way. But where do you think we are in China compared to the Soviet Union today? Are we in 1979? Are we 1983? Are we 1986? Where do you think we are? Not hope we are, think we are.

Mr. GERSHMAN. Mr. Chairman, no one can really precisely answer that question. Most people didn't anticipate the fall of the Soviet Union, and there are significant differences with China, one being China's economic success today. That's a significant difference. The second is the nationalities issue. The Soviets had a much larger nationalities problem than the Chinese have.

However, I come back to this issue of stability. They're worried about it. I quoted Yu Jianrong earlier, that they don't have real stability, the stability that comes with resilience. China has a very brittle system. If they go through an economic crisis, if this growth doesn't continue, it could break and we do not know when that's going to happen.

The other major difference between the two periods is the Internet. During the Soviet time, as I said, it was 11 dissidents with a typewriter; you remember, smuggling around carbon copies of manuscripts and what have you. Now some 400 or 500 million people are on the Internet, and the struggle over the Internet is going to be very critical.

We can practically help not only by helping to get information in, but by helping people inside break through the restrictions that the government is putting on the Internet. It's terribly important to keep the Internet as open as possible for the people in China. That's a very powerful factor, and I think it contributes to the instability of the situation.

Ms. LI. I would add by saying that China is in a place where the Soviet Union has never been. This brings not much certainty about when something would happen, but it also challenges us to think more creatively. I also want to add that nobody predicted what would happen in the Arab Spring: in Tunisia and Egypt.

I want to get back to the question of, what the U.S. Government or this administration could do in the short term. I think the administration or the U.S. Government should be consistent, at least, when it comes to human rights, whether violations took place in Libya or Syria, Iran or Burma, or China. There shouldn't be double standards because of China's economic power status.

The upcoming visit by the Vice President of China to the United States would be one advocacy opportunity to press for the release of Liu Xiaobo and Chen Guangcheng, and Gao Zhisheng, and all other political prisoners, because the Vice President, as we know, is the heir apparent to the throne of the CCP [Chinese Communist Party]. It's important to put him on the spot.

President Obama himself, a Nobel Peace Prize laureate, certainly should do more to obtain the immediate and unconditional release of his fellow Nobel Peace Prize laureate, Liu Xiaobo. The Burmese opposition leader Aung San Suu Kyi was under house arrest for almost 20 years. We hope with all our efforts and the admirable efforts by this Commission, we would see Liu Xiaobo free sooner.

Mr. LINK. I want to answer Congressman Wolf's question about "where is China now?" by reinforcing what Mr. Gershman said about the Internet. Five years ago, my view of the rising Chinese Internet was that it was an open question whether or not this could be the first medium in the history of Communist China that breaks free.

Now, I really think that the Internet is going to win. I don't think they can keep the lid on. The consequences of that are something that the regime clearly fears, and I think it's an open question, but it makes me, today, much more optimistic about change in China than I was three or four years ago.

There are two of Liu Xiaobo's essays that say that the Internet, in his view, is "God's gift to China." It's partly tongue-in-cheek, but very serious at another level.

I found the sentence that I was looking for and I'd like to read it because I think it's a good coda for this whole effort that you people are making.

He writes, "I should emphasize that for people like me who live inside a cowardly dictatorship, which is a prison of its own kind, every little bit of good-hearted encouragement that springs from the human nature of people who live in other places, even if the encouragement is small, causes us to feel gratitude and awe."

Representative WOLF. Well, you know, Sharansky used to say, when he knew that people in the West—Congressmen, Senators, or people who were just advocating for him—he was inspired by that, and even in the Gulag knew that it was taking place. I'm going to ask you for one thing, but before that I have one last question that I want to ask on this. Does Liu know of this interest? Are there ways that he knows that this hearing—will he find out that this hearing took place? Do you believe that he and his wife know of the interest in the West? Just yes or no.

Ms. LI. In some ways, the general efforts to seek the release of Liu Xiaobo or support prisoners of conscience like him by the international community is known among Chinese activists. Whether this particular hearing, when the information will reach them, I cannot answer that question.

Representative WOLF. Okay.

Ms. LI. My understanding is the house arrest of his wife, Liu Xia, has been done in such a way that if she would not go out of her way to try to talk about her situation, she would be given a certain chance, for example, for a prison visit. We cannot confirm any prison visits by her had actually taken place, but there have been some reports to that effect.

Representative WOLF. So would it be helpful if Members of Congress, when they went to Beijing, tried to visit Liu's wife who is under house arrest?

Ms. LI. As Marian just said, I also heard the same, that diplomats have been trying to visit her at her compound. The first barrier they face are the security guards at the compound.

Representative WOLF. I understand that. But would it be helpful if, when Members were there—if we wrote Members of Congress who are always going to China and said, when you're in Beijing, go and try to visit Liu's wife. You know, try.

Ms. LI. Yes. Yes.

Representative WOLF. You may not get there, but try. Ask.

Ms. LI. Yes.

Representative WOLF. Don't listen to the American Embassy telling you not to do it. But try. Would it be helpful if they tried?

Ms. LI. Yes.

Representative WOLF. Okay. That's—

Ms. LI. The more such attempts to visit as we know in the case of Chen Guangcheng under house arrest in his village, the more attention that such attempts can draw to the individuals, the better.

Representative WOLF. So we'll do a letter to every Member of Congress saying, when you go to Beijing, try—try—and if Member after Member tries and tries, you know, someone will get through.

The last question is, if you could give Mr. Smith a letter with some recommendations that we can get to Ambassador Locke. When he was nominated—I opposed his nomination. He came up to me after testifying before my subcommittee and said, "You know, when I go to China"—and I think Ambassador Locke is a good man. Let the record show he said, "I'm not going to let you down."

So if I can say to Ambassador Locke, we had four distinguished witnesses before this Commission and they recommended that you, Mr. Ambassador, do X, Y, and Z, that would be helpful. So if you all could just draft something to Mr. Smith and then we will get it to the Ambassador to say we had the four of you here, and they thought that if you do this, because he's getting very good coverage—good coverage and bad coverage, showing him with his backpack and buying ice cream, and they're sort of confused by him. If we give him this opportunity and we set a standard, then I think we can give these to the Ambassador to say these four distinguished witnesses before this Commission recommended this, and I respectfully request that you do these things. Thank you very much.

Mr. Smith, thank you for the hearing. It's a great hearing.

Representative SMITH. Li Xiaorong, you mentioned a double standard. Would the other three witnesses agree that there has been a double standard of the United States toward China, especially as it relates to places like Libya, as you pointed out, Iran?

Mr. GERSHMAN. You know, I think it's more than a double standard. The Arab Spring has so fixated American consciousness on the Middle East that people are just not looking anywhere else right now, at least not sufficiently. That's why I think this hearing is so really incredibly important.

Congressman Wolf, you know, when you asked, "Does Liu know, will he know?" My answer is, "They knew in the Gulag in the old days." If they could know in the Gulag, at a time when half the population is connected to the Internet in China, it's inconceivable to me that Liu doesn't know. I would only say, in terms of what can be done, Saturday is the anniversary of the Prize.

Representative SMITH. That's why we're having the hearing.

Mr. GERSHMAN. It would be wonderful, even if Ambassador Locke just issued a statement in China, just a simple statement, congratulating Liu Xiaobo on the anniversary of the award and expressing concern about his freedom. I think that would be extraordinary, if that could be done on Saturday.

Ms. LI. Such gestures do make rounds in China among friends and the general population. I would mention the former Ambassador, John Huntsman, who appeared in Wangfujing on the day of the “Jasmine Revolution” protest in Beijing, and all such gestures do get noticed.

Representative SMITH. Dr. Link?

Mr. LINK. I agree that there has been a double standard. I like Mr. Gershman’s suggestion immensely of, on the anniversary, our Ambassador making a statement. In general, again, if I wasn’t clear before, I am in favor of public statements. It’s a mistake to say behind closed doors we’re going to say this privately and expect that it’s going to do anything.

Representative SMITH. So why not President Obama in addition to our Ambassador?

Mr. LINK. Of course. Of course. That would be even better.

Mr. GERSHMAN. Yes, especially because of the Nobel connection.

Mr. LINK. Yes.

Ms. BOTSFORD FRASER. I think all Western democracies have suffered from the curse of the double standard in terms of China and also in terms of other emerging democracies as well. I think it’s our job to make sure that they’re called to account for that double standard. It’s not fair, and I think the standard that should be applied is, what are the needs and wishes of the people of China, not the government of China, and that should be the standard by which we measure our actions and our statements.

Representative SMITH. Thank you.

Let me thank our witnesses. Anything you want to add before we go to the second panel?

[No response].

Representative SMITH. Thank you so much for your leadership. Please be sure to sign the picture, because we will give it to him when he is free.

I’d like to now move to panel number two, beginning with Chai Ling, founder of All Girls Allowed. She is the founder of that organization, an NGO focused on raising awareness of human rights issues in China, especially as it relates to coercive population control, forced abortion, forced sterilization, gendercide, and the missing girls who have simply been eliminated, exterminated, because they happen to be female.

Chai was a student leader in the 1989 Tiananmen Square movement. She was on the government’s 21 Most Wanted Students list. She escaped from China in 1990 and became a successful businesswoman. She has been previously nominated on two occasions for the Nobel Peace Prize and she just completed and published her memoir, “A Heart for Freedom,” just a few months ago.

We’ll then hear from Harry Wu, executive director of the Laogai Research Foundation. It’s a foundation established in 1992 to gather information on, and raise public awareness of, the Chinese laogai system. Harry Wu spent almost 20 years in the infamous Gulag system known as the laogai in China, and years ago—almost 20 years ago I held the first hearing ever on survivors of the laogai. We had six individuals: Catherine Ho, Paul Dingjitsu, of course the great Harry Wu, and they told us what actually went on in those concentration camps.

One of those who testified, Paul Dingjatsu, a Buddhist monk, brought some of the implements of torture routinely employed against people in the laogai and the security downstairs wouldn't even let him in the building. We had to go and escort him. When he held up the cattle prod and said this is what the Chinese Secret Police use against people in the laogai, you would have heard a pin drop in this hearing room. So Harry, thank you for your tremendous work.

Reggie Littlejohn, president of Women's Rights Without Frontiers. Reggie is a lawyer and president of the Women's Rights Without Frontiers, a nonpartisan international coalition opposed to coercive population control and sex slavery in China, as well as an expert on China's one-child-per-couple policy, and she has been arguing very passionately for Chen Guangcheng's release and will speak to that, and other issues during her testimony.

And then fourth, Bob Fu, founder and president of ChinaAid Association. He was a leader in the 1989 student democracy movement, again, in Tiananmen Square, along with Chai Ling. He later became a house church pastor and founder, along with his wife. After being persecuted for their work, after being incarcerated for their work, they escaped to the United States and in 2002 founded ChinaAid and monitors and reports on religious freedom in the People's Republic of China.

I know she has to leave, but Sophie Richardson from Human Rights Watch, I want to thank her for her leadership. She will be submitting testimony for today and was in Oslo, as so many of us, during that very uplifting but heartbreaking ceremony when we all witnessed the empty chair.

[The prepared statement of Ms. Richardson appears in the appendix.]

Representative SMITH. Ms. Chai?

STATEMENT OF CHAI LING, FOUNDER, ALL GIRLS ALLOWED

Ms. CHAI. Well, Chairman Smith and Ranking Members of the Commission, thank you for hosting this important hearing to give honor, respect, and much-needed attention to Mr. Liu Xiaobo. His bravery and perseverance continue to set an example for all of us when we consider our Nation's relationship with China.

My experience with Liu Xiaobo began at Tiananmen Square in 1989. From the beginning, we approached the movement with different strategies and ideas toward a common goal to request dialogue with the Chinese Government to urge peaceful reforms. However, on the night of the massacre we reached very powerful unity. After that, I went through 10 months in hiding until I was able to reach America. Unfortunately, Liu Xiaobo was sent to prison in China, where he still is today.

Charter 08 and China's three reforms are necessary for China's democracy and freedom. During the 1989 movement, the leader Hu Yaobang—who led the movement—died. He had advocated for three reforms, economic, political, and spiritual reform.

Zhao Ziyang, the premier, who was eventually sentenced to house imprisonment for his disagreement with Deng Xiaoping, advocated for two reforms, political and economic. But Deng Xiaoping only wanted one, economic reform, and that's what China has

today. So Charter 08 is the effort of advocating for political reform in China.

Today, of the 303 initial signers who signed the first round of Charter 08, 156 of them have suffered severe persecution, such as prison sentences, arrest, house arrest, and forced disappearances on sensitive dates such as the Nobel Peace Prize award ceremony. It is really important and necessary to also remember them as well.

Charter 08 advocated for many rights, including freedom of speech, freedom of religion, and property rights for average Chinese people. Today, China has used its corruption and power and authority and has taken many average, helpless people's properties, millions of those.

We recently were informed of a case of this lady, her name is Nie Lina. I wanted to point out her situation because it's urgent, and she was detained in April due to her petition for a loss of housing. The government punished her by sentencing her to a forced abortion, and here we see the picture of her being strapped down, going through detainment. So we sent out an urgent prayer request, and 48 hours later that prayer was answered and she was set free. So five months later she was able to give birth to her baby.

Unfortunately, this saga continues. This brave woman, a new mother, returned to petition again, and she was imprisoned again. Yesterday morning our staff and partner, Zhang Jing, got an urgent call from her. She and her three-month-old infant and her 70-year-old mother are being detained in a black jail somewhere in Beijing.

For more than 10 days, she was given very little nutrition, so she didn't have enough milk to feed her baby. So we do want to use this opportunity to advocate for her immediate release, her, her baby, and her mother.

So this is just one of many cases. We cannot fight in every single case, but we can advocate for freedom and justice by a much more broad approach, looking at U.S.-China policy. When we talked last year, when five Nobel Peace Prize committee members were able to take a stand, through their enormous courage to take on the whole of China, it inspired the rest of the world.

It was awesome to see, Chairman Smith, you and Nancy Pelosi, then-House Speaker, Mr. Gershman, Professor Perry Link, all there. It was a beautiful reunion. However, the lack of the presence of President Obama was heartbreaking for many of us, and this symbolizes a consistent problem between U.S.-China policy. It's a lack of leadership, lack of conviction, lack of moral authority.

Particularly, a statement like that, such that we cannot let human rights interfere with our economic crisis and security issues in dealing with China, that has become the root cause for the deterioration of China's human rights conditions and the decline of America.

Two years ago, I was invited to know Jesus Christ, so today I can no longer talk about China's situation without mentioning God. So that is also the reality in China, that a third of the Chinese Tiananmen generation has come to know Jesus, and has been given renewed courage and determination to fight for freedom and democracy for China.

I do want to come to Scripture to see what should be the basis of the U.S.-China relationship. The God who founded America through the forefathers is clearly a God who loves justice, hates robbery, and iniquity. He's a God who gave the following decree: Curse the man who withholds justice from the aliens, the fatherless, and the widow.

So when we uphold justice to do what God requires us to do, to act justly, love mercy, and walk humbly with the Lord our God, there are severe consequences, as the Bible clearly lists. You will be cursed in the city and cursed in the country.

As we know today, America is paying 42 cents of interest on every dollar we spent as a government. The following picture serves as a chilling reminder to start doing right. It is said, "A people that you do not know will eat what your land and labor produce. You will have nothing but cruel oppression all your days. The sights you see will drive you mad." It continues, "He shall lend to you, but you shall not lend to him. He shall be the head and you shall be the tail." In many ways this reminds us of the current economic and debt situation we have in China.

I know my time is running out. I would like to be able to finish the rest of the story later in the question and answer time. I would like to request that all the information we provide, including the many names of the Chinese people who are in detention, our report on the one-child policy, and our urge to have H.R. 2121 to be passed, all that information to be included in this hearing record.

Representative SMITH. Without objection, so ordered. And you also have the names of the people with Ms. Nie Lina?

Ms. CHAI. Nie Lina. Yes. I forgot to mention that. Yes. Appendix 1 is the names of the officials who are responsible for Nie Lina's detention.

Representative SMITH. I appreciate that. It's amazing that you have that list.

Ms. CHAI. Yes. We'd like to include them in the record and ask Ambassador Locke to bar them and their family members from entering this country. That would send a very strong message.

Representative SMITH. I appreciate that. Thank you.

Ms. CHAI. Yes. Thank you.

Representative SMITH. Thank you, Chai Ling.

Harry Wu?

[The prepared statement of Ms. Chai appears in the appendix.]

STATEMENT OF HARRY WU, EXECUTIVE DIRECTOR, THE LAOGAI RESEARCH FOUNDATION AND LAOGAI MUSEUM

Mr. WU. I wish my testimony could become part of the record of this hearing.

Additionally, I want to make four points. The first point is, it has been one year since Liu Xiaobo was awarded the Nobel Peace Prize, and now he's still in the jail. In 1960, I, too, was put into the Chinese laogai camps because of my ideas. I was there 19 years. But 50 years later, the Chinese regime has not changed how it handles dissidents' opinions.

Liu Xiaobo has sent over 260 articles to our Web site, Observe China. We published it. But Liu Xiaobo's articles did not get published inside China. But the Chinese Government picked three of

these articles in the verdict—the three articles are: No. 1, “Can It Be That the Chinese People Deserve Only Party-led Democracy?”; No. 2, “The Many Aspects of CPC’s Dictatorship”; and No. 3, “Changing the Regime by Changing the Society.” This is the so-called crime, “intent to subvert the government.” Unfortunately, inside, the people cannot read these articles, but they try to.

Point number two: last year I was in Oslo. I was surprised to see a message from John Chambers, the CEO of the Cisco Systems. He noted that Cisco has been a sponsor of the Nobel Peace Prize Concert since 1999, and that “Cisco is working to help individuals, companies, and countries to use the Internet to collaborate, educate, empower, and further the ideas and innovation inspired by Alfred Nobel and his legacy.”

But we do know, in the last decade, Cisco cooperated with Chinese security systems very well. They signed a number of contracts with the security systems to upgrade their military, upgrade their Internet systems. So today, the Chinese Internet system very well protects their market. It’s called the Golden Shield Project.

Number three: We published two Chinese-language Liu Xiaobo books. Unfortunately, today there’s only two Chinese versions, but we will soon publish an English version and it’s only written by Liu Xiaobo. We sold about 2,000 copies of these Chinese versions. We collected more than US\$16,000. But we cannot send the money back to Liu Xiaobo. Even from 2006 until today, every month we financially supported Liu Xiaobo. But in February 2011, we had to stop because Liu Xia, his wife, also disappeared.

But I have a photo here. This is the so-called Jinzhou Prison. But, so far as I know, Liu Xiaobo was not in this prison. Just as you know, in 1995 when the Chinese Government arrested me, they put me in a retirement center. When the American consulate came to visit me, interview me, they removed me to the Wuhan No. 1 Detention Center. Supposedly, Liu Xiaobo is in the Jinzhou Prison, this is not the truth. He is in a secret location.

The last issue, I want to remind you, we should not talk about “political reform” because this is telling the Chinese Communist Party that he is not forgotten, that his vision of a better future will not be quietly fading away. Is there any Communist Party today—since 1917 until today, is there any of them that can be reformed? No. Not any Communist Party can be reformed.

You remember the Polish leaders, the East German leaders talking about reform. But since Deng Xiaoping talked about political reform, what’s going on? I was there in the prison camp 50 years ago, and Liu Xiaobo is there again. I want to remind the people here, today at this hearing, some people said the Internet will be open as soon as possible. And some people say the Internet is going to win.

Let me remind you of a story. Thirty years earlier in 1980, I was in China. I heard an American entrepreneur. He said, we want to help China—only help the Chinese produce the color TV for each family to have a color TV. I thought this was wonderful because at the time only a few families had black-and-white, small TVs—televisions. If everybody had a color TV, that means the communication, the media will be free. But today you know the Chinese,

almost every family has a color TV, but the media is entirely controlled by the Communists.

Today China has more than 300 million Internet users, but Liu Xiaobo's articles only can be published outside. If the inside people want to see it, you have to cross over the firewall. Don't expect that the Internet can be free while the Chinese Communists are still over there. Thank you.

Representative SMITH. Thank you very much, Mr. Wu.

I would just note at this point that tomorrow I will be introducing the Global Online Freedom Act and its new, enhanced, beefed-up version of a bill that I had introduced a couple of years ago. It will require disclosure to the Securities and Exchange Commission of all U.S.-listed corporations, and that would include Chinese corporations like Baidu and others.

Light is a great disinfectant. Hopefully that will shine a bright light on what they are doing, or not doing. Second, it also has a regimen of export controls, a modest attempt to try to open up the Internet and similar technologies in China.

Thank you, Mr. Wu.

Ms. Littlejohn?

STATEMENT OF REGGIE LITTLEJOHN, PRESIDENT, WOMEN'S RIGHTS WITHOUT FRONTIERS

Ms. LITTLEJOHN. Thank you, Mr. Chairman and members of the Commission. It is a humbling opportunity to testify on behalf of one of the most courageous individuals not only in China, but in the entire world, the blind self-taught lawyer, Chen Guangcheng.

I begin by commending the Chairman, Congressman Christopher Smith, for your recent attempt to visit Chen Guangcheng and your tireless efforts to raise the visibility of his case and other cases. Your efforts are having an impact.

Chen Guangcheng had helped farmers and the disabled, but he was arrested in 2006 for helping to expose the Chinese Communist Government's massive and systematic use of forced abortion and involuntary sterilization to enforce its one-child policy in Linyi City, as opposed to Linyi county, in 2005.

Time Magazine named him one of 2006's Top 100 People Who Shape Our World, and he was given the 2007 Magsaysay Award known as Asia's Nobel Prize.

Simultaneous with this testimony I'm submitting a report from Chen Guangcheng's 2005 investigation team. This team was investigating coercive family planning in Linyi in 2005, and this report, which contains extensive witness statements from various people who have experienced untold atrocities, was drafted by, himself a celebrated lawyer, Teng Biao.

So this report basically contains like a slice of life, a snapshot of Chen's investigative team and the kinds of atrocities they were finding right prior to his imprisonment. In this report are detailed accounts of the following: A woman forcibly aborted and sterilized at seven months following the detention of 22 of her relatives; villagers sleeping in fields to evade family planning officials; a family planning official who broke three brooms over the head of an elderly man because his daughter was not home when they came to grab her for forced sterilization; family planning officials who

forced a grandmother and her brother to beat each other; the use of quota systems and the practice of implication; the detention, fining, and torture of the extended family of so-called one-child-policy violators; the institution of something that he called the Family Planning Learning Class in which extended family members are detained and tortured, and then charged a fee, which they called tuition; the account of a farmer who committed suicide because his family and his neighbors were detained and tortured because his son had had an extra child; and then there is a report here of the harassment of Chen Guangcheng and his team as they were trying to document these cases.

The Chen Guangcheng report makes this clear, that the spirit of the Cultural Revolution lives on in China's family planning death machine. Women's Rights Without Frontiers has chosen to release the names of the perpetrators of these crimes against humanity so they may be held accountable before the world under H.R. 2121.

This report was drafted in 2005, however, conditions have not improved in Linyi since 2005. Earlier this year, family planning officials stabbed a man to death, and a woman six months pregnant recently died during a forced abortion in Lijin county, also in Shandong Province.

As the Chairman has indicated, for exposing these horrendous crimes against humanity, Chen Guangcheng was jailed, tortured, denied medical treatment. For more than four years he's now languishing under house arrest. Foreign journalists have been forcibly denied access to him and lawyers who try to help Chen Guangcheng have been beaten and detained.

I speak specifically of Jiang Tianyong, who I testified with in 2009, and Teng Biao. In February they were both detained for more than 60 days. This fall, leading up to Chen Guangcheng's 40th birthday, people from all over China streamed in to try to see him and try to visit him, and they were, without exception, repelled by thugs at the crossroads of his village.

Women's Rights Without Frontiers and the ChinaAid Association are spearheading an international effort to free Chen Guangcheng. Thus far, we have collected more than 6,400 signatures from 28 countries on our petition.

In early October, we received an unconfirmed report that villagers had said that Chen Guangcheng had died. This was after we had received a video that was released through ChinaAid about the horrific conditions of Chen Guangcheng's house arrest, and also a letter from his wife, Yuan Weijing, saying that she was concerned that he might not survive because of his medical condition.

However, even though the many visitors to Chen Guangcheng's village have been repelled, Relativity Media was able to gain access to Linyi in order to film the feature film comedy "21 and Over." When challenged on its choice of Linyi out of the thousands of possible locations in China and urged to apologize for its lack of sensitivity to Chen Guangcheng and human rights, Relativity Media issued a statement defending its action. Women's Rights Without Frontiers has called for an international boycott of the film "21 and Over."

Just this weekend, a source inside China contacted me and gave me a credible report that Chen Guangcheng is alive, and in fact

that his condition has improved slightly. She attributes this, the fact that he's alive and that his condition has improved, to the fact that Chen's situation has "gotten exposed and gotten huge public attention," in her words.

So part of that public attention was the stream of visitors. Part of it also was an international campaign called the Sunglasses Campaign, which was a collaboration between Women's Rights Without Frontiers in the West and the Dark Glasses Campaign in the East. Other members of this panel have talked about how effective political cartoonists are and the person in China that is spearheading this campaign is the political cartoonist, Crazy Crab.

You can see the image that he came up with there, which is the image of Chen Guangcheng made up of the images of supporters who have taken their sunglasses portraits and sent them in to our Web sites from China and the United States, representing visually the collaboration between China and the United States that has been effective in helping Chen Guangcheng.

We would also like to say that it would be very effective for Ambassador Locke to attempt to visit Chen Guangcheng. The Chinese Communist Party has attempted to silence Chen, but they cannot silence the voices of millions in China crying for his freedom. The report that Chen Guangcheng is alive and in slightly improved condition should not be a reason to relax efforts on his behalf. To the contrary, these efforts are having an impact and should be intensified. Chen, we will not stop until you are free.

Thank you.

Representative SMITH. Thank you very much, Ms. Littlejohn, for your very eloquent and very strong statement and for your advocacy that has made a huge difference. Thank you so much.

Pastor Fu?

STATEMENT OF PASTOR BOB FU, FOUNDER AND PRESIDENT, CHINA AID ASSOCIATION

Mr. FU. Thank you, Mr. Chairman.

Just one year ago, you and I were sitting at the Oslo City Hall, witnessing that historic but sad moment of the empty chair. One year later, the empty chair is still there. The fact that human rights and the rule of law and religious freedom in China have all seriously deteriorated in 2011 is already well-known to all. So on the one-year anniversary of the awarding of Nobel Peace Prize to Liu Xiaobo, it's very highly significant.

Based on our own incomplete statistics we know that about 100 lawyers, rights activists, and dissidents have been disappeared, tortured, imprisoned, and even sentenced to prison terms in the first 11 months of this year. From February to July alone, more than 1,000 rights activists and dissidents across the country, invited to "drink tea," were being threatened.

Although most of the freedom of religion measures that Charter 08 calls for are guaranteed in Article 36 of China's own Constitution, but in practice and in reality the implementation falls far short.

Broad discrimination against and persecution of independent religious groups and people of faith has been increasing in the past 12 months. Just last week we received reports that at least 11

Uyghur Muslims in Xinjiang Uyghur Autonomous Region were detained, and 4 were placed under criminal detention. What crime did they commit? They were accused of so-called engaging in illegal religious activities because they were reading the Koran in their own homes without permission.

Since April 10 of this year, numerous members of Beijing's Shouwang Church, with over 1,000 members, an independent house church, have experienced weekly detention, harassment, and abuses for 35 weeks in a row. The entire church leadership has been under house arrest without freedom of movement the entire time.

Many believers have lost their jobs and have been evicted from their rented apartments. Why? Again, it is because they have been accused of engaging in illegal religious activities, in their case by worshiping in a public space. Never mind that they were forced to worship in an outdoor public arena because the government forced the church out of its rental worship place and made it impossible for it to move into its own purchase of the facility.

In 1989, I was also participating with the students' movement with the ideal that we want to reform the Communist Party by urging the system to change and reform. Of course, it ended with a massacre. I was very disappointed later on during the interrogation time. Even some of my fellow comrades betrayed me by telling lies in order to show their loyalty to the Communist Party.

So I went from disappointment to disillusioned, and I was thinking in despair to commit a suicide bomb campaign. I wanted to kill my enemies and end my own life. But it was at that time that I found my faith in Jesus Christ, and later on became a member of the house church and engaged in the religious freedom defense movement.

Of course, ever since the fall of Communism in the former Soviet Union and Eastern Europe, the Chinese Communist Party has acted as though mafia groups could be tolerated, but not independent religious believers. The treatment of house church Christians, Falun Gong practitioners, Uyghur Muslims, and Tibetan Buddhists has been far worse than other so-called unstable social elements. Torture and brainwashing with drugs has been used to achieve what the authorities called transforming the mind-set of these believers.

In terms of recommendations, I want to——

Representative SMITH. Mr. Fu, if you could just suspend for one second.

Mr. FU. Yes.

Representative SMITH. I would ask you to complete your statement. I would ask if our distinguished witnesses would mind waiting for about 15 minutes or less. There's three votes on the floor and there's about a minute and a half left on the first.

Mr. FU. Yes. Yes.

Representative SMITH. Then we'll reconvene. But we'll take a brief respite and then come back.

Mr. FU. Thank you.

Representative SMITH. So if you could just hold that, then we'll come back to it.

Mr. FU. Sure.

[Whereupon, at 3:54 p.m. the hearing was recessed.]

AFTER RECESS [4:28 P.M.]

Representative SMITH. The Commission will resume its sitting. I'd like to return to Pastor Bob Fu to complete his statement.

Mr. FU. Thank you, Mr. Chairman.

In terms of recommendations, I want to point to two things. First, I think the U.S. Government should make a very consistent, coherent human rights policy and all the—you know, from the top down, and every delegation, from trade to intellectual property, to other delegations to China to have a human rights agenda.

Second, I think Congress, like, Mr. Chairman, you have campaigned for the Vietnamese, you know, the Human Rights Law Act, to have the State Department and the administration to report to Congress about the improvement or the procedures the administration has taken on the human rights record in Vietnam. I think the same standards should apply to China, too.

By doing so, I think with a consistent and coherent foreign policy on human rights, I think it will produce results. Remember, just a few weeks ago on November 3, Feng Xia, the wife of one of China's most prominent Internet freedom democracists, Mr. Ding Mao, was sitting right behind me. She quit her job and came here just to explain her husband's innocence and tried to explain to the international community and asked for help.

It was this Committee, including, Mr. Chairman, yourself, that has taken action immediately. The chairwoman took a photo with her and Congressman Wolf and Congressman Pitts immediately wrote letters and made phone calls on that Friday to the State Department, and it resulted, of course, on the Sunday when Ms. Feng Xia arrived in her hometown airport in Chengdu the U.S. Embassy sent an official and met with her and they had tea together, and the next day, on Monday, she was driven to the U.S. Consulate compound for a one-hour meeting. Happily, of course, as you already know, last Friday her husband was released after nearly 10 months in illegal detention.

Of course, he already served over eight years previously. That's a very unusual release of Mr. Ding Mao that is a bright spot, I think, that can be used as a good example, that persistent diplomacy still works, even in the face of the largest stronghold, the last stronghold of the Communist country, China.

Thank you very much, Mr. Chairman.

[The prepared statement of Mr. Fu appears in the appendix.]

Representative SMITH. Thank you very much, Mr. Fu. Thank you for that update, encouraging in what is otherwise a very discouraging set of events that are occurring in China.

Let me just ask a couple of questions. First, starting with the issue that I raised with the previous panel about double standard, just so that the record is clear from this panel whether or not you think the United States, our European allies, other democracies around the world have, for reasons that might be economic or otherwise engaged in a double standard when it comes to China.

It seems to me that in countries like Burma, where there are not huge economic interests, it's always that much easier for the

United States to be very aggressively promoting the human rights agenda. Is there a double standard?

Harry Wu?

Mr. WU. Well, I was complained to by Cuban dissidents because the Cubans—even their country's president Fidel Castro—cannot obtain an American visa. But with the Chinese president, it's not only the visa, but he can become the White House's honored guest. So this is a double standard. China's the only country, with the so-called publish and control, to only allow one child for each family.

It doesn't happen in Cuba, it didn't happen in Vietnam. But did we really condemn this national policy? No. Okay. Roman Catholicism, until today, is illegal inside China—but it is a kind of freedom in Cuba. But what did we do? We did nothing, okay? And China executed many people, and organ transplants—this is very unique. It only happens in China. But I suppose because China is a very large country, so we just forget about it. Let's talk about the market, talk about economy, the labor force. It's not really talking about human rights at all.

Ms. LITTLEJOHN. If I might respond, Mr. Chairman. I think that the double standard that is applied between China and the United States was very evidence in Vice President Biden's statement that he made when he was in China, that he fully understands, but does not second guess, China's one-child policy.

So in other words, he fully understands that China's one-child policy is enforced through forced abortion, forced sterilization, and infanticide. He fully understands that girls are selectively aborted. He fully understands that this gendercide has caused a situation where there are 37 million more men than women in China today.

He fully understands that this gender disparity is driving human trafficking in sexual slavery in China. He fully understands that the oppression of women, because of the one-child policy, is a factor in the fact that China has the highest female suicide rate of any country in the world, and yet he's not second-guessing it.

What does that mean? If it's not okay in the United States it's not okay in China either, and I just think that, again, that statement really undermined the moral credibility of the United States on the world international scene.

Mr. FU. Yes, Mr. Chairman. There's definitely a double standard over there. As a former prisoner born and educated in China, I wish, when President Obama made his speeches during the Jasmine Revolution time, during the crisis with Libya, these names of Libya and Tunisia could be replaced with China and look at the standards.

I mean, the horrifying—you know, from gendercide to the torturing and the forced disappearance of prisoners. I think it all makes sense, I mean, that there is a double standard and that's why we advocate for a coherent, consistent, and persistent foreign policy on human rights.

Ms. CHAI. Yes, I do want to agree with all the three witnesses, that the U.S.-China relationship definitely has a double standard, double moral standards. I would like to focus to help the American Government establish its singular standard by seeking justice as a foundation of its foreign policy. Recently we visited Rome, and in preparation to visit Rome we studied Pope Benedict XVI's letter on

September 22, 2011, to Germany's Lower House of Parliament and I found that message really enlightening and would like to share if that's okay.

He said, "Allow me to begin my reflections on the foundation for law with a brief story from the sacred Scripture. In the first book of the Kings it is recounted that God invited the young King Solomon, on his accession to the throne to make a request. What would a young ruler ask for at this important moment? Success? Wealth? Long life? Destruction of his enemies? He chooses none of these things. Instead, he asks for a listening heart so that he may govern God's people and discern between good and evil." This is 1 Kings 3:9.

"Through this story the Bible wants to tell us what should ultimately matter for a politician." I would really like President Obama to listen to this and the future presidents or the leaders in the U.S. Congress as well.

"His fundamental criterion and the motivation for his work as a politician must not be success, and certainly not material gain"—which is 100 percent opposite from what our Nation has been doing in the past 22 years.

"Politics must be a striving for justice, and hence it has to establish the fundamental preconditions for peace. Naturally, a politician will seek success, without which he would have no opportunity for effective political action at all. Yet, success is subordinated to the criteria of justice, to the will to do what is right, and to the understanding of what is right. Success can also be seductive and thus can open up the path towards falsification of what is right towards the destruction of justice."

"Without justice, what else is the state but a great band of robbers?" as St. Augustine once said." Our America is very much like a band of robbers in U.S.-China policy. We should check the record, we should check the history and we should figure out what is the right thing to do and move forward.

I want to go back to the Pope's words again: "We Germans know from our own experience that these words are no empty specter. We have seen how power became divorced from right, how power opposed right and crushed it, so that the state became an instrument for destroying right—a highly organized band of robbers, capable of threatening the whole world and driving it to the edge of the abyss. To serve right and to fight against the dominion of wrong is, and remains, the fundamental task for the politician. At a moment in history when man has acquired previously inconceivable power, this task takes particular urgency."

"Man can destroy the world. He can manipulate himself. He can, so to speak, make human beings and he can deny them their humanity. How do we recognize what is right? How can we discern between good and evil, between what is truly right and what may appear right? Even now Solomon's request remains the decisive issue facing politicians and politics today."

As the Pope pointed out correctly, the foundation of a listening heart is to seek justice, not success. Today we need to have a listening heart to confront injustice in China. As Martin Luther King, Jr. said, "Injustice anywhere is injustice everywhere." So that's my recommendation.

Representative SMITH. I appreciate that. Very profound words and sentiments.

Let me ask, with regard to the whole sense of accountability, when Liu Xiaobo—when the announcement was made that he had won the Nobel Peace Prize we all rejoiced. It was like, maybe this is a tipping point moment. Maybe the Chinese Government will finally, at long last, realize at least some of the errors and some of the egregious behavior that they're engaged in.

Yet, they went precisely in the opposite direction, calling the Nobel Peace Prize award obscene, attacking the Norwegian Government and all other governments that were in accord with this very fine selection, and I am very worried, frankly, that there has been, at least in some quarters, silence over the last year with regard to Liu Xiaobo.

I mentioned earlier President Obama's silence, at least public silence, when his jailer, Liu Xiaobo's jailer, was right here in town and we failed to raise the question of a Nobel Peace Prize winner being incarcerated and his wife, de facto, being under house arrest. It was an opportunity lost.

Now, if the lesson learned from the countries, including the United States, is to go silent, we will only be, perhaps unwittingly, but certainly enabling the dictatorship to be even more grievous in its mistreatment of people. I'm wondering what you would recommend that we do to be very clear, transparent, strong. Wei Jingsheng once said, and I know Harry Wu agrees with this, that when we're quiet they beat people more in the prison, in the laogai. It seems to me that there has been some silence in some quarters.

Saturday certainly is a day that everyone, every government leader including the President and Ambassador Locke, as was recommended previously by Carl Gershman, put out a very clear statement. We need those statements everywhere so the Chinese Government does not take the wrong sense of what is either fear or indifference or looking the other way.

We need to ratchet up, redouble our efforts, as Ms. Li said in her testimony earlier. Your views on that? It seems to me we have to do much more, because over the last year, other than present company excluded, we seem to have done little or nothing.

Ms. Littlejohn?

Ms. LITTLEJOHN. Well, Mr. Chairman, I would completely agree with your statement. I believe that one of the reasons, perhaps the primary reason that Chen Guangcheng is alive and that they have even improved slightly his condition, is because so much attention has been focused on his case, both inside of China and outside of China.

The brave people inside of China who have been visiting him, even though they know they're going to be beaten and detained, and then the people outside of China, the Sunglasses Campaign, your own efforts to go and visit him, have all contributed to the fact that he is alive and not dead, and also that his situation has improved.

Now, as I'm sure you know, there was a piece that was written in the New York Times recently saying that perhaps we should mute ourselves, because if the international community puts too

much pressure on China then China will not accede because they don't want to be seen to be bending to international pressure.

I completely disagree with that, and I think that the people on this panel would disagree with that approach, that consistently, when pressure is applied, conditions improve. When people are quiet, when we try to kowtow to the Chinese Communist Party, then they just use that as a license to descend farther and farther and farther into atrocities.

Chen Guangcheng himself urged people to take a stand. In the video that was released he said what we need to do is to overcome terror and to expose their egregious acts that lack any sense of conscience. He, himself, has urged people within China and the international community to take a stand against the atrocities in China, and I can think of no better approach than the one that is espoused by Chen Guangcheng.

Representative SMITH. Thank you.

Mr. FU. I think Harry would agree with me on this point, but I echo what you said, to speak publicly and loudly and repeatedly. I think it is very important. Many times, even myself, when I know a cell phone number of the Public Security Chief who detained prisoners, house church leaders, I just call them and let them know my name, and in several cases by the next day they were released.

I think the Chinese Government, the leaders know that this Congress, the administration officials, from the President, the Cabinet members, they do care. But raising the names of Liu Xiaobo, Liu Xia, on every occasion when they meet with Chinese officials, I think that will make a difference.

Representative SMITH. Okay. With regard to accountability, I want to thank Chai Ling for—even in the case of Nie Lina—listing the names of people that need to be held to account. It seems to me that 31 years of doing human rights work, even the most brutal dictator and dictatorship fears an ultimate accounting for the atrocities they've committed. We saw it with Milosevic, we saw it with the people in the former Yugoslavia, including Karadzic and Maladic, all of whom resisted with every fiber of their being, being held to account.

We saw it with Charles Taylor and Joseph Kony, who was still on the loose with the so-called Lord's Resistance Army, naming people, ICC [International Criminal Court] indictments, and certainly the barest minimum, denying a visa to people who have committed atrocities, which H.R. 2121 would do, as you pointed out, Ms. Chai, in your statement.

But I think the more chronicling of perpetrators is accomplished by the Chinese themselves and certainly when there's a penalty phase, it does sharpen the mind no matter where you are, including in a dictatorship. So, Chai, did you want to respond to that?

Ms. CHAI. I'd love to add to that, yes. So, thank you so much for confirming. We're still going to move forward to push for—and advocate for the U.S. Congress to pass H.R. 2121. We believe that's a very effective way to influence, deter, and change the behaviors of human rights abusers in China.

Recently, our attention was brought to this man, Li Qun, who came to the United States in 2000. He was given a visa to study at the University of New Haven. He interned at the mayor's office,

and went back to Linyi. He is largely responsible for Chen Guangcheng's imprisonment and torture, and is largely responsible for implementing the 130,000 forced abortions and forced sterilizations.

So that just draws attention to say, one, I absolutely agree with Reggie Littlejohn and Bob Fu's statement that we need to talk. We need to speak more, rather than be silent, not just at the government level, but at all levels.

Every time we meet with a Chinese official, every time we meet with Chinese visitors, we should tell them about the values of America, talk to them about forced abortions, forced sterilizations, talk about ending gendercide. That would help them open their eyes, open their mind, and change their heart.

Recently we did a little bit of investigation when we discovered about Li Qun's appearance in America. Supposedly his record in America is short, but really boasts of his record being Chinese Government. Now not only is he going to be demoted, he was promoted to potentially be a Party leader in charge of the entire Shangdong Province, and he's posted his resume for his experience in America.

So we see China is sending loads of these bureaucrats, cadres of officials to America, for short-term, six-month business administration and training. Again, the business administration and training does not talk about human rights, morality, values.

When they go back, they say we learned how to govern our country better from America, and by the way, they emphasize, to further oppress their people. That's not what America is all about and not what it should be all about. Thank you.

Ms. LITTLEJOHN. Mr. Chairman, I'd like to bring up another aspect of accountability, which is not simply the accountability of the human rights atrocities and perpetrators in China, but also corporate responsibility of people who are investing in China. For example, I brought up the example in my testimony of Relativity Media.

Relativity Media is a huge film company. They have many films that have won multiple Academy Awards. They really touted the fact that they had this big partnership with Chinese Communist Party officials in Linyi county to film in Linyi county, so that they were filming this comedy about a young man who goes wild on his 21st birthday right next to where Chen Guangcheng is languishing near death under house arrest.

I believe that companies need to exercise social responsibility and a conscience for human rights and do their due diligence in terms of figuring out where they're doing business and with whom they are doing business, because it is likely that some of the same officials that were forging this deal with Relativity Media are also the ones who are signing off on the orders to torture Chen Guangcheng. I personally hope that the film "21 and Over" that they filmed in Linyi is going to be a huge commercial failure and would urge people to boycott that film.

Mr. FU. Just one more point about Internet freedom. I completely agree with what Harry just mentioned about the Cisco problem, or almost pandemic. I think the Cisco CEO should be subpoenaed to come here to testify on what they have been doing to nurture the dictatorship.

I think the State Department should have an all-out campaign with the congressional appropriation funding to build software to break the so-called Great Firewall. I think that will, itself, serve as a real instrumental door for freedom in China.

Representative SMITH. The Chair recognizes Anna Brettell, who is our senior staffer who helped do a great deal of work on this particular hearing, and I want to thank her for that.

Anna?

Ms. BRETTELL. Thank you, Congressman. Thank you all for coming here, from quite far distances, some of you.

I have just one question. I'm curious about the lawyers that were affected by the 2011 crackdown. Did their experiences affect their work or the way that they approach legal cases? Are they still taking human rights cases?

Mr. FU. Some of the lawyers that we have been working with were totally silenced. They were silenced because of the tremendous torture they experienced and with the continuous threats they faced, even up to now. So they're not able to take up cases or speak up even now. But some are regrouping.

For instance, with lawyer—attorney Jiang Tianyong, who bravely received interviews and spoke up. Because, he said, he would go crazy if he did not speak up about the torment he had experienced during his 60 days of forced disappearance.

I still see hope that some other human rights lawyers that we have been working with are still actively taking up cases, so these are the three different situations for human rights lawyers.

Ms. CHAI. Anna, I'd like to add that, regarding your question, thank you again for putting this great hearing together. I know you worked really hard. I think at one of the hearings we shared about Ma Jihong's murder. She was seven months pregnant with her second baby. She was forced, dragged into a forced abortion clinic, and by 9 o'clock p.m. she was gone, together with her seven-month-old baby.

The human rights attorneys we are working with inside China, are able to take this case, to file a lawsuit against the abusers. So despite the fact that some human rights lawyers are being silenced, many more are moving forward with determination and courage to seek justice for the helpless people.

Ms. LITTLEJOHN. I'd like to add that this Arab Spring crackdown, I believe, was more or less an excuse or pretext for cracking down on lawyers. Many of these lawyers had already experienced tremendous oppression and abuse.

I'll never forget testifying with Jiang Tianyong in 2009 at the one-child policy hearing, and then we gathered in, Mr. Chairman, your office afterward. And as we were leaving, Jiang Tianyong said, "If anything happens to my wife and my child, would you please help me?" And we all immediately prayed for him, but then when he got back to China, in fact, very shortly thereafter, he was dragged off right in front of his daughter and detained and beaten. We had a press conference for him. These people have unbelievable courage.

As an attorney in the United States, I look at the human rights attorneys in China with awe, but also at the Chinese Communist Party and the way that they are targeting human rights attorneys

for torture, for forced disappearance. I believe that they are deliberately turning people who were the defenders of victims of human rights atrocities into victims themselves and trying to disable the entire human rights legal community in the nation of China.

Representative SMITH. Thank you very much for that answer.

Is there anything you would like to add as we close this hearing? Do you have any realistic expectation that Liu Xiaobo will be free in the near term?

Ms. CHAI. Yes, I do.

Mr. FU. We pray for his release.

Ms. CHAI. I would love to. Can we?

Mr. FU. Just one more appeal for understanding, since Dr. Brettell mentioned about these lawyers. Many were seen as silenced in the public square, but just like lawyer Tang Jitian, for a lawyer being captured secretly and put in the so-called Tiger Bench naked, having water poured on them with high volume, and electricity, lying for 24 hours in a closed-door room for days and weeks—like Dr. Teng Biao, a legal scholar and professor of law who was both handcuffed and shackled and was chained in a torture chair for a couple of months. For getting food he has to do this. Using the toilet room, he has to jump. This is not just one day or one week, it's for a few months, with a death threat to his own family members.

So I just want to appeal for understanding. I think for those who are not able to speak up so far, I think we have experienced so much more than we had previously even thought.

Representative SMITH. Thank you so very much for your testimony, for your leadership, which has been extraordinary. Chai, did you have something?

Ms. CHAI. Yes, I'd like to.

Representative SMITH. Oh, I'm sorry.

Ms. CHAI. I'd love to. I just want to conclude that in the past two years I experienced something very profoundly in dealing with China, that when I see suffering and sadness, if I start seeing it from God's perspective I see power and glory. In the Bible, the Lazarus story, God allowed Lazarus to die and then, even though He wept with him and Jesus, he was able to bring him from death to life and to bring more glory to God. We have such a strong sense that the freedom and democracy for China is very near. I cherish this promise during Jesus' Sermon on the Mount, saying "Blessed are the poor in spirit for they are the kingdom of God; blessed are those who mourn, for they will be comforted; blessed are the meek, for they will inherit the Earth; blessed are those who hunger and thirst for righteousness, for they will be filled," and Liu Xiaobo is one of those, "blessed are the merciful, for they will be shown mercy; blessed are those who are pure in heart, for they will see God; blessed are the peacemakers, for they will be called the sons of God; blessed are those who are persecuted because of righteousness, for theirs is the kingdom of Heaven." We have seen something very new and never used before, and that's the power of prayer in dealing with China's human rights situation. So I would like to invite anyone who is a believer who wants to try that, and you can either raise a hand or just be in agreement with me silently as we conclude this hearing in a prayer. Would that be okay?

Dearest Heavenly Father, Lord Jesus, we just thank you for this beautiful, amazing time to testify about the suffering in China, and also your heart to seek justice and set people free. Lord, I thank you for Chris Smith, for his 30 years of faithful service to you. He's such an exemplary example and hero and inspires all of us. Thank you for the new leadership brought by Paul and many other courageous staff from the CECC.

Lord, we believe in your promise. We, today, proclaim according to your Scripture, freedom for Liu Xiaobo and Chen Guangcheng, Nie Lina, and the many others who suffer imprisonment for pursuing righteousness, for there is no imprisonment in the kingdom of Heaven. We proclaim comfort for those who mourn under the one-child policy and the gendercide, for the end is coming and they will be given the oil of gladness instead of the spirit of despair.

We proclaim mercy and forgiveness for the Chinese leaders and oppressors, for if they choose to be merciful then they will be shown mercy. We proclaim riches and prosperity for the 486 million poor in China, for they will be given the opportunity to inherit the Earth.

We proclaim righteousness for America's Government, for if they truly hunger and thirst for righteousness, America will be blessed as a Nation. It will be filled with everlasting joy. Please join me and let this year be proclaimed to be the year of the Lord's favor. In Jesus' name we pray, amen.

Representative SMITH. Amen.

Ms. CHAI. Thank you so much.

Representative SMITH. Thank you.

The hearing is adjourned.

[Whereupon, at 5:01 p.m. the hearing was adjourned.]

A P P E N D I X

PREPARED STATEMENTS

PREPARED STATEMENT OF PERRY LINK

DECEMBER 6, 2011

I am honored to be here and I salute the Commission for its wisdom in holding this hearing.

Liu Xiaobo is one of those unusual people who can look at human life from the broadest of perspectives and reason about it from first principles. His keen intellect notices things that others also look at, but do not see. It seems that hardly any topic in Chinese culture, politics, or society evades his interest, and he can write with analytic calm about upsetting things. One might expect such calm in a recluse—a hermit poet, or a cloistered scholar—but in Liu Xiaobo it comes in an activist. Time after time he has gone where he thinks he should go, and has done what he thinks he should do, as if havoc, danger, and the possibility of prison were simply not part of the picture. He seems to move through life taking mental notes on what he sees, hears, and reads, as well as on the inward responses that he feels.

Fortunately for us, his readers, he also has a habit of writing free from fear. Most Chinese writers today, including many of the best ones, write with political caution in the backs of their minds and with a shadow hovering over their fingers as they pass across a keyboard. How should I couch things? What topics should I not touch? What indirection should I use? Liu Xiaobo does none of this. What he thinks, you get.

Liu was awarded the Nobel Peace Prize in 2010. For about two decades, the prize committee in Oslo, Norway, had been considering Chinese dissidents for the award, and in 2010, after Liu Xiaobo had been sentenced to eleven years in prison for “incitement of subversion”—largely because of his advocacy of the human-rights manifesto called Charter 08—he had come to emerge as the right choice. Authorities in Beijing, furious at the committee’s announcement on October 8, 2010, did what they could to frustrate celebrations of it. Police broke up parties of revelers in several Chinese cities. The Chinese Foreign Ministry pressured world diplomats to stay away from the Award Ceremony in Oslo on December 10. Dozens of Liu Xiaobo’s friends in China were barred from leaving the country lest they head for Oslo. Liu Xiaobo’s wife, Liu Xia, although charged with nothing, was held under tight house arrest. Liu himself remained in prison, and none of his family members could travel to Oslo to collect the prize. At the Award Ceremony, the prize medal, resting inside a small box, and the prize certificate, in a folder that bore the initials “LXB,” were placed on stage on an empty chair. Within hours authorities in Beijing banned the phrase “empty chair” from the Chinese Internet.

Liu was the fifth Peace Laureate to fail to appear for the Award Ceremony. In 1935, Carl von Ossietzky was held in a Nazi prison; in 1975, Andrei Sakharov was not allowed to leave the USSR; in 1983, Lech Walesa feared he would be barred from reentering Poland if he went to Oslo; and in 1991, Aung Sang Suu Kyi was under house arrest in Burma. Each of the latter three prize-winners was able to send a family member to Oslo. Only Ossietzky and Liu Xiaobo could do not even that.

Chinese people have always shown special reverence for Nobel Prizes, in any field, and this fact has made Liu Xiaobo’s Peace Prize especially hard for the regime to swallow. Two people born in China have won the Nobel Peace Prize—Liu Xiaobo and the Dalai Lama. One is in prison and the other in permanent exile. When China’s rulers put on a mask of imperturbability as they denounce these Nobel prizes, they not only seek to deceive the world but, at a deeper level, are lying to themselves. When they try to counter Liu Xiaobo’s Nobel by inventing a Confucius Peace Prize, and then give it to Vladimir Putin citing his “iron fist” in Chechnya, there is a sense in which we should not blame them for the clownish effect, because it springs from an inner panic that they themselves cannot control. Liu Xiaobo sits in prison, in physical hardship. But in his moral core, there can be no doubt that he has more peace than the men who persecute him.

Liu was born December 28, 1955, in the city of Changchun in northeastern China. He was eleven years old when Mao Zedong closed his school—along with nearly every other school in China—so that youngsters could go into society to “oppose revisionism,” “sweep away freaks and monsters,” and in other ways join in Mao’s Great Proletarian Cultural Revolution. Liu and his parents spent 1969 to 1973 at a “people’s commune” in Inner Mongolia. In retrospect Liu believes that these years of upset, although a disaster for China as a whole, had certain unintended benefits

for him personally. His years of lost schooling “allowed me freedom,” he recalls, from the mind-closing processes of Maoist education; they gave him time to read books, both approved and unapproved. Moreover, the pervasive cynicism and chaos in the society around him taught him perhaps the most important lesson of all: that he would have to think for himself. Where else, after all, could he turn? In this general experience Liu resembles several others of the most powerfully independent Chinese writers of his generation. Hu Ping, Su Xiaokang, Zheng Yi, Bei Dao, Zhong Acheng, Jiang Qisheng, and many others survived the Cultural Revolution by learning to rely on their own minds, and for some this led to a questioning of the political system as a whole. Mao had preached that “rebellion is justified,” but this is hardly the way he thought it should happen.

Chinese universities began to reopen after Mao died in 1976, and in 1977 Liu Xiaobo went to Jilin University, in his home province, where he earned a B.A. in Chinese literature in 1982. From there he went to Beijing, to Beijing Normal University, where he continued to study Chinese literature, receiving an M.A. in 1984 and a Ph.D. in 1988. His Ph.D. dissertation, entitled “Aesthetics and Human Freedom,” was a plea for liberation of the human spirit; it drew wide acclaim from both his classmates and the most seasoned scholars at the university. Beijing Normal invited him to stay on as a lecturer, and his classes were highly popular with students.

Liu’s articles and his presentations at conferences earned him a reputation as an iconoclast even before he finished graduate school. Known as the “black horse” of the late 1980s, seemingly no one escaped his acerbic pen: Maoist writers like Hao Ran were no better than hired guns, post-Mao literary stars like Wang Meng were but clever equivocators, “roots-seeking” writers like Han Shaogong and Zheng Yi made the mistake of thinking China had roots that were worth seeking, and even speak-for-the-people heroes like Liu Binyan were too ready to pin hopes on “liberal-minded” Communist leaders like Hu Yaobang (the Party chair who was sacked in 1987). “The Chinese love to look up to the famous,” Liu wrote, “thereby saving themselves the trouble of thinking.” In graduate school Liu read widely in Western thought—Plato, Kant, Nietzsche, Heidegger, Isaiah Berlin, Friedrich Hayek, and others—and began to use these thinkers to criticize Chinese cultural patterns. He also came to admire modern paragons of nonviolent resistance around the world—Mohandas Gandhi, Martin Luther King Jr., Vaclav Havel, and others. Although not formally a Christian, or a believer in any religion, he began to think and write about Jesus Christ.

Around the same time, he arrived at a view of the last two centuries of Chinese history that saw the shock of Western imperialism and technology as bringing “the greatest changes in thousands of years.” Through the late-nineteenth and early-twentieth centuries, China’s struggles to respond to this shock cut ever deeper into China’s core. Reluctantly, Chinese thinking shifted from “our technology is not as good as other people’s” in the 1880s and early 1890s to “our political system is not as good as other people’s” after the defeat by Japan in 1895 to “our culture is not as good as other people’s” in the May Fourth movement of the late 1910s. Then, under the pressure of war, all of the ferment and struggle ended in a Communist victory in 1949, and this event, said Liu, “plunged China into the abyss of totalitarianism.” Recent decades have been more hopeful for China, in his view. Unrelenting pressure from below—from farmers, petitioners, rights advocates, and, perhaps most important, hundreds of millions of Internet users—has obliged the regime, gradually but inexorably, to cede ever more space to civil society.

The late 1980s were a turning point in Liu’s life both intellectually and emotionally. He visited the University of Oslo in 1988, where he was surprised that European Sinologists did not speak Chinese (they only read it) and was disappointed at how naive Westerners were in accepting Chinese government language at face value. Then he went to New York, to Columbia University, where he encountered “critical theory” and learned that its dominant strain, at least at Columbia, was “postcolonialism.” People expected him, as a visitor from China, to fit in by representing the “the subaltern,” by resisting the “discursive hegemony” of “the metropole,” and so on. Liu wondered why people in New York were telling him how it felt to be Chinese. Shouldn’t it be the other way around? Was “postcolonialism” itself a kind of intellectual colonialism? Liu wrote in May 1989 that “no matter how strenuously Western intellectuals try to negate colonial expansionism and the white man’s sense of superiority, when faced with other nations Westerners cannot help feeling superior. Even when criticizing themselves, they become besotted with their own courage and sincerity.” His experience in New York led him to see his erstwhile project of using Western values as yardsticks to measure China as fundamentally flawed. No system of human thought, he concluded, is equal to the challenges that the modern world faces: the population explosion, the energy crisis, environmental

imbalance, nuclear disarmament, and “the addiction to pleasure and to commercialization.” Nor is there any culture, he wrote, “that can help humanity once and for all to eliminate spiritual suffering or transcend personal limits.” Suddenly he felt intellectually vulnerable, despite the fame he had enjoyed in China. He felt as if his lifelong project to think for himself would have to begin all over from scratch.

These thoughts came at the very time that the dramatic events of the 1989 pro-democracy movement in Beijing and other Chinese cities were appearing on the world’s television screens. Commenting that intellectuals too often “just talk” and “do not do,” Liu decided in late April 1989 to board a plane from New York to Beijing. “I hope,” he wrote, “that I’m not the type of person who, standing at the doorway to hell, strikes a heroic pose and then starts frowning in indecision.” Back in Beijing, Liu went to Tiananmen Square, talked with the demonstrating students, and organized a hunger strike that began on June 2, 1989. Less than two days later, when tanks began rolling toward the Square and it was clear that people along the way were already dying, Liu negotiated with the attacking military to allow students a peaceful withdrawal. It is impossible to calculate how many lives he may have saved by this compromise, but certainly some, and perhaps many.

After the massacre, Liu took refuge in the foreign diplomatic quarter, but later came to blame himself severely for not remaining in the streets—as many “ordinary folk” did, trying to rescue victims of the massacre. Images of the “souls of the dead” have haunted him ever since. The opening line of Liu’s “Final Statement,” which he read at his criminal trial in December 2009, said, “June 1989 has been the major turning point in my life.” Liu Xia, who visited him in prison on October 10, 2010, two days after the announcement of his Nobel Prize, reports that he wept and said, “This is for those souls of the dead.”

The regime’s judgment of Liu’s involvement at Tiananmen was that he had been a “black hand” behind a “counterrevolutionary riot.” He was arrested on June 6, 1989, and sent for a bit more than eighteen months to Beijing’s elite Qincheng Prison, where he was kept in a private cell, but not severely mistreated. “Sometimes I was deathly bored,” he later wrote, “but that’s about it.” Upon release he was fired from his teaching job at Beijing Normal University.

He resumed a writing career, but now wrote less on literature and culture and more on politics. He could not publish in China, but sent manuscripts to Hong Kong publications such as *The Open Magazine* and *Cheng Ming Monthly*, as well as U.S.-based magazines such as *Beijing Spring* and *Democratic China*. In May 1995 the government arrested him again, this time for seven months. No reason was specified for the arrest, but it came in the same month that he released a petition called “Learn from the Lesson Written in Blood and Push Democracy and Rule of Law Forward: An Appeal on the Sixth Anniversary of Tiananmen.” On August 11, 1996, barely half a year after his second stint in prison, Liu joined with Wang Xizhe, a well-known dissident from the southern city of Guangzhou, to publish a statement on the sensitive topic of Taiwan’s relations with mainland China. Earlier that year the Chinese military had fired missiles into the Taiwan Strait, in an apparent attempt to intimidate Taiwanese voters on the eve of presidential elections in which the issue of a formal declaration of independence from the mainland was at stake. In their statement, Liu and Wang wrote, “Is the government of the People’s Republic of China the only legitimate [Chinese] government? In our view, it is both legitimate and not completely legitimate.” Less than two months later, on October 8, 1996, Liu was arrested again and sent for three years to a reeducation-through-labor camp in Dalian, in his home province of Liaoning. (Wang fled the country right after the declaration was issued and has since settled in the United States. He has never been back to China.)

The story of Liu Xiaobo’s courage from the mid-1990s on cannot be separated from his wife, Liu Xia. Four years younger than he, Liu Xia is a poet and art photographer whom Liu Xiaobo has known since the 1980s and with whom he was living after his release from prison in January 1996. During his labor-camp incarceration, Liu Xia was allowed to visit him once a month, and, not missing a single month, made the 1,100-mile round-trip from Beijing thirty-six times. Shortly after Xiaobo entered the camp, Liu Xia applied to marry him. Camp authorities, puzzled at her request, felt that they needed to check with her to be sure she knew what she was doing. She reports answering them by saying, “Right! That ‘enemy of the state’! I want to marry him!” A wedding ceremony inside the camp was impossible, and regulations forbade Xiaobo from exiting the camp, so the two married by filling out forms. On April 8, 1998, it was official.

It was during the three years at the labor camp that Liu Xiaobo seems to have formed his deepest faith in the concept of “human dignity,” a phrase that has reoccurred in his writing ever since. It was also the camp environment that gave rise to many of his best poems. Many of these camp poems are subtitled “to Xia,” or “for

Xia,” but that does not make them love poems in the narrow sense. They span a variety of topics—including massacre victims, Immanuel Kant, Vincent Van Gogh, and others—that the poet addresses with Liu Xia standing beside him, as it were, as his spiritual companion. Liu Xia has prepared a book of her art photographs, which are deeply probing in what they suggest about China’s moral predicament in contemporary times, and she subtitles her book “accompanying Liu Xiaobo.”

On October 8, 1999, Liu Xiaobo returned from the reeducation camp, uneducated. He resumed his writing career with no alteration of range or viewpoint, and lived primarily off his manuscripts, for which he was paid the equivalent of about US\$60 to \$90 per one thousand Chinese characters. In November 2003 he was elected chair of the writers’ group Chinese PEN, and served in that post until 2007. During those years the rise of the Internet in China began to make a huge difference for Liu Xiaobo as well as for China as a whole. Finding ways to evade the government’s “Great Firewall,” Liu now could access information, communicate with friends, organize open letters, and edit and submit his manuscripts all much easier than before. He also watched with great satisfaction as the numbers of Chinese Internet users passed 100 million in 2006, giving rise to what he saw as “free assembly in cyberspace” and “power of public opinion on the Internet” that have turned into autonomous forces pushing China in the direction of democracy. In October 2006 Liu took over editorship of the Internet magazine Democratic China from his friend Su Xiaokang, who had been editing it from Delaware, and greatly expanded its reach inside China.

Charter 08, which was conceived in conscious admiration of Czechoslovakia’s Charter 77 of the 1970s, and which became the main piece of evidence against Liu Xiaobo at his criminal trial, did not originate with Liu Xiaobo. A number of his friends had been working on a draft for several months in 2008 before he chose to join them. I do not know why he at first stood aside, but my surmise is that he felt the project was unlikely to get anywhere. When he did join, though, his efforts were crucial, and became increasingly so in the weeks and days immediately before the charter was announced. He insisted that the charter not be a “petition” to the government; it was a way for citizens to address fellow citizens about shared ideals. He persuaded his friends to remove certain confrontational phrases so that a wider range of people would feel comfortable endorsing the charter, and this judgment was vindicated when more than twelve thousand people eventually signed. He personally did more than anyone else to solicit signatures, but his most courageous move in the days before the unveiling of the charter was to agree to present himself as its leading sponsor. He was already known as the most prominent “dissident” inside China; taking primary responsibility for this text would only put him more in the government’s spotlight and at greater risk for punishment.

He was not the only person punished for Charter 08. In the days right before and after it was unveiled, several others who had worked on drafting it saw their homes raided, or received from the police “invitations to tea” (i.e., interrogation) of the kind one is not at liberty to decline. Then came a nationwide campaign to suppress the charter itself. But even in this context, the eleven-year prison sentence that Liu received surprised many observers for its severity. Liu himself said of the ruling, which arrived on Christmas Day 2009, only that it “cannot bear moral scrutiny and will not pass the test of history.” In his “Final Statement” he thanked his captors for the civil treatment he had received during his detention and declared that “I have no enemies.” Then he appealed the ruling—not because he expected it could possibly be overturned, but because he wanted “to leave the fullest possible historical record of what happens when an independent intellectual stands up to a dictatorship.”

When the police came to remove Liu from his apartment late at night on December 8, 2008, they took him to a police-run hostel at an undisclosed location in Beijing for six months of “residential surveillance.” (Chinese law says that “residential surveillance” happens at a person’s residence, but for Liu this was not the case. He was allowed two monitored visits with Liu Xia during this time, but those occurred at a third location, neither his home nor the secret place where he was being held.) On June 23, 2009, he was formally arrested and charged with “incitement of subversion of state power,” after which he was held at the Beijing Number One Detention Center. He continued to be held there after his trial in December 2009, and on May 24, 2010, was transferred to Jinzhou Prison in his home province of Liaoning. (By custom, notable Chinese criminals are sent home for punishment.) Liu Xia has been granted occasional, but closely monitored, visits at the prison.

We know very little of his prison conditions. Chinese Human Rights Defenders has reported that—as of late 2010—he was sharing a cell with five other inmates (although veterans of Chinese prisons suspect that these five, real inmates or not, are there to report on him). The other five are allowed weekly visits from family

members, but Liu is allowed only monthly visits. Whether or not these visits can be from his wife depends on his behavior, on hers, and on the political “sensitivity” of the times. (A Nobel Prize and an Arab Spring are the kinds of things that generate great sensitivity.) Liu eats low-quality prison food. His cell mates are allowed to pay the prison to get specially prepared, better food, but Liu is denied this option. He has chronic hepatitis and stomach problems, but receives only cursory medical attention. He gets two hours each day to go outdoors. He can read books that Liu Xia has brought to him, but only if they are books published and sold in China. There is a television set in his cell, and the prison authorities control which programs he can watch—but not, of course, how he understands them.

This statement is based on my Introduction to No Enemies, No Hatred: Selected Essays and Poems of Liu Xiaobo (Harvard University Press, 2012).

**Testimony by Li Xiaorong for the Congressional-Executive Commission on China,
December 6, 2011, hearing:**

**“One Year After the Nobel Peace Prize Award to Liu Xiaobo: Conditions for Political
Prisoners and Prospects for Political Reform”**

Thank you, Mr. Chairman, Co-chairman, and CECC staff, for this opportunity to speak at the occasion marking the one year anniversary of the ceremony of the 2010 Nobel Peace Prize awarded to Liu Xiaobo, which was for the first time in history, awarded to a Chinese living inside China, or more precisely, in a jail cell in China's northeastern province Jilin, and Mr. Liu has lost his freedom for 3 years now as of this Thursday.

This is also an occasion that marks the 3rd anniversary of the release of Charter 08, a manifesto of democracy and human rights by Chinese citizens. Nearly 13, 000 people have signed to endorse it so far. It was for advocating and promoting Charter 08 that Mr. Liu is imprisoned.

There is no better occasion, then, to address the issue of systematic violation by the Chinese authorities of the Chinese law and international human rights law, as evidenced in the persecution of Liu Xiaobo and many other Chinese for exercising their freedom of expression and for engaging in peaceful activism to promote democracy and human rights.

One year after winning the Nobel Peace Prize, Liu Xiaobo, the writer and well-known dissident, continues to languish in a Chinese prison without regular family visits. His wife Liu Xia has been under unlawful house arrest, largely cut off from communication with her friends and lawyers, with the outside world, since October 18, 2010.

Liu Xiaobo's family, meanwhile, has been under heavy pressure by the government and only recently were able to convey some information about the Nobel laureate's current situation to the press. One of Liu's brothers reportedly said that Liu Xiaobo was allowed briefly out of jail on September 18 to mourn his father's death, and that the brother and Liu Xia were each recently allowed a rare opportunity to visit Liu at Jinzhou Prison.

Back in 2009, on December 25, Liu Xiaobo was convicted of “inciting subversion of state power” by the Beijing No. 1 Municipal Court. Liu was sentenced to 11 years in prison, with 2-years' deprivation of political rights. It was one of the longest sentences handed down for the so-called crime of “inciting subversion of state power” in recent years. Officials left no doubt that the legal system, despite any promise of reform, was simply the Communist Party's tool to stamp out its critics.

And the crime of “inciting subversion of state power” is so vaguely ill-defined that it can be conveniently used by the CCP to serve their political purposes. Liu's conviction was based entirely on his writings, expressions of his political opinions, and nonviolent activities. Having been writing social commentaries and political essays for the past 20 years despite imprisonment, detention, and police harassment, Liu Xiaobo unnerved the Communist Party

with new sparks of political dissent inspired by *Charter 08*, a bold challenge to the authoritarian one-Party rule unseen since the 1989 pro-democracy protests.

From the time of the arrival of policemen at Liu's home in Beijing on the evening of December 8, 2008 to his imprisonment incommunicado today, the persecution of Liu Xiaobo has been marred at each step by violations of his legal-constitutional rights and international human rights. For instance,

- From December 8, 2008, to June 23, 2009, Liu was held under "residential surveillance" at an undisclosed location in Beijing. Except for two police-escorted visits by his wife, Liu had no contact with the outside world. During this 6-month period, Liu was being held without being formally detained or arrested.
- Once Liu was formally arrested and allowed legal representation, officials barred his lawyer Mo Shaoping (莫少平) from representing Liu because Mo had signed *Charter 08* and was labeled a "co-defendant" in Liu's case by the authorities.
- Once Liu's case was turned over to the Beijing Municipal Prosecutor's office in early December 2009, his lawyers were given very little time to prepare his defense. Liu's lawyers were notified of the trial date only three days before it was set to begin, and the trial took place only twelve days after Liu was indicted on December 11.
- During the trial on December 23, 2009, Mr. Liu and his defense lawyers were not allowed to fully present their defense in court. The presiding judge interrupted Liu Xiaobo and cut him short during his prepared remarks. Liu's two lawyers, Shang Baojun (尚宝军) and Ding Xikui (丁锡奎), were given a total of less than 20 minutes to present their arguments on behalf of Liu during a trial, which lasted only three hours.
- Liu's trial was essentially closed to the public. With the exception of two family members—Liu's younger brother and his brother-in-law—all other spectators in the small courtroom were young males in plain clothes, apparently put there to occupy the seats in order to keep out Liu's other family members and supporters and observers from the diplomatic community. This is a typical ploy used often in politically sensitive trials to circumvent the legal requirement for "public" trials. Dozens of supporters, joined by reporters and diplomats from the Czech Republic, Germany, Canada, the US, the UK, Italy, Australia, Norway, Sweden, and EU were barred from observing the trial by security guards who blocked the entrance to the court, stating that all permits to observe the trial had been given out.
- Liu's wife, Liu Xia (刘霞), was denied permission to attend the trial after the authorities listed her as a witness for the prosecution. Police stood outside her apartment to block her from leaving or receiving visitors during her husband's trial. Several dozen supporters were prevented from leaving their homes in Beijing, and a dozen or so were detained on their way to the trial. One of Liu's two lawyers was momentarily harassed and blocked from entering the courtroom.

The practice of unlawful secret detention prior to Liu Xiaobo's sentence has profound ramifications and a chilling effect in the country's rapidly declining climate for "rule of law" reform in the last few years. Since then, the same kind of secret detention and enforced disappearance has been applied on multiple occasions, for example, to many activists and lawyers during the government crackdown on online calls for Tunisian style "Jasmine Revolution" protests last February, and to the artists Ai Weiwei. In February, within a few weeks, a total of 52 individuals were criminally detained, at least 24 were subjected to enforced

disappearance, 5 were sent to Re-education through Labor (RTL) facilities, 4 were placed under illegal residential surveillance outside of their homes, and 2 were held in psychiatric hospitals. Many of these activists, well-known for their fearless outspokenness, re-emerged several months later from disappearances tight-lipped about their mistreatment, torture and they appeared shaken. (See http://chrinet.com/2011/08/17/jasmine_crackdown/)

As we speak, in a revision of the Chinese Criminal Procedural Law under consideration in the Standing Committee of the National People's Congress, the government is trying to legalize such secret detentions or enforced disappearances. To ensure, once and for all, that the law cannot be used as a shield to protect human rights activists from the state's arbitrary power, in August 2011 the Chinese government announced plans to revise this law, which would effectively legalize the practice of enforced disappearance. Among the wide-ranging proposed revisions to the Criminal Procedure Law (CPL), one of the most alarming changes is Article 73 of the draft, which governs the use of "residential surveillance" by the police. Instead of being detained in their homes as in ordinary cases, suspects accused of "endangering state security, terrorist crimes and major bribery crimes" could be held in "a specified residence." Similarly, police could subject suspects charged with "endangering state security and terrorist crimes" to residential surveillance without having to notify their families within 24 hours, as required in ordinary cases.

So far, all hopes have been dashed if anyone had expected that the Chinese government would take some positive steps toward honoring the spirit of the Peace Prize and improving the human rights situation in China as a result of the Nobel Committee's historical decision. Awarding Liu Xiaobo the Nobel Peace Prize was no doubt a game changer. It drew unprecedented scrutiny to the Chinese government's systematic human rights abuses since 1989. After the Peace Prize, together with other precipitous events, those who had advanced the claim that, when it comes to China, there should somehow be double standards and human rights concerns should not get in the way of US trade and strategic priorities, are now on the defensive. We now find many politicians, diplomats, businessmen and academics largely on the same page about the importance in addressing China's human rights problems. The question remains, however, whether the international community is doing anything effective, or doing enough, to support those Chinese who risk their own life and liberty to fight for democracy and human rights, such like Liu Xiaobo, Chen Guangcheng, Gao Zhisheng, and many lesser known individuals such as Wang Lihong, Chen Wei, Liu Xianbin, or Ni Yulan.

The US government should be consistent in upholding the principles of freedom and human rights, whether the violations occur in Libya, Syria, Burma, Iran, or China. The administration should take the opportunity of the upcoming visit to the US by China's Vice President to call on the Chinese government to immediately release Liu Xiaobo and many other prisoners of conscience, end the house arrest of Liu's wife; and to urge the Chinese government to abandon the proposed revisions to the Criminal Procedural Law that would effectively legalize the practice of enforced disappearances. President Obama should demonstrate his moral leadership to obtain the immediate and unconditional release of his fellow Nobel Peace Prize laureate, Liu Xiaobo.

3

PREPARED STATEMENT OF MARIAN BOTSFORD FRASER

DECEMBER 6, 2011

Chairman Smith, Co-Chairman Brown, Members of the Commission:

My name is Marian Botsford Fraser, and I am the Chair of the Writers in Prison Committee of PEN International. Founded in 1921 and headquartered in London, PEN is the world's oldest human rights and literary organization. Our programs to celebrate literature and promote freedom of expression are carried out by 144 centers in more than 100 countries, including PEN American Center in New York and PEN USA in Los Angeles, and our global membership includes many of the United States' most distinguished writers. PEN International is a non-political organization and holds consultative status at the United Nations.

I am proud to chair the flagship program of PEN International, the Writers in Prison Committee, which in 2011 celebrated its 50th year of advocacy for persecuted writers and freedom of expression around the world. We work especially closely with our colleagues who are engaged in on-the-ground campaigning in countries where creative freedom and free expression are at risk. Among them are the members of Independent Chinese PEN Center, which just this year celebrated its own 10th anniversary and is one of the only NGOs still tolerated, though severely restricted, in China today. Liu Xiaobo, the 2010 Nobel Peace Prize laureate, is a former president of that center, and securing his release from prison is one of PEN's highest priorities.

In Liu Xiaobo's case and in all our international advocacy, we are guided by the human rights laws and norms that countries around the world are required to uphold. The right to freedom of expression is enshrined in both the Universal Declaration of Human Rights, which was created 63 years ago this Saturday, and the International Covenant on Civil and Political Rights (ICCPR), to which nearly all states are party but for 19 U.N.-recognized states which have neither signed nor ratified it. The People's Republic of China is among seven states that have signed the covenant but have not yet ratified it.

The freedom of expression clause is nearly the same in both instruments, and is represented under the same article, Article 19. Article 19 of the ICCPR states that:

Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or print, in the form of art, or through any other media of his choice.

Since China hosted the 2008 Beijing Summer Olympics—games it had secured by pledging to the world to expand protections for the human rights of its citizens—the Chinese government has carried out three successive crackdowns on its citizens' right to freedom of expression; the first beginning with Liu Xiaobo's detention on December 8, 2008, in connection with Charter 08, the document that he and 302 co-signers planned to release two days later, on International Human Rights Day. Three years later, Liu Xiaobo's ordeal stands as a glaring example of China's failure to uphold its citizens' universally-guaranteed right to freedom of expression.

On December 25, 2009, a Beijing court convicted Liu of "inciting subversion of state power" and sentenced him to 11 years in prison. The verdict offered as evidence of this crime seven phrases that he penned from 2005 until his detention—all either quotations from his many essays or from Charter 08, which Liu had helped draft. In none of these phrases did Liu call for the overthrow of the government. He merely expressed opinions, offered critiques of the current state of affairs, and propounded ways to make life in the People's Republic of China better, more democratic, and more just.

Earlier this year, the U.N. Working Group on Arbitrary Detention reviewed Liu's case and ruled that he is being arbitrarily detained in violation of three critical tenets of international law, including Article 19. In its responses to the Working Group's questions about his treatment, the Chinese government argued that the charges and conviction did not violate Article 19's guarantee of freedom of expression because Article 19 also states that freedom of expression carries "special duties and responsibilities" and therefore may be "subject to certain restrictions," including the protection of national security or public order.

The working group, however, emphatically rejected this argument, noting that the proportionality that applies to these restrictions was not satisfied in this case, and ordered the Chinese government to free Liu Xiaobo immediately.

We welcome this clear decision by the U.N., as we have welcomed the strong denunciations of Liu's imprisonment from a number of distinguished organizations and bodies, including this commission. PEN has been doing everything we can to win Liu Xiaobo's immediate and unconditional release from Jinzhou Prison in Liaoning Province, and secure the right of all Chinese citizens, our writer colleagues included, to express themselves freely without fear of censorship, imprisonment, or harassment. PEN centers around the world have raised Liu's case with their own governments, urging them to join the international condemnation of this clear human rights violation. Our members have brought his plight and his voice to prominence and into the public eye through readings, rallies, articles, letters, petitions, and events. Some of our most prominent members around the world, like Wole Soyinka, Salman Rushdie, Margaret Atwood, J.M. Coetzee, Tom Stoppard, Paul Auster, and Don DeLillo, were the first to speak on Liu's behalf, signing an open letter calling for his release in January 2009.

We are proud to note that PEN American Center President Kwame Anthony Appiah was among the influential figures who nominated Liu for the Nobel Peace

Prize in January 2010, and even more proud that these endeavors succeeded. In Oslo, on December 10, 2010, I was honored to be part of a PEN delegation that was invited to attend the ceremony where Liu was awarded the prize in absentia. But as gratified as we were by this international recognition of our colleague's efforts to promote peaceful change in China, we were shocked and saddened that the Chinese authorities responded to the award with a second crackdown, this one including the extrajudicial house arrest of his wife, Liu Xia, who has been unable to communicate with the outside world since shortly after the Nobel Committee announced its selection of Liu Xiaobo last October.

This crackdown was followed early this year by yet another, even more severe, wave of repression, this one targeting dissent thought to have been inspired by the revolutions in the Middle East and affecting a number of PEN members in China. Ye Du, the Independent Chinese PEN Center webmaster, was detained on February 21, 2011, and placed under "residential surveillance" at an unknown location in Guangzhou Province for more than three months. Teng Biao, a renowned lawyer and the legal consultant for ICPC's Writers in Prison Committee, was disappeared on February 19, and mysteriously freed two months later. Neither has yet spoken of his ordeal, and it was only recently that each began speaking out for freedom of expression in his country once again through social media.

It is worth noting that these arrests and disappearances violate not only international law, but China's own constitution as well. Article 35 guarantees that "citizens of the People's Republic of China enjoy freedom of speech, of the press, of assembly, of association, of procession, and of demonstration."

This summer, deeply concerned over this series of crackdowns, but equally impressed by the incredible endurance of our colleagues, who continue to assert their rights despite constant harassment, PEN sent a delegation to Beijing to gauge the level of repression and the current climate for freedom of expression, and deliver a message of solidarity to our colleagues. What we found in the weeks leading up to the trip and, more importantly, on the ground in China, was a mixture of absurd restrictions and repression on the one hand, and positive signs and hope on the other.

Professor Appiah, a very public nominator of Liu for the Nobel, was denied a visa for the trip. During his first attempts, his passport was inexplicably "lost" by consular officials. He got a new one, and applied again. Consular staff members then found his passport, but he was still denied, very likely for his nomination and activism on Liu's behalf, including his own testimony before this commission last November. Another American staff member's visa application was denied after consular officials held her passport for three weeks. She traveled to Hong Kong to lend real-time support while we were on the ground in the mainland.

In Beijing, we were incredibly thankful for the support of American embassy officials, who offered space and time for a roundtable discussion with a number of our Chinese colleagues. Of the 14 writers the embassy invited to the meeting, however, only three were able to come. Many were visited by the guobao, or security police, and received warnings not to attend. We could only assume that their telephone and Internet communications were monitored, and that the embassy's may have been as well. Other, private meetings with individuals we arranged ourselves in private telephone conversations were canceled after visits from the guobao as well, suggesting our own communications were also being monitored.

One of our primary ambitions on the trip was to meet with Liu Xia at her apartment in Beijing, but with her compound still guarded by authorities and her Internet and telephone service still cut, we were cautioned not to attempt a visit. Nor could we visit with Teng Biao, who was still under a virtual gag order following his release, or Ye Du, with whom the PEN community has an especially strong bond thanks to his presence at our international meetings, and who indicated he would welcome a visit. We were told that, though he had returned home from months of detention, he was still under house arrest, and security police required him to check in several times a day at a guardhouse erected outside his residence, making it impossible for anyone to visit.

This was all extremely discouraging. We were frankly appalled by the intrusiveness of the surveillance state and the severity of the restrictions imposed on many of our PEN colleagues, even ones who are not alleged to have committed crimes. At the same time, we were surprised by the widespread—indeed, almost universal—dissatisfaction with state of freedom of expression in China. Many of the writers that we were able to meet with, even those not considered "dissident" writers or associated with ICPC, decried the level of censorship, the self-censorship necessary for publication, and the one-party rule that has allowed this kind of repression to flourish.

These frank expressions seem to mirror the aspirations of China's ordinary citizens. On the tail end of our trip, a high-speed train collided with another outside the city of Wenzhou in Zhejiang Province, killing 40 people and injuring almost 200. The government's attempts to cover it up—which included trying to literally bury the train at the scene—sparked outrage around the country; in five days, Chinese citizens posted 25 million messages critical of the government's handling of the accident on China's microblogs. That campaign, which seemed unprecedented in its breadth and tenacity, has since been emulated in several other scandals and tragedies. These widespread criticisms of course caught the eye of censors, but not before the government was forced to reverse course and, in some instances, apologize.

Similarly, those who attempt to comment on the kinds of "politically sensitive" topics that dominate Liu Xiaobo's essays, and even Liu Xiaobo himself, have discerned new ways to get past the censors, utilizing homonyms ("river crab" for "harmonize," for example), taking and posting photographs of themselves silently supporting political prisoners, as in the "Dark Glasses" Campaign for the blind lawyer Chen Guangcheng, and using humor and satire. New forms of expression are being found to express bold new ideas throughout the country, despite the government's heavy hand.

The Chinese government still does not allow the Independent Chinese PEN Center to function fully inside the country. Members are still monitored, gatherings are stopped, and members living outside the country are often prevented from visiting. After our time in Beijing, we celebrated ICPC's 10th anniversary in Hong Kong. As the American and international delegates were preparing to leave, three ICPC members—including its president, Tienchi Martin-Liao, and prominent writers and ICPC founders Ma Jian and Bei Ling—were stopped at the border in Shenzhen and interrogated on their activities and their writings. And, of course, ICPC's own Liu Xiaobo still lives inside a Chinese prison, one of four ICPC members still in jail, and one of more than 40 writers whose cases PEN is following today.

Still, there is an increased awareness of the plight of political prisoners within Chinese society, and a new questioning of the reasons for imprisoning these people in the first place. This fall, as the "Dark Glasses" campaign for Chen Guangcheng spread on China's microblogs, ordinary citizens began to ask why this lawyer, who defended villagers in rural areas and exposed the persecution of those who defy China's one-child policy, was being confined inside his home after his release from prison, his young daughter prevented even from attending school. Reports that thugs were keeping outsiders from entering his village in Linyi, Shandong Province, spread, and prompted some to try to visit Chen to see for themselves.

Murong Xuecun, a well-known and popular writer who we were lucky to meet while we were in Beijing, recently documented his own journey to Dongshigu village, and the beating that followed at its gates. Murong had advocated on Chen's behalf on microblogs, but it was at the prompting of one of his students that he first seriously considered attempting to visit. He and his group of three other men and one woman decided that no matter what, they would not raise their fists if the guards raised theirs. In a harrowing account of the group's encounter with the violent cadres that guard Chen that was published in *The Guardian* last month, he said "We just wanted to verify what it takes in this country, at this time, to visit an imprisoned 'free man.'" Many others have done the same.

Chen Guangcheng still remains imprisoned in his own home, as does Liu Xia, and countless others are still watched closely, taken for tea, warned, harassed, and beaten. Liu Xiaobo sits quietly behind bars in a prison near the border with North Korea, and not many even know that one of their own won the Nobel Peace Prize. But this surge of activism, of citizens simply asking the question "why," of seeking and imparting information, regardless of frontiers, lends hope that China is changing, and that change has begun with the people and their exercise of their internationally-protected, inalienable right to freedom of expression. People are coming to realize, as Murong said of Chen Guangcheng, that "at the moment his freedom was arbitrarily taken away, your freedom came under threat."

One year ago this week, in his speech officially awarding Liu Xiaobo the Nobel Peace Prize, Norwegian Nobel Committee Chairman Thorbjorn Jagland noted that "There are many dissidents in China, and their opinions differ on many points"; but that "the severe punishment imposed on Liu made him more than a central spokesman for human rights. Practically overnight, he became the very symbol, both in China and internationally, of the struggle for such rights in China." He went on:

But as Liu also writes, "An enormous transformation towards pluralism in society has already taken place, and official authority is no longer able to fully control the whole society." However strong the power of the regime may appear to be, every single individual must do his best to live, in his words, "an honest life with dignity."

On the anniversary of that important day, PEN would like to thank, again, the Norwegian Nobel Committee, this commission, and all the governments, organizations, and individuals around the world that have stood with Liu Xiaobo—and by standing with him, standing with all the citizens of China who share this most fundamental aspiration—and we ask everyone to redouble their efforts, so that by this time next year, he and his wife Liu Xia are free.

PREPARED STATEMENT OF CARL GERSHMAN

DECEMBER 6, 2011

I have been asked to address briefly three issues: The impact of China on global democratic trends, including the significance of its so-called “China model” of authoritarianism; the prospects for democratic reform in China, including the necessary preconditions for a democratic transition; and finally, the influence of the Nobel Peace Prize on Chinese society and official policy.

Regarding China’s impact on global democratic trends, it is now common knowledge that China exerts an anti-democratic influence in world politics. Liu Xiaobo has said that China serves as “a blood transfusion machine” for smaller dictatorships in North Korea, Cuba and elsewhere. In addition to providing economic and political support to such regimes, it shares tactics bi-laterally with autocrats such as Lukashenko in Belarus, Mugabe in Zimbabwe, and Chavez in Venezuela; and it cooperates multilaterally with Russia and the Central Asian countries through the Shanghai Cooperation Organization.

China also projects its system of authoritarian capitalism as an alternative model to the system of democracy with a mixed economy that exists in the United States, Europe, and many other countries around the world. There are some people in this country who are persuaded of this model’s effectiveness. Just last Thursday, the SEIU’s former President Andy Stern published an article in *The Wall Street Journal* entitled “China’s Superior Economic Model” that praised its system of central planning.

But this model is flawed for three fundamental reasons. First, as Liu Xiaobo pointed out in 2006 in his essay “Changing the Regime by Changing Society,” two decades of reform have eroded, to one degree or another, each of the four pillars of China’s totalitarian system. Comprehensive nationalization is giving way to a system where independent economic activity “has given individuals the material base for autonomous choices.” The system of “all-pervasive organization” that eliminated all independent activity “is gone, never to return,” according to Liu, and the society is now “moving towards freedom of movement, mobility, and career choice.” The “mental tyranny” of an imposed ideology has succumbed to the information revolution that has awakened individual consciousness and awareness of one’s rights. While the fourth pillar of political centralization and repression remains, people have lost the fear of repression, and the victims of persecution, far from being socially isolated and humiliated, now “inspire reverence” in the society and are able to put their accusers “into the moral position of defendants.”

The second reason the model is flawed, according to Yu Jianrong, the well-known Chinese scholar and sociologist, is that it is characterized by “rigid stability” and “dichotomized, black and white thinking” in which the “expression of people’s legitimate interests”—land issues for peasants, wages for workers, homeowner rights for urban residents, minority rights for Tibetans or Uyghurs—becomes a threat to the social order and is adamantly opposed. A rigid system, according to Professor Yu, is by definition brittle and can break under stress. It lacks the resilience of democracy where government is accountable and conflicts can be resolved lawfully. Professor Yu fears that without such resilience, China will not be able to escape what he calls “the tragic fate of two millennia of the cycle of alternating chaos and order.”

The third flaw is that the Chinese regime lacks political legitimacy. It has achieved a degree of performance-based legitimacy by using market reform to generate material wealth. But such legitimacy is inherently unstable since it is not immune to the business cycle, which is why Chinese Premier Wen Jiabao, speaking after the National People’s Congress in 2007, described the economy as “unstable, unbalanced, uncoordinated, and unsustainable.” No wonder the recent spike in worker protests in Guangdong has caused such alarm in Beijing. Without the authority that derives from receiving popular consent, Andrew Nathan has written, the Chinese regime lives “under the shadow of the future, vulnerable to existential challenges that mature democracies do not face.”

Regarding the preconditions and possibility for China’s democratic transition, the picture is mixed. The brightest area is media liberalization, with social media and

the Internet as a whole driving traditional media over the last five years. As Liu Xiaobo noted, this has spread democratic values, including rights awareness and the desire to hold government accountable. Even though those most active with social media only account for 40 percent of all Chinese Internet users and 14.2 percent of all Chinese, they are having an impact throughout the society, with even workers using cell phones and social networking platforms to organize informally, despite official restrictions.

Less encouraging is the fact that civil-society organizations continue to be highly restricted. The immense Chinese countryside remains woefully underserved by civil-society organizations. In addition, the divide between rich and poor is growing, and a large part of the population now sees China's touted economic growth as being at their expense. Many have lost faith in rule of law as a result of recent government decisions to give more power and funding to the security apparatus and to bar independent candidates for district-level elections.

Most democrats now look to the rights defense movement as a critical way to advance the possibility of a transition. With increasingly broad participation and a convergence between the middle class and the working class, this movement strives to bring the struggle of workers and farmers into the mainstream. It is pushing for concrete gains in rule of law, more distributive equity, better human rights protection, and more freedom of association and speech.

However, the government has to date shown little interest in giving this movement the space it needs to foster the conditions for a gradual and peaceful transition. The concern of many Chinese activists is that increasing repression will delay a regime transition for so long that, when it does happen, which they think is inevitable, it will be accompanied by bloodshed and social turbulence. Thus, the probability of the regime surviving in its current form dwindles along with the possibility for a peaceful transition and democratic consolidation.

Finally, regarding the influence of the Nobel Peace Prize, I think it deepened the Chinese government's legitimacy crisis. For one thing, as *The Economist* noted at the time, Beijing's "disastrous" response to the Prize betrayed for the whole world to see "the government's insecurity at home." And it didn't help when the audience of thousands rose in repeated standing ovations as Liv Ullmann read "I Have No Enemies," Liu's final statement at his trial, with his empty chair of honor constituting a powerful indictment of the regime.

With all its stirring symbolism, the Nobel ceremony represented the confirmation by the international community of the sentiments of a good part of Chinese society. As Liu himself said three years before the Nobel award, political persecution "has gradually turned into a vehicle for advancing the moral stature of its victims, garnering them the honors for being the 'civic conscience' or the 'heroes of truth,' while the government's hired thugs have become the instruments that 'do the dirty work'" Herein lies China's hope. May its leaders begin to listen to such heroes before it is too late.

Congressional Testimony for Liu Xiaobo; CECC**Witness: Chai Ling, Founder of All Girls Allowed****Dec. 6th, 2011**

Chairman Smith and Ranking Members of the Committee, thank you for hosting this important hearing to give honor, respect and much-needed attention to Mr. Liu Xiaobo. His bravery and perseverance continue to set an example for all of us as we consider our nation's relationship with China moving forward.

The Liu Xiaobo I Know

My experience with Liu Xiaobo began at Tiananmen Square in 1989. From the beginning, we approached the movement with different strategies and ideas. And yet we worked together toward a common goal: to request dialogue with the Chinese government to urge peaceful reforms. His leadership and participation as an intellectual leader brought strength to the protest. In the last hour, when we were all surrounded by tanks and troops at Tiananmen Square, he volunteered to speak to the Army commanders as I addressed the students. This act of bravery by going to the front lines left a deep impression on me. He returned and gave me a hug, and also said, "Now I finally understand all of you students." That moment between life and death, we both felt the power of unity. After the massacre, Liu and I went our separate ways—I arrived in America, the land of the free, after 10 months underground, while Liu was imprisoned inside China. After these early days of blood and tears, life or death, we never saw each other again. But I hope to someday reunite with him and tell him about the ultimate freedom I found in Jesus. Like himself, Jesus was wrongfully punished and hurt for the sake of others. I pray for Xiaobo to get to know Jesus in the time of bondage, we can be soon reunited again in person and in spirit.

Charter 08 and China's Three Reforms Necessary for Democracy and Freedom

Today I want to spend a few moments discussing one topic Liu has devoted much of his life to: democracy and freedom in China. Liu was one of the authors of Charter 08, which points out that China remains the only large world power to still retain an authoritarian system that so infringes on human rights. The charter reads: "This situation must change! Political democratic reforms cannot be delayed any longer!"

Liu is behind bars for advocating for political reform that China so desperately needs, for freedom of religion that could propel China forward into spiritual reform, and for a guarantee of human rights – rights that he is currently being denied.

Before the massacre in 1989, Hu Yaobang advocated for three reforms. At that time as a young student, I did not understand what he was talking about. He advocated for economic, political and spiritual reform. Zhao Ziyang, the premier who eventually was sentenced to house imprisonment for his disagreement with Deng Xiaoping's massacre decision, advocated for two reforms: political and economic. But Deng Xiaoping only wanted one reform, economic reform.

That is what China has today. We must remember this when we examine our relationship with China. It is believed that a small amount of people, around 5,000 Chinese families, control 70 percent of China's wealth, its political power and military power. The middle class take a good portion of the remaining 30 percent while the poorest of the poor, 468 million people, live under 2 dollars a day.

This is what happens when no political or spiritual reform takes place, but instead, oppression and economic reform create a lethal combination. It has led to a state that is described in Charter 08: "...so far, this political progress has largely remained on paper: there are laws, but there is no rule of law; there is a constitution, but no constitutional government; this is still the political reality that is obvious to all. The ruling elite continues to insist on its authoritarian grip on power, rejecting political reform. This has caused official corruption, difficulty in establishing rule of law, the absence of human rights, moral bankruptcy, social polarization, abnormal economic development, destruction of both the natural and cultural environment, no institutionalized protection of citizens' rights to freedom, property, and the pursuit of happiness, the constant accumulation of all kinds of social conflicts, and the continuous surge of resentment. In particular, the intensification of antagonism between the government and the people, and the dramatic increase in mass incidents, indicate a catastrophic loss of control in the making, suggesting that the backwardness of the current system has reached a point where change must occur".

In addition, China's current model is a threat to democracy around the world. This past month we attended a democracy conference in Rome to meet with world leaders and discuss democracy. The president of the hosting organization explained that: "the largest obstacle today for countries seeking democracy is China." Not only do 1 in 5 people live in this nation without freedom or basic human rights, but others look to China as an example. China has totalitarian control and a free market. The continued apparent wealth and power of the super elite class in China is attractive to dictators and people worldwide who hope to model the same in their own countries and societies. It is a stumbling block to democracy globally.

Recent Development towards Charter 08 participants

As of June 18th, 2011, there were 11640 signers of Charter 08. Almost every one of the 303 initial signers has been under surveillance or harassed by the current Chinese regime. According to a partial investigation by my non-profit, All Girls Allowed, at least 156 of them have suffered serious persecution such as prison sentences, arrests, house arrests, forced disappearances on "sensitive" dates such as the Nobel Peace Prize Award Ceremony, World Human Rights Day, Tiananmen Anniversary and the People's Congress sessions. A more complete figure will far exceed these partial accounts. For the complete detailed list, see Appendix II, provided by Women's Rights in China.

The Hope for China and For the World

Does this mean that spiritual and political reform cannot come to China? By no means. In fact, I come here today not only to remember Liu Xiaobo but to proclaim a message of hope. Something very special and powerful is already happening inside China and worldwide regarding China. As I share the good news in our own Congress, I am very grateful to the gift of religious freedom in America. I can no longer testify about China's present, past and future without proclaiming God's truth, after I was enlightened to the truth two years ago. This truth is consistent with the separation of church and state, and freedom of speech for all to speak their convictions, so I do and shall speak

about my full understanding of China, earnestly and thankfully. As Joshua says in Joshua chapter 24, “¹⁵ But if serving the LORD seems undesirable to you, then choose for yourselves this day whom you will serve.... But as for me and my household, we will serve the LORD.” When the Israelite was led to the promised land by crossing over the Jordan river, it was the priests, those communicating and trusting God, who was commissioned to step in the flooding water first, then God parted the way for the people.

The impossibility of changing China’s human rights situation by our own strength: whether by individual or government was the catalyst for my coming to faith in Jesus—I saw no hope outside of God intervening in this grave situation the country finds itself in. So God and Jesus can no longer be cut out of the discussion or testimony about the process of freeing a nation such as China. Especially when we face a Goliath in the form of massive ignorance, apathy, and worse yet, fear, we also experience the powerful force that God himself is bringing to justice and freedom to China, as we can see in these important recent happenings:

- **China is getting to know our Creator:** in 1989, the following declaration inspired all students at Tiananmen Square: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the Pursuit of Happiness”. If these rights, like “all men are created equal” are gifts from the Creator, we had one problem: in a country and communist system such as China, we did not know about the Creator. In the past 22 years, the Creator has moved into China, in many big and powerful ways, sometimes through miracles and wonders that are widely documented by stories like “The Heavenly Man”, some through stories of changed lives and hearts. This brings new ways to foster friendship and social responsibility and demonstrate the fruit of the spirit: of “Love, joy, peace, patience, faithfulness, kindness, goodness, gentleness and self control.” Since 1989, the church has exploded in China amidst great persecution. Today there are reports of between 70 million to 150 million followers of Jesus in China, with more added daily. 1 in 10 Chinese people have come to know Jesus. We see that people are choosing to have faith despite the government’s oppression. The give us hope that when more and more people in the nation come to know the Creator, they will start to reclaim their unalienable rights of being created in the image of God. They are laying a foundation for a vibrant civil society that will fight for and defend its basic human freedom in boldness and courage.
- On the political side of things, despite China’s internal lack of political reforms, we are seeing **a worldwide dissatisfaction that may spark change in the way the West does business amidst China’s torture and abuse.** The first place we observed this was here, in our own Congress just last month. It is evident that the past 20 years of US-China relations have failed. China is more resourceful, much more dangerous than it was 20 years ago. According to the Congressional-Executive Commission on China, this year was the worst in decades for human rights abuses occurring in China. Several Members pointed out that the US is in debt to China today, and that being soft with China on human rights has not worked. The second place we observed this dissatisfaction was in Europe among EU leaders and Italian parliament members. They agreed 100 percent with this message of freedom for women, an end to the One-Child Policy and a need to be firm with China on their human rights abuses.

- Finally, the **growth of social media and online community** will play a vital role in creating a freer China. The internet in China, though censored, has been a great meeting place for dissidents and normal citizens alike. China has more Internet users than any other country: 457 million and counting. The way that users communicate on microblogs and social-networking services means that controversial news stories and calls to action travel with incredible speed, spread rapidly to a large number of people — and pressure China's leaders to respond. Liu's name is blocked from searches and microblogs in China. But many immediately found other ways to proclaim his winning of the Peace Prize, replacing some letters with Latin characters.

A worldwide policy towards China ought to be based on Justice and Freedom for all

I would like to also stress the importance of Europe as we move forward in our discussions about China's human rights record and treatment of Liu Xiaobo. We applaud Norway's Nobel Peace Prize Committee's courageous and inspiring stand for hosting the ceremony last winter. The 19 countries that rejected invitations missed a truly remarkable evening. So did our own President. Though President Obama released a statement concerning Liu directly before the ceremony, his absence and more importantly, the special state dinner for China's leader only one month after the event, show that our Administration has a long way to go in regards to standing for what is right. We also were thankful for Congresswoman, then House Speaker Nancy Pelosi's attendance and support, and, as always, Chairman Chris Smith's strong, compassion stance reminiscent of William Wilberforce. It was a joy seeing many of you additionally, Mr. Gershman, Prof. Perry Link and many others who have been stand in solidarity to fight the difficult battle to bring freedom to China, at the ceremony. That inspiring Act of the Peace Prize award, is causing many leaders around the world to stand up against China's human rights abuses. Now, the European Union is again reconsidering its policy and approach to China.

in contrast, the lack of real action from US leaders on China's human rights atrocities has been a major problem for years, throughout various administrations. Beliefs such as "We cannot let human rights interfere with our economic crisis and security issues in dealing with China" have been the root causes for the deteriorating of China's human rights conditions and the decline of America. It gave the oppressors encouragement to continue the injustices! And it robs the blessings to our nation from the Creator. This is not an issue for just republicans or democrats—it is and should be a bi-partisan concern. How can we work together with our partners throughout Europe to show China that its blatant abuse of innocent mothers, political dissidents, fathers, "out of plan" children and religious followers cannot continue?

The God who guided the founding of America through the forefathers is a God who "loves justice, hates robbery and iniquity." (Isaiah 61:8). He is also a God that set the following decree, "Cursed is the man who withholds justice from the alien, the fatherless or the widow." (Deuteronomy 27:19). When we fail to uphold justice, to do what our God requires us to, "Act justly, love mercy, walk humbly with the Lord our God"(Micah 6:8), there are severe consequences such as: "You will be cursed in the city and cursed in the country" for God is the transparent God we see in Deuteronomy 28:15-68. This chapter was filled with consequences for those not obeying God's commands. As we are paying 42 cents interests on every dollar we spend as a government, the following picture serves as a chilling reminder on how wrong awaits the nation if we fail to do right: "A people that you don't know will eat what your land and labor produce, and you will have nothing but cruel

oppression all your days. The sights you see will drive you mad.” (Deuteronomy 28:33-34) It continues: “⁴⁴ He shall lend to you, but you shall not lend to him; he shall be the head, and you shall be the tail.

⁴⁵ “Moreover all these curses shall come upon you and pursue and overtake you, until you are destroyed, because you did not obey the voice of the LORD your God, to keep His commandments and His statutes which He commanded you.” Verses 12-14 offer a blessing for those **who** obey: “¹² The LORD will open to you His good treasure, the heavens, to give the rain to your land in its season, and to bless all the work of your hand. You shall lend to many nations, but you shall not borrow. ¹³ And the LORD will make you the head and not the tail; you shall be above only, and not be beneath, if you heed the commandments of the LORD your God, which I command you today, and are careful to observe *them*. ¹⁴ So you shall not turn aside from any of the words which I command you this day, *to* the right or the left, to go after other gods to serve them.”

I am not alone in arguing on building the sound government policy not on material calculations but on sound moral and biblical principles.

Pope Benedict XVI also urges world leaders in his September 22, 2011 address to Germany’s Lower House of Parliament, to have a listening heart when they govern:

“Allow me to begin my reflections on the foundations of law [Recht] with a brief story from sacred Scripture. In the First Book of the Kings, it is recounted that God invited the young King Solomon, on his accession to the throne, to make a request. What will the young ruler ask for at this important moment? Success – wealth – long life – destruction of his enemies? He chooses none of these things. Instead, he asks for a listening heart so that he may govern God’s people, and discern between good and evil (cf. 1 Kg 3:9).

Through this story, the Bible wants to tell us what should ultimately matter for a politician. **His fundamental criterion and the motivation for his work as a politician must not be success, and certainly not material gain. Politics must be a striving for justice, and hence it has to establish the fundamental preconditions for peace.** Naturally a politician will seek success, without which he would have no opportunity for effective political action at all. Yet success is subordinated to the criterion of justice, to the will to do what is right, and to the understanding of what is right. Success can also be seductive and thus can open up the path towards the falsification of what is right, towards the destruction of justice. **“Without justice – what else is the State but a great band of robbers?”, as Saint Augustine once said.** We Germans know from our own experience that these words are no empty specter. **We have seen how power became divorced from right, how power opposed right and crushed it, so that the State became an instrument for destroying right – a highly organized band of robbers, capable of threatening the whole world and driving it to the edge of the abyss.** To serve right and to fight against the dominion of wrong is and remains the fundamental task of the politician. **At a moment in history when man has acquired previously inconceivable power, this task takes on a particular urgency. Man can destroy the world. He can manipulate himself. He can, so to speak, make human beings and he can deny them their humanity.** How do we recognize what is right? How can we discern between good and evil, between what is truly right and what may appear right? Even now, Solomon’s request remains the decisive issue facing politicians and politics today.” As the Pope pointed out, **the foundation for a listening heart is to seek justice, not success!**

Today, we need a listening heart to confront injustice in China. As Martin Luther King said, “Injustice anywhere is injustice everywhere”.

In the past, I did not like to come to hearings like this. for we will pour our hearts out hoping that leaders of China or leaders in America will listen and rise up give freedom to the people. We often went home heart broken because few tangible improvements happened. I am no longer in the spirit of disappointment and despair for I now understand the leaders, or men, can't give what they don't have. But there is one can an will give generously when we ask and seek, I have found that One. There is a story in the Gospels about Jesus multiplying lunch for a crowd. He had told the disciples to give something to the people to eat. But they just didn't have enough food for all the people nor do they have that much money. But the true God does, not only He has true freedom, and he gives generously. We can come to God to ask Him to help, not by trying to persuade the government to give something it does not have. God will give our people freedom and healing for He has promised the following:

“¹⁴ if My people who are called by My name will humble themselves, and pray and seek My face, and turn from their wicked ways, then I will hear from heaven, and will forgive their sin and heal their land. (2 Chronicles 7:14)

I pray and hope to see change—someday soon seeking justice everywhere will become the foundation and priority that leads us to construct a new US-China policy. Only when we seek the righteousness of the Kingdom first, when justice is served, success, peace and prosperity will follow, not the other way around.

Then what shall we do? Support HR2121.

We have supported a new bill in the House, HR 2121. It is a great model for a similar initiative in the EU. This legislation would allow the President to deny visas to families of China's leading persecutors of dissidents, pregnant mothers and minorities. These perpetrators should not be allowed to freely enter, buy and sell in our country. While we believe this can change China, as certain other countries have responded when visa bans was implemented, we also believe that this is a powerful way to show the world where our own nation stands on human rights. There are two stories we like to share:

The story of Li Qun:



This past week, New Haven media has been reporting on a very relevant case. Li Qun, current mayor in Linyi, China, claims to have learned about leadership in our own nation—before his return to China to abuse women and dissidents in almost unbelievable ways.

This rising Chinese communist star who claimed to have served as an assistant to Mayor John DeStefano Jr. in 2000 was largely responsible for the torture and imprisonment of Chen Guangcheng, outspoken human rights activist.

Li Qun, who spent six months studying public administration at the University of New Haven, returned to China and was

appointed mayor of Linyi, a city of 10 million, and then became the city's Communist Party leader, according to the 2008 book, "Out of Mao's Shadow: The Struggle for the Soul of a New China" by Philip P. Pan.

Li's role in brutally enforcing China's one-child policy and keeping Chen Guangcheng under isolated house arrest was noted in an article in the Nov. 28 issue of National Review, the publisher of which, Jack Fowler, lives in Milford.

"Li Qun is now a rising star in the bureaucracy (in China) and right now the deputy governor of Shandong province and apparently the heir-apparent to the governorship," said Jing Zhang of the group Women's Rights in China. "Without his studies in the United States, he would not have experienced such meteoric promotions."

Li wrote about his time in New Haven City Hall in his own book, "I Was an Assistant to an American Mayor." According to Pan, Li "wrote that Chinese officials could learn a lot from their American counterparts about how to improve governance." Who would ever imagine his sense of "how to improve governance" is to imprison and torture brave blind attorney Chen Guangcheng and his family. When this happens, are we proud as a nation?

The story of Nie Lina

The following is another story that reminds us the daily suffering that powerless women in China go through everyday: Liu Xiaobo in Charter 08 has advocated not only for the guarantee of human rights, but also for free markets and protection of private property, including privatizing state enterprises and land. Nie Lina is an example of what happens when officials have free reign over the nation's most vulnerable people.

Ms. Nie Lina, a woman from Henan province, contacted All Girls Allowed because of her difficulties. She was five-months pregnant. Her family's house was forcibly demolished, but she could get no redress from the local government.

She had no option but to petition the central government in Beijing, and was beaten many times as a result. She was then put into administrative detention in Beijing's Jingjiuzhuang center. On March 28, 2011, Ms. Lina was transferred from Jingjiuzhuang to her local detention center for ten days, during which time she suffered beatings to her head and body at the hands of government agents.



On April 19th, Ms. Lina was again arrested and kept in a detention center in Xiangcheng, Henan. Seven to eight male government agents undressed her in the court yard of the detention center in front of sixty onlookers, leaving only her bra on her upper body. Afterwards, she was dragged to ultrasound exams and threatened with forced abortion. She was extremely frightened and greatly humiliated. After she reached out to AGA, our team mobilized hundreds of others to pray for her safety. God answered these prayers, as she was spared a forced abortion in the end because none of the authorities dared sign their name to authorize it. It was a beautiful victory of the power of God and the power of prayers. 5 months later, she gave birth to a beautiful daughter. See picture.



During her three days of detention, she was given no food or water by the authorities. Because she was not fed, she suffered severe stomach pain; only a woman working in the kitchen had compassion, sneaking her some bread. The government agents warned her, "We'll kill you if you go to Beijing to petition again. The police in Beijing told us to arrest you." but despite the cruelty, Nie was determined to go for petitions for her lost home again after giving birth to her daughter. For she has received no help after her house was demolished, and she needs a place to raise her family. In desperation, she petitioned peacefully again. More of her family members suffered.

Ms. Lina's father was forcibly arrested.



Nie Lina was imprisoned again this month. Yesterday, our China Operation Director received an urgent phone call from Nie Lina and learned she and her three months old baby, her 70 year old mother are jailed in an underground dungeon, with no window and no light, no bathing facility. They received very little food, and no meat and other protein at all. the severe mal nutrition caused her unable to produce the milk her baby needs to live. The baby cries out due to hunger. It breaks the hearts of he mother, grandmother and all of us. This condition has been going on for more than 10 days now. If she does not receive help immediately, the baby and mother's health will be at grave risk. She may been sentenced to at least 6 months. Help, if you can!

I request that the names of Ms. Lina's persecutors be included in the record. See appendix 1.

When mothers' homes are demolished and they are imprisoned by their own authorities for seeking compensation, something has gone horribly wrong.



China must end One Child Policy and Gendercide.

We also must stop to remember the 400 million lives taken by China's One-Child Policy. This is more than 23 times the number of all the genocides of the past century combined. It is the greatest crime ever committed against humanity, and recent reports of government agents taking infants out of mothers arms and selling them to American adoption agencies, of Ma Jihong, a mother who was killed during a forced abortion last month, of a mother last year who was forced to abort on her own due date as she attempted to visit a hospital—these reports are only the tip of the iceberg, a small glimpse of the 400 million lives “prevented” according to Chinese government records, since 1980.

In Conclusion

Today I've shared hope and obstacles, encouragement and disaster---but that is the nature of China's current crisis. When written in Chinese, the word *crisis* is composed of two characters. One represents danger, like the kind of situation we have been discussing regarding Liu Xiaobo, Nie Lina, and the other represents *opportunity*, the opportunity to achieve basic human rights for all, to adopt Charter 08, to adopt 3 reforms, and to free a nation.

I understand when we look into China's many oppressions and human rights abuses it is hard to see any hope from a human point of view, in the past two years, I have learned to not draw conclusions until see God's point of view. For when we saw Lazarus died, we all wept including Jesus. But only Jesus our God and savior know thee is a greater reason why He allowed Lazarus to die. it is to bring more glory to God and to bring more people to God. So now when I see the suffering and sadness, I wait and anticipate God's power and glory to heal, to redeem and to bring freedom.

For Jesus has promised during the Sermon on the Mount: “Blessed are the poor in spirit for theirs is the kingdom of heaven, blessed are those who mourn for they will be comforted, blessed are the meek for they will inherit the earth, blessed who those hunger and thirst for righteousness, they will be filled, blessed are those merciful for they will be shown mercy, blessed for those pure in heart for they will see God, blessed are the peacemakers for they will be called sons of God, blessed who those are persecuted because righteousness, for theirs is the kingdom of Heaven.”

So Lord Jesus we believe in your promise, and

We proclaim freedom for Liu Xiaobo, Chen Guangcheng, Nie Lina and many others who suffer imprisonment for pursuing righteousness; for there is no imprisonment in the Kingdom of heaven.

We proclaim comfort for those who mourn under the One-Child Policy and Gendercide, for the end is coming, and they will be given oil of gladness instead of a spirit of despair;

We proclaim mercy and forgiveness for the Chinese leaders and oppressors, for if they chose to be merciful, then they will be shown mercy;

We proclaim riches and prosperity for the 486 million poor in China, for they will be given the opportunity to inherit the earth;

We proclaim righteousness for the American government, for if they truly are hungry and thirsty for righteousness, America will be blessed as nation that filled with everlasting joy.

Let this year to be the year of Lord’s favor, in Jesus’s name we pray, Amen!

Appendix I

The following names are the officials responsible for the arrest and imprisonment of Nie Lina.

县长 County Executive

苏建涛 Su Jiantao 13903741995

政法委书记 Politics and Justice Committee Chairman

王喜建 Wang Xijian 13703745666

茨沟乡党委书记 Cigou Township Party Chairman

盛亚涛 Sheng Yatao 13938782588

公安局长 Police Chief

赵新 Zhao Xin 13938915858

信访局局长 Petitions Bureau Chief

常付桥 Chang Fuqiao 13903992286

茨沟派出所所长 Cigou Township Police Precinct Captain

孙亚非 Sun Yafei 18627465868

Appendix II

Investigation on Persecutions of Charter 08 Signers (provided by Woman's Rights in China)

By June 18th, 2011, there have been 11640 signers of Charter 08, a non-violent moderate manifesto demanding liberalizing political reforms in China. Almost every one of the 303 initial signers has been under surveillance or harassed by the current Chinese regime. According to a partial investigation by AGA, at least 156 of them have suffered serious persecution such as prison sentences, arrests, house arrests, forced disappearances on “sensitive” dates such as the Nobel Peace Prize Award Ceremony, World Human Rights Day, Tiananmen Anniversary and the People's Congress sessions. A more complete figure will far exceed these partial accounts.

A) So far there have been five signers who have been sentenced to prison terms.

1. Liu Xiaobo, December 25, 2009, conspiracy to overthrow the government, 11 year sentence
2. Huang Xiaomin, February 28, 2009, Illegal gathering disturbing social order, two years and six months
3. Duan Chunfang, October 23, obstruction of official business, one year and six months
4. Xie Fulin, March 26, 2010, theft, six years plus 30,000 yuan fine
5. Liu Xianbin, March 25, 2011, conspiracy to overthrow the government, ten years

B) Since the Nobel Peace Prize Committee's October 8, 2010 announcement of Liu Xiaobo's award, the Chinese government has severely increased surveillance and control of Liu Xiaobo's wife Liu Xia, his other family members and many dissidents associated with Charter 08. Most of the 143 invitees from Mainland China to the Oslo award ceremony had already been under heavy government surveillance. They and their family members had been barred from leaving Mainland China. A partial list includes:

1. October 30, 2010, human Rights attorneys Li Subin, Jiang Tianyong
2. October 31, 2010, Guanzhou Independent Writers' Society facilitator Yebin was refused permit to visit Hong Kong without an official explanation
3. November 7, 2010, He Jian, professor of the Beijing Film Institute, was barred from a flight from Beijing to Hong Kong

4. November 8, 2010, Jia Jianying of Beijing was barred from visiting Taiwan. Jia is the wife of He Depu who was serving an eight-year sentence for conspiracy to overthrow the government.
 5. November 8, 2010, human rights attorney Li Fangping was put under house arrest in Beijing to prevent him from attending a French legal conference.
 6. November 9, 2010, Liu Xiaobo's attorney Mo Shaoping and Beijing University professor He Weifan were barred from departing Beijing for a conference in the UK.
 7. November 9, 2010, Beijing Film Institute professor Cui Yaping was barred from leaving for Italy.
 8. November 10, 2010, constitutional scholar Zhang Boshu was barred from crossing the Hong Kong border. He had planned to attend an academic conference in Taiwan.
 9. November 14, 2010, Ding Ding, son of historian Ding Dong, was barred from leaving Shanghai Airport for the United States.
 10. November 17, 2010, Yu Yiwei, reporter, barred from leaving Guangzhou Baiyun Airport for Singapore
 11. November 17, 2010, author and Independent Writers' Society member Zhou Zhongling was barred from renewing his passport.
 12. November 19, 2010, Beijing People's University professor, religion scholar He Guanghu was barred from departing Beijing for Singapore.
 13. November 28, 2010, human rights attorney Liu Xiaoyuan was barred from departing Beijing for Japan.
 14. December 1, 2010, Beijing economist Mao Yushi was barred from traveling to Singapore.
- Others who were barred from leaving the country include the sister of jailed Beijing author Hu Jia, the wife of Beijing Leal University lecturer Teng Biao and wife of Beijing author Jia Jia.
- C) Around the time of the Nobel Peace Prize ceremony, the government of China engaged in a systematic campaign of house arrests to prevent family members and friends of Liu Xiaobo from attending the ceremony or contacting foreign media. Prominent examples include:
- 1) Yu Jie, independent author and friend of Liu Xiaobo was put under house arrest from October 14th to December 13th. During a 33-day
 - 2) Ding Zilin and husband Jiang Penshen, parents of Tiananmen victim and founders of Mothers of Tiananmen, were under house arrest for 74 days after Liu's award announcement

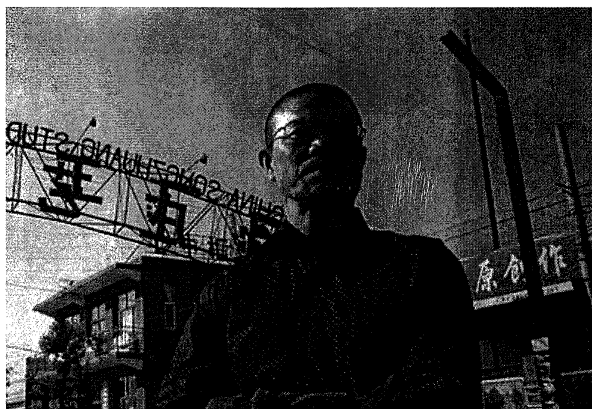
- 3) Zhou Tuo, fellow Tiananmen leader of Liu Xiaobo was put under house arrest for more than sixty days starting the day after the award announcement.
- 4) Well known artist Ai Weiwei, who had signed Charter 08, was put under house arrest in November 2010. He was arrested in April 2011 and released three months later, after the police imposed heavy fines on him.

In a series of violent actions, Chinese police cracked down on Charter 08 signers in Guiyang, Guizhou Province. The persecution had been comparatively most concentrated and lengthy. Member of the Guizhou Human Rights Forum, including Wu Yuqin, Chen Xi, Liao Shuangyuan, Li Renke, Mo Jiangang, Lu Yongxiang, Zen Ning, Du Heping and Mi Chongbiao, have since the publication of Charter 08 been randomly and frequently arrested or “disappeared”, had their homes searched and computers and cell phone. Each one of them could suffer more than 50 separate instances of detainment or arrest in the last three years. Before the World Human Rights Day in December this year, police approached them in their homes or in the streets to “invite” them to the police station. There have been no news of the disappeared at this time, despite frantic efforts of their families searching for them.

China’s economic development has not come with equivalent levels in the advancement of democracy or freedom of opinion. It is an unhealthy and most inhumane mixture of the worst forms of communism and capitalism. Police, State Security agents, Family Planning agents and urban inspectors can “disappear” citizens at will. The future of freedom has not brightened in sixty years of Communist rule.

Appendix III

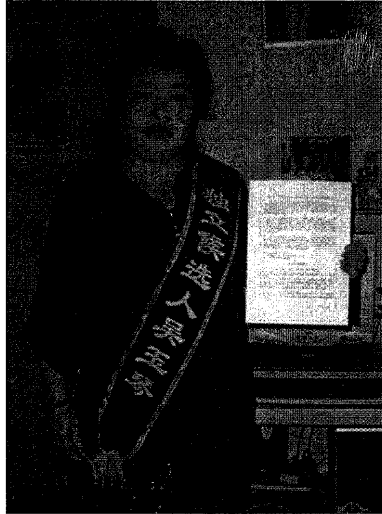
Forced “Disappearances” Continue for Guizhou Activists



Guizhou Human Rights Forum member and activist Chen Xi



Guizhou Human Rights Forum member Liao Shuangyuan



Guizhou Human Rights Forum member Wu Yuqin

Nov. 29, 2011

On the eve of the International Human Rights Day (December 10), Guiyang, Guizhou Province police forcibly “disappeared” numerous members of the Guizhou Human Rights Forum, including Chen Xi, Liao Shuangyuan, Wu Yuqin, Lu Yongqiang and Li Renke.

Since the publication of Charter 08, in three years, dozens of activists in Guiyang City have endured repeated police harassment, arrests, forced “vacations” and “disappearances”. In 2011 alone, a group of dissidents have experienced house arrest and kidnappings repeatedly. Disappearances could last days to months. The forced “vacations” included trips to other provinces accompanied by police agents. This year, Mr. Chen Xi had been detained for a month in February during the “Jasmine Revolution”, again in April and May, in June around the Tiananmen Massacre anniversary and at the end of the year due to his attempts to enter the local People’s Congress elections.

Mr. Chen Xi is a Christian, a human rights activist and a member of the China Democracy Party and the Guizhou Human Rights Forum. On October 19th, Mr. Chen used public computers to download publicly available information on elections for township-level People’s Congress. His family home was searched by police afterwards without any legal authorization. Mr. Chen was kept detained by the local police for seven days in a local hotel. All flash drives in his home were also confiscated. His house was put under uninterrupted surveillance.

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Mr. Chen was kidnapped again by police on November 29th, The State Security squad ordered his family members to stop using any communications devices of the home including cell phones. Leaders of the hospital where Mr. Chen’s daughter was employed had also pressured her. She was told that the government had amassed reams of material on Mr. Chen and could send him to prison at any time. Police had told Mr. Chen, “It’s a simple thing, to let your daughter lose her job, or to stop your wife from collecting any salaries.”

Appendix IV

Charter 08 Early Signatories Full List

Charter 08 was published in December, 2011 with 303 initial signers from Mainland China. Below is the list of their names and locations.

Yu Haocheng, Beijing	Zhang Xukun , Zhejiang	Yang Hengjun, Guangzhou
Zhang Sizhi, Beijing	Xu Youyu , Beijing	Teng Biao , Beijing
Mao Yushi , Beijing	He Weifang, Beijing	Jiang Danwen, Shanghai
Du Guang, Beijing	Mo Shaoping, Beijing	Wei Se , Xicang
Li Pu, Beijing	Chen Ziming , Beijing	Ma Bo, Beijing
Sha Yexin , Shanghai	Zhang Boshu, Beijing	Cha Jianying, Beijing
Liu Shahe, Sichuan	Cui Weiping , Beijing	Hu Fahyun, Hubei
Wu Mahua, Sichuan	He Guanghu, Beijing	Jiao Guobiao, Beijing
Zhang Xianyang , Beijing	Hao Jian, Beijing	Li Gongming, Guangdong
Sun Wenguang, Shandong	Shen Minhua, Zhejiang	Zhao Hui , Beijing
Bao Tong, Beijing	Li Datong, Beijing	Li Baiguang, Beijing
Ding Zilin , Beijing	Li Xianting , Beijing	Fu Guoyong , Zhejiang
Zhang Xianling , Beijing	Zhang Ming , Beijing	Ma Shaofang, Guangdong
Xu Jue , Beijing	Yu Jie , Beijing	Zhang Hong , Shanghai
Jiang Peikun, Beijing	Yu Shicun, Beijing	Xia Yeliang, Beijing
Liu Xiaobo , Beijing	Qin Geng, Hainan	Ran Yunfei, Sichuan
Zhang Zuhua, Beijing	Zhou Duo , Beijing	Liao Yiwu, Sichuan
Gao Yu , Beijing	Pu Zhiqiang, Beijing	Wang Yi, Sichuan
Dai Qing , Beijing	Zhao Dagong, Shenzhen	Wang Xiaoyu, Shanghai
Jiang Qisheng, Beijing	Yao Lifa , Hubei	Su Yuanzhen, Zhejiang
Al Xiaoming, Guangdong	Feng Zhenghu, Shanghai	Qiang Jianzhong, Nanjing
Liu Junning , Beijing	Zhou Qing , Beijing	Ouyang Xiaorong, Yunnan

Liu Di , Beijing	Lu Zhongming, Shaanxi	Li Tie , Guangdong
Zan Aizong, Zhejiang	Meng Huang , Beijing	Mo Jiangang, Guizhou
Zhou hongling, Beijing	Lin Fuwu, Fujian	Zhang Yaojie, Beijing
Feng Gang, Zhejiang	Liao Shuangyuan, Guizhou	Wu Baojian, Zhejiang
Chen Lin, Guangzhou	Lu Xuesong, Jilin	Yang Guang, Guangxi
Yin Xian , Gansu	Guo Yushan, Beijing	Yu Meisun , Beijing
Zhou Ming , Zhejiang	Chen Huanhui, Fujian	Hang Jian, Beijing
Ling Cangzhou , Beijing	Zhu Jiuhu , Beijing	Wang Guangze, Beijing
Tie Liu, Beijing	Jin Guanghong, Beijing	Chen Shaohua, Guangdong
Chen Fengxiao, Shandong	Gao Chaoqun, Beijing	Liu Yiming, Hubei
Yao Bo , Beijing	Bai Feng, Jilin	Wu Zuolai, Beijing
Zhang Jinjun, Guangdong	Zheng Xuguang, Beijing	Gao Shen , Shandong
Li Jianhong, Shanghai	Ceng Jinyan, Beijing	Gao Qiang, Shandong
Zhang Shanguang, Hunan	Wu Yuqin, Guizhou	Tang Jingling, Guangdong
Li Deming, Hunan	Du Yilong, Shaanxi	Li Xiaolong , Guangxi
Liu Jian'an , Hunan	Li Hai ,Beijing	Jing Chu , Guangxi
Wang Xiaoshan, Beijing	Zhang Hui , Shanxi	Li Biao , Anhui
Fan Yafeng , Beijing	Jiang Shan , Guangdong	Guo Yan, Guangdong
Zhou Mingchu, Zhejiang	Xu Guoqing, Guizhou	Yang Shiyuan, Zhejiang
Liang Xiaoyan, Beijing	Wu Yu , Guizhou	Yang Kuanxing, Shandong
Xu Xiao , Beijing	Zhang Mingzhen, Guizhou	Li Jinfang, Hebei
Chen Xi , Guizhou	Ceng Ning , Guizhou	Wang Yuwen, Guizhou
Zhao Cheng, Shanxi	Quan Linzhi, Guizhou	Yang Zhongyi, Anhui
Li Yuanlong , Guizhou	Ye Hang , Zhejiang	Wu Xinyuan, Hebei
Shen Youlian, Guizhou	Ma Yunlong, Henan	Du Heping, Guizhou
Jiang Suimin, Beijing	Zhu Jianguo, Guangdong	Feng Ling, Hubei

Zhang Xianzhong, Hubei	Guan Hongshan, Hubei	Ye Xiaogang , Zhejiang
Cai Jingzhong, Guangdong	Song Xianke, Guangdong	Zhang Jinsong , Anhui
Wang Dianbin, Hubei	Wang Guoqiang , Hubei	Zhang Jinfa , Zhejiang
Cai Jincai, Guangdong	Chen Enjuan, Shanghai	Wang Liqing , Shanghai
Gao Aiguo, Hubei	Li Yong, Beijing	Zhao Changqing, Shaanxi
Chen Zhanyao, Guangdong	Chang Xiongfa , Shanghai	Jin Yuehua , Shanghai
He Wenkai, Hubei	Wang Jinglong, Beijing	Yu Zhangfa , Guangxi
Wu Dangying, Shanghai	Xu Zhengqing , Shanghai	Chen Qiyong , Shanghai
Ceng Qingbin, Guangdong	Gao Junsheng, Shanxi	Liu Xianbin , Sichuan
Mao Haixiu , Shanghai	Zheng Beibei , Shanghai	Ouyang yi , Sichuan
Zhuang Daohe, Hangzhou	Wang Dinghua, Hubei	Deng Huanwu , Zhongqing
Li Xiongbing, Beijing	Tan Lanying, Shanghai	He Weihua, Hunan
Li Renke, Gui zhou	Fan Yanqiong, Fujian	Li Dongzhuo, Hunan
Zuo Li , Hebei	Lin Hui , Zhejiang	Tian Yongde , Neimeng
Dong Dezhu	Wu Huaying , Fujian	Zhi Xiaomin, Shanxi
Tao Yuping, Guizhou	Xue Zhenbiao , Zhejiang	Li Changyu , Shandong
Wang Junxiu, Beijing	Dong Guojing , Shanghai	Guo Weidong , Zhejiang
Huang Xiaomin, Sichuan	Chen Yufeng , Hubei	Chen Wei , Sichuan
Zheng Enchong , Shanghai	Duan Rufe i , Shanghai	Wang Jin'an, Hubei
Zhang junling , Shanghai	Wang Zhongling, Shaanxi	Cha Weijun , Shanghai
Yang hai, Shaanxi	Dong Chunhua, Shanghai	Hou Shuming, Hubei
Ai Furong , Shanghai	Chen Xiuqin , Shanghai	Liu Hannan , Hubei
Yang Huaren, Hubei	Liu Zhengyou, Sichuan	Shi Ruoping ,Shandong
Wei Qin , Shanghai	Ma Xiao, Beijing	Zhang Renxiang , Hubei
Su Zuxiang, Hubei	Wan Yanhai , Beijing	Ye Du , Guangdong
Shen Yulian, Shanghai	Shen Peilan , Shanhai	Xia Gang , Hubei

Zhao Guoliang, Hunan	Ma Yalian , Shanghai	Tian Qizhuang,
Li Zhiying, Beijing	Chen Hongnian, Shandong	Deng Taiqing , Shanxi
Zhang Zhongfa, Guizhou	Qin Zhigang, Shandong	Pei Hongxin , Hebei
Chen Yongmiao, Beijing	Song Xiangfeng , Hubei	Xu Min , Jilin
Jiang Ying , Tianjin	Deng Fuhua, Hubei	Li Xige , Henan
Tian Zuxiang, Guizhou	Xu Kang , Hubei	Wang Debang , Beijing
Huang Zhijia , Hubei	Li Jianqiang ,Shandong	Feng Qiusheng, Guangdong
Guan Yebo , Hubei	Li Renbing, Beijing	Hou Wenbao, Anhui
Wang Wangming , Hubei	Qiu Meili, Shanghai	Tang Jitian , Beijing
Gao Xinrui , Hubei	Lan Zhixue , Beijing	Liu Rongchao , Anhui
Song Shuiquan, Hubei	Zhou Jinchang ,Zhejiang	Li Tianxiang, Henan
Zhao Jiangzhou, Heilongjiang	Huang Yanming, Guizhou	Cui Yuzhen , Hebei
Wen Kejian , Zhejiang	Liu Wei , Beijing	Xu Maolian , Anhui
Wei Wenyong , Yunnan	Yan Liehan, Hubei	Zhai Linhua , Anhui
Chen Huijuan, Heilongjiang	Chen Defu ,Guizhou	Tao Xiaoxia, Anhui
Chen Yanxiong, Hubei	Guo Yongxin, Hubei	Zhang Wang , Fujian
Duan Chunfang , Shanghai	Guo Yongfeng ,Guangdong	Huang Dachuan , Liaoning
Liu Zhengshan, Yunnan	Yuan Xinting , Guangzhou	Chen Xiaoyuan , Hainan
Guan Min , Hubei	Qi Huimin , Zhejiang	Zhang Jiankang , Shaanxi
Dai Yuanlong , Fujian	Li Yu , Sichuan	Zhang Xingshui , Beijing
Yu Yiwei , Guangdong	Xie Fulin , Hunan	Ma Gangquan , Beijing
Han Zurong , Fujian	Xu Guang, Zhejiang	Wang Jinxiang , Hubei
Wang Dingliang, Hubei	Ye Huo , Guangdong	Wang Jiaying , Hubei
Chen Qinglin, Beijing	Zou Wei , Zhejiang	Yan Laiyun , Hubei
Qian Shishun, Guangdong	Xiao Libin , Zhejiang	Li Xiaoming , Hubei
Ceng Boyan, Sichuan	Gao Haibing , Zhejiang	Xiao Shuixiang , Hubei

Yan Yuxiang , Hubei

Liu Yi , Beijing

Dajun, Beijing

Appendix VCharter 08 Persecuted Early Signatories

Since the publication of Charter 08 in late 2008, more than half of the 303 original signers who resided in Mainland China have suffered serious and documented cases of persecution in the hands of the Chinese government, including prison sentences, arrests, house arrests and nonstop surveillance and harassment.

The names and locations of persecuted signatories is below:

Yu Haocheng, Beijing	He Guanghu	Zan Alzong, Zhejiang
Mao Yushi, Beijing	He Jian, Beijing	Ling Cangzhou, Beijing
Zhang Wenguang, Shandong	Yu Jie, Beijing	Tie Liu, Beijing
Bao Tong, Beijing	Zhou Tuo, Beijing	Ling Cangzhou, Beijing
Ding Ziling, Beijing	Pu Zhiqiang, Beijing	Tie Liu, Beijing
Xu Jue, Beijing	Zhao Dagong, Shenzhen	Chen Fengxiao, Shandong
Jiang Peisheng, Beijing	Yao Lifa, Hubei	Zhang Jinjun, Guangdong
Liu Xiaobo, Beijing	Feng Zhenghu, Shanghai	Li Jianhong, Shanghai
Zhang Zuchun, Beijing	Yang, Hengjun, Guangzhou	Zhang Shanguang, Hunan
Gao Yu, Beijing	Teng Biao, Beijing	Liu Jian'an, Hunan
Dai Qing, Beijing	Jiang Yiwen, Shanghai	Wang Xiaoshan, Beijing
Jiang Qisheng, Beijing	Weise, Tibet	Fan Yafeng, Beijing
Ai Xiaoming, Guangdong	Zhao Hui, Beijing	Liang Xiaoyan, Beijing
Liu Junning, Beijing	Li Boguang, Beijing	Chen Xi, Guizhou
He Welfang, Beijing	Tong Yunfei, Sichuan	Li Yuanlong, Guizhou
Mo Shaoping, Beijing	Liao Yiwu, Sichuan	Shen Youlian, Guizhou
Chen Ziming, Beijing	Wang Yi, Sichuan	Jiang Suimin, Beijing
Zhang Boshu, Beijing	Wang Xiaoyu, Shanghai	Meng Huang, Beijing
Cui Weiping, Beijing	Liu Di, Beijing	Liao Shuangyuan, Guizhou

Chen Huanhui, Fujian	Li Renke, Guizhou	Liu Xianbin , Sichuan
Jin Guanghong, Beijing	Dong Dezhu, Guizhou	Ouyang yi, Sichuan
Zeng Jinyan, Beijing	Tao Yuping, Guizhou	He Weihua, Hunan
Wu Yuqin, Guizhou	Wang Junxiu, Geijing	Li Dongzhuo, Hunan
Li Hai, Beijing	Huang Xiaomin, Sichuan	Tian Yongde, Neimeng
Zhang Hui, Shanxi	Zhen Enchong, Shanghai	Guo Weidong, Zhejiang
Xu Guoqing, Guizhou	Zhang Junling, Shanghai	Chen Wei, Sichuan
Wu Yu, Guizhou	Yang Hai, Shaanxi	Ye Du , Guangdong
Zeng Ning, Guizhou	Chang Xiongfa, Shanghai	Li Zhiying, Beijing
Quan Lizhi, Guizhou	Xu Zhengqing, Shanghai	Zhang Zhongfa, Guizhou
Li Tie, Guangdong	Gao Junsheng, Shanxi	Tian Zuxiang, Guizhou
Mo Jiangang, Guizhou	Tan Lanying, Shanghai	Zhao Jiangzhou, Heilongjiang
Wang Guangze, Beijing	Fan Yanqiong, Fujian	Wen Kejian, Zhejiang
Liu Yiming, Hubei	Wu Huaying, Fujian	Wei Wenying, Yunnan
Gao Sing, Shandong	Xue Zhenbiao, Zhejiang	Chen Huijuan, Heilongjiang
Tang Jingling, Guangdong	Dong Guojing, Shanghai	Duan Chunfang, Shanghai
Li Xiaolong, Guangxi	Duan Rufe, Shanghai	Ma Yalian , Shanghai
Jing Chu, Guangxi	Liu Zhengyou, Sichuan	Chen Hongnian, Shandong
Li Jinfang, Hebei	Ma Xiao, Beijing	Qin Zhigang, Shandong
Wang Yuwen, Guizhou	Wan Yanhai, Beijing	Song Xiangfeng, Hubei
Du Heping, Guizhou	Shen Peilan, Shanhai	Deng Fuhua, Hubei
Feng Ling, Hubei	Zhang Jinsong, Anhui	Qiu Meili, Shanghai
Wu Dangying, Shanghai	Wang Liqing, Shanghai	Lan Zhixue, Beijing
Mao Haixiu, Shanghai	Zhao Changqing, Shanxi	Huang Yanming, Guizhou
Zhuang Daohe, Hangzhou	Jin Yuehua, Shanghai	Liu Wei, Beijing
Li Xiongbing, Beijing	Chen Qiyong, Shanghai	Chen Defu, Guizhou

Guo Yongfeng, Guangdong

Yuan Xinting, Guangzhou

Qi Huimin, Zhejiang

Li Yu, Sichuan

Xie Fulin, Hunan

Zou Wei, Zhejiang

Xiao Libin, Zhejiang

Gao Haibing, Zhejiang

Tian Qizhuang,

Deng Taiqing, Shanxi

Xu Min, Jilin

Li Xige, Henan

Wang Debang, Beijing

Hou Wenbao, Anhui

Tang Jitian, Beijing

Zhang Wang, Fujian

Zhang Jiankang, Shanxi

Zhang Xingshui, Beijing

Zhang Dajun, Beijing

PREPARED STATEMENT OF HARRY WU

DECEMBER 6, 2011

It has been one year since Liu Xiaobo was awarded the Nobel Peace Prize, and now, just as then, he is still in jail. In 1960 I too was put in China's laogai prison camps because of my ideas, and I was there for 19 years. Fifty years later, China's

regime has not changed how it handles dissenting opinions. I hope that today's hearing will draw renewed attention to Liu's case and remind the world what China does to those who dare to talk peacefully about democracy.

Many people know that Liu was sentenced on charges of "inciting subversion," but what crime did he really commit? Over the past few years, Liu has sent over 260 articles to our Observe China website for publication, and has also written on countless other overseas websites. His verdict mentioned several "subversive" articles by name, including three articles published on the Observe China website, including: "Can It Be That the Chinese People Deserve Only 'Party-led Democracy'?", "The Many Aspects of CPC Dictatorship," and "Changing the Regime by Changing the Society". Observe China is blocked by the "Great Firewall" and is inaccessible to most mainland Chinese Internet users. How does the CCP

block controversial articles, while at the same time tracking their writers and readers? We have American technology companies to thank for this, and ultimately, for the arrest of great thinkers like Liu Xiaobo.

Last year I was in Oslo for the Nobel Peace Prize award ceremony. Although many Chinese tried to attend the ceremony in support of Liu, they were blocked from leaving China by the government. Not even his wife, Liu Xia, was there to fill his empty chair. Even so, I was very happy that a Chinese dissident was finally awarded the prize. It is a sign that the world will not sit quietly while the CCP cracks down on freedom of speech.

Many different people came to Oslo to honor Liu Xiaobo. When I opened up the program for the ceremony, I was surprised to see a message from John Chambers, CEO of Cisco Systems, Inc. He noted that Cisco has been a sponsor of the Nobel Peace Prize Concert since 1999 and that, "Cisco is working to help individuals, companies, and countries to use the Internet to collaborate, educate, empower, and further the ideals and innovations inspired by Alfred Nobel and his legacy." I was shocked that Cisco could say this, when around the same time that the company began supporting the Nobel Peace Prize, it also began supporting China's authoritarian regime through its massive "Golden Shield Project". I realized that Cisco shows a different face to the international community than it does to its clients. Through its decade-long partnership with the Chinese government, Cisco technology and training has ensured that Chinese activists like Liu Xiaobo are excluded from participating in this vision of what the Internet can and should be.

Cisco claims to be a company dedicated to encouraging free speech and upholding a commitment to human rights. Yet in reality, Cisco is a company that will do business with any partner, so long as it turns a profit—even at the expense of other people's rights and freedoms. One day when Liu Xiaobo is released, I am confident that he too will demand to know just how the Public Security officials were able to track him down and how the government is able to exert such control over both internet content and internet users.

Unfortunately, Liu Xiaobo's situation has not changed much since last year. Several months after the awards, his wife Liu Xia—who had previously been under house arrest—became unreachable. Prior to this, the Laogai Research Foundation had been able to maintain some contact with her in order to provide the couple with regular financial support from the Yahoo! Human Rights Fund. We have also sold nearly 2,000 copies of Liu Xiaobo's Chinese publications: *Civil Awakening—The Dawn of a Free China* and *Strive for Freedom—Selected Writings of Liu Xiaobo*. Since February 2011, we have not been able to get either of these payments to them. Soon we will publish the English translation of *Civil Awakening*, so that Liu Xiaobo's message of optimism, democracy, and peaceful dissent can reach the international community, even while he serves out his 11-year prison sentence.

When I was in the laogai, political dissidents were treated just like all the other criminals, if not worse. We worked long hours and were often beaten or mistreated by prison guards. At night we had to attend political reeducation sessions and criticize each other for holding counterrevolutionary ideas. Over the last few decades, conditions inside the laogai are no longer as severe, but the fundamental principals that drive the prison system remain the same: prisoners are forced to labor and are forced undergo to political thought reform.

By the 1990's China realized that if it wanted to export its prison labor products internationally, it would have to conceal the origins of the products. Since 1994, China has stopped using the word "laogai," and now refers to the camps as mere "prisons". Yet today, Liu Xiaobo remains locked up in Jinzhou Prison in Liaoning province, also known as Jinzhou Jinkai Electrical Group or Jinzhou Xinsheng Switch Co. According to reports, it is the largest prison in Liaoning province, with the majority of prisoners having sentences of 10 years or more. The inmates produce a wide variety of electrical equipment including household products, circuits, machine components, transformers, and so on. As of 2008, two of its prison enterprises

were listed in Dun & Bradstreet, and today, Jinzhou Xinsheng Switch Co. continues to be listed on a number of English business directory websites.

Despite the continued use of forced labor, China has grown increasingly concerned about its soft power and international image. Thus, the CCP has afforded more prominent political prisoners like Liu Xiaobo better treatment. This fall, he was even allowed to return home to mourn the death of his father, and was permitted a rare visit by close family. The CCP has learned to treat high-profile dissidents differently, fearing that any word of abuse would enrage the international community. Liu may not be forced to do hard labor, but what about those who are not in the media spotlight, those who are not lucky enough to escape forced labor? Must a man win the Nobel Prize to be treated with dignity and have his most basic rights respected?

Today we still do not know what kind of persecution Liu and his wife are enduring, but one thing is for certain—it is undeserved. Liu said himself that, “it is time we move beyond a society where words are viewed as crimes.” But the Chinese Communist Party has a long

history of abusing prisoners of conscience in order to minimize dissent and maximize what it views as “stability”. In 2009, around the time of his most recent arrest, authorities had tried to convince Liu to leave China instead of stirring up trouble at home, but he refused. It is clear that Liu Xiaobo will not abandon his democratic ideals, nor will he give up voicing his opinions. Therefore, there is no telling if the Chinese government will reduce his sentence. So until that day comes, it is critical that the U.S. government and international human rights advocates speak out on his behalf, telling the Chinese Communist Party that he is not forgotten and that his vision of a better future will not quietly fade away. We should not talk about “political reform” in China, because to the CCP, “political reform” means finding a way to keep itself in power even as its people demand more freedoms. True change in can only happen in China if and when the CCP falls. The Chinese people will not tolerate the Communist Party’s repression forever.

PREPARED STATEMENT OF REGGIE LITTLEJOHN

DECEMBER 6, 2011

Mr. Chairman and Members of the Commission:

Thank you for holding this timely hearing about conditions of political prisoners in China. It is a truly humbling opportunity to testify about one of the most courageous individuals, not only in China, but also in the world: blind, self-taught lawyer, Chen Guangcheng. I begin by commending the Chairman, Congressman Chris Smith, for his recent attempt to go to China to visit Chen. Mr. Chairman, your tireless efforts to raise the visibility of Chen’s case are having an impact.

Chen Guangcheng was arrested in 2006 for helping to expose the Chinese government’s use of forced abortion and involuntary sterilization to enforce its “One Child Policy.” He amassed evidence that forced abortions and involuntary sterilizations were used extensively on women in Linyi City, Shandong Province in 2005. Time Magazine named him one of “2006’s Top 100 People Who Shape Our World” and he was given the 2007 Magsaysay award, known as Asia’s Nobel Prize.

Simultaneous with this testimony, I am submitting a report from Chen Guangcheng’s 2005 investigation into coercive family planning in Linyi County, Shandong Province. A member of Chen’s team, human rights attorney Teng Biao, drafted the report. This report contains extensive witness statements from cases Chen and his team were investigating before Chen was jailed. In this report are detailed accounts regarding:

- A woman forcibly aborted and sterilized at seven months;
- Villagers sleeping in fields to evade Family Planning Officials;
- Family Planning Officials who broke three brooms over the head of an elderly man;
- Family Planning Officials who forced a grandmother and her brother to beat each other; and
- The use of quota systems and the practice of “implication” – the detention, fining and torture of the extended family of One Child Policy “violators.”

The Chen Guangcheng report makes clear: the spirit of the Cultural Revolution lives on in China’s Family Planning death machine. WRWF has chosen to release the names of the perpetrators of these crimes against humanity, so that they can be held accountable before the world.

Things may not have improved in Linyi since 2005. Earlier this year, Family Planning Officials stabbed a man to death.¹ A woman, six months pregnant, recently died during a forced abortion in Lijing County, also in Shandong Province.²

For exposing and opposing coercive family planning in China, Chen spent four years, three months in prison. His defense lawyers were detained on the eve of trial. Since his September 2010 release, he has continued to serve a sentence of home detention. Both in prison and under house arrest, Chen has experienced mistreatment and beatings. He suffers from a chronic, debilitating intestinal illness for which he has not been allowed treatment.

According to a February, 2011 video, which Chen and his supporters managed to smuggle out of China, sixty-six security police surround his home constantly. He and his wife are not allowed sufficient food and are isolated from all outside contact. No one can enter or leave their home, except officials, who can enter at any time, without notice.

We received evidence that blind activist Chen Guangcheng's health was in serious jeopardy because of repeated beatings and the malnutrition he suffers in house detention. According to a June 15, 2011 letter written by Chen's wife, and smuggled out of China, Chen has faced constant physical and psychological abuse, does not get sufficient food or nourishment, and is denied proper medical treatment. Foreign journalists have been forcibly denied access to him, and lawyers who tried to help Chen were beaten and detained in February 2011, including Jiang Tianyong and Teng Biao, who were detained for two months or more.³

In September and October 2011, human rights campaigners and visitors seeking to see Chen were beaten and detained.⁴ Also in September, police detained Chen's brother, who was meeting with activists.⁵

Women's Rights Without Frontiers and the China Aid Association are spearheading an international effort to free Chen Guangcheng. Thus far, we have collected 6463 signatures from 28 countries.⁶

WRWF congratulates Rep. Chris Smith on his successful sponsorship last July of an amendment to the State Department Appropriation Bill, in support of Chen Guangcheng and his family. This amendment, which passed unanimously, urges the Chinese government to stop harassing the Chen family, to release them from house arrest, and to arrange for immediate medical treatment. It further urges the Obama administration to arrange diplomatic visits to the Chen family. Beyond this, it highlights the tragedy of forced abortion and coercive family planning in China.⁷

In early October, we received an unconfirmed report through Voice of America that villagers had said that Chen had died. All efforts to confirm that report failed, as it was impossible to gain access to Dongshigu Village in Linyi to verify it.

Relativity Media, however, was able to gain access to Linyi, in order to film the feature-length comedy, "21 and Over." When challenged on its choice of Linyi out of the thousands of possible locations in China, and urged to apologize for its lack of sensitivity to Chen Guangcheng and human rights, Relativity Media issued a statement defending its action. Women's Rights Without Frontiers has called for a international boycott of "21 and Over."

November 12, 2011 was Chen's 40th birthday. Although no one knew for sure whether Chen was dead or alive, brave citizens from many areas of China attempted to visit Chen's village to wish him a happy birthday. All of them were turned back from the village, some violently, by thugs and plain-clothes police.

Finally, just this weekend, Women's Rights Without Frontiers received a credible report that Chen is indeed alive. In fact, according to a key activist in China, the conditions of Chen's detention have improved slightly.

According to this source, who requested anonymity, "Now his mother is allowed to go outside to buy food although escorted by three guards, and his health also is getting better."

The source attributed the improved treatment of Chen to the fact that "Chen's situation was exposed and got huge public attention." One campaign that brought considerable visibility to Chen's plight was the flow of concerned citizens attempting to visit him, leading up to his 40th birthday on November 12.

In addition, the Chen Sunglasses Campaigns inside and outside of China have raised the visibility of his case. These campaigns post photos of people wearing sunglasses in support of Chen. The source stated, "I think it's very helpful for people all over the world to show they care about Chen through the Sunglasses Campaigns. I think it's very important to show support inside and outside the country – we can work together."⁸

Women's Rights Without Frontiers is collaborating with the Dark Glasses Portrait Campaign headed by a courageous Chinese political satirist and cartoonist, whose pen name is Crazy Crab.

The source continued, “Chen’s situation has indeed improved. I have just sent him some medicine and covered the expenses for his family in the market . . . Some relatives can visit his mother and deliver some items under surveillance.”

The source cautioned, however, that the slightly improved condition of Chen’s house arrest is not a reason to relax the campaign to free him. Most relatives of Chen and his wife are not allowed to visit, including their son and his wife’s parents. We do not know what his medical condition is. Moreover, the source indicated, the fact that Chen is now allowed food and medicine “is still far away from our basic request, that is, Chen should be freed right away, according to China’s own law.”

According to the source, the persecution of Chen supporters continues. An activist who announced that she would wear sunglasses in Linyi’s central square this past weekend was detained on December 1. That same day, another activist from Yantai and a writer from Beijing, were arrested in Shandong attempting to distribute plastic bags and balloons bearing Chen’s image, in honor of International Day of Persons with Disabilities, celebrated December 3.

Women’s Rights Without Frontiers is thrilled and relieved to receive a credible report that Chen is alive and his health is improving. This improved treatment demonstrates the power of the collaborative effort inside and outside China to raise the visibility of his case. We greatly admire the brave citizens inside China, who are risking their safety to stand up for Chen.

We commend the courageous and persistent efforts of Rep. Chris Smith to visit Chen and urge the Chinese government to grant him a visa. We also urge U.S. Ambassador to China, Gary Locke, to visit Chen directly. We demand the immediate, unqualified release of Chen Guangcheng and his family. Chen’s ongoing house arrest is illegal and his medical condition remains weak.

The Chinese Communist Party has attempted to silence Chen, but they cannot silence the voices of millions in China crying for his freedom. The report that Chen is alive and in improved condition should not be a reason to relax efforts on his behalf. To the contrary, these efforts are having an impact and should intensify until Chen is free.

RECOMMENDATIONS

- The international community should make official interventions on behalf of Chen with the Chinese government and raise Chen’s case in bilateral discussion and multilateral institutions in which China is a member.
- Diplomats from the U.S., E.U., Norway, Canada, Australia, Switzerland and other countries with human rights dialogues with China – including U.S. Ambassador to China Gary Locke—should seek access to Chen and his wife Yuan Weijing and press the Chinese government to stop its mistreatment of Chen, allow for proper medical attention and arrange for his immediate and unconditional release.
- Organizations and individuals concerned with human rights, women’s rights, and religious freedom should call and write Chinese embassies and consulates around the world and sign the petition to Free Chen Guangcheng at: www.womensrightswithoutfrontiers.org/index.php?nav=chengguangcheng#petition

¹ [1Ahttp://www.womensrightswithoutfrontiers.org/blog/?p=147](http://www.womensrightswithoutfrontiers.org/blog/?p=147)

² [1Ahttp://www.womensrightswithoutfrontiers.org/blog/?p=429](http://www.womensrightswithoutfrontiers.org/blog/?p=429)

³ 1AA copy of the original letter in Mandarin can be obtained by emailing ChinaAid at bobfu@chinaaid.org or by calling 267.205.5210. An English translation can be found here: <http://www.womensrightswithoutfrontiers.org/index.php?nav=yuan-weijing>

Here is a three minute video calling for urgent action: Free Chen Guangcheng! <http://www.youtube.com/watch?v=OpVJidDqVJo>

⁴ 1A“Chen Supporters Attacked,” 9/19/11 <http://www.rfa.org/english/news/china/attacked-09192011123000.html>; HRIC Testimony at CECC Hearing on Chen Guangcheng, 11/1/11 <http://www.hrichina.org/content/5611>

⁵ 1A“Police Detain Nanjing Activists,” 9/8/11 <http://www.rfa.org/english/news/china/activists-09082011152203.html?searchterm=None>

⁶ 1AThe petition to free Chen Guangcheng can be found here: <http://www.womensrightswithoutfrontiers.org/index.php?nav=sign—our—petition>

⁷ 1A“Amendment for Blind Activist Chen Guangcheng Passes Today,” 7/22/11 <http://www.womensrightswithoutfrontiers.org/blog/?p=316>

⁸ 1AThese campaigns, spearheaded by Women’s Rights Without Frontiers and Dark Glasses Portrait, can be found at <http://www.womensrightswithoutfrontiers.org/index.php?nav=chen-guangcheng> and <http://ichengguangcheng.blogspot.com/>.

PREPARED STATEMENT OF BOB FU

DECEMBER 6, 2011

Esteemed members of the Congressional-Executive Commission on China, government officials and guests,

The fact that human rights, the rule of law and religious freedom in China have all seriously deteriorated in 2011 is already well known to all. Therefore, this hearing on the anniversary of the awarding of the Nobel Peace Prize to Liu Xiaobo is highly significant.

Based on incomplete statistics, we know that about 100 lawyers, rights activists and dissidents have been “disappeared,” tortured, imprisoned and even sentenced to prison terms in the first 11 months of this year. 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. They included: eight lawyers appearing in a court in Heilongjiang province who were beaten up by police—one was a woman lawyer who was so badly beaten that she miscarried; human rights lawyers Gao Zhisheng, Fan Yafeng, Cheng Guangcheng, Teng Biao, Jiang Tianyong, Tang Jitian, Ms. Li Tiantian, Li Fangping, Li Xiongbing, Li Subin and Tang Jingling; and other activists, artists and writers, such as Ai Weiwei, Yu Jie, Ran Yunfei, Ding Mao, Wang Lihong, Zhu Yufu, Zhang Yongpan, Zhang Dajun, Ye Du and others.

Although most of the freedom of religion measures that “Charter 08” calls for are guaranteed in Article 36 of China’s own Constitution, in practice and in reality, implementation falls far short. Broad discrimination against and persecution of independent religious groups and people of faith have been increasing in the past 12 months. Just last week, we received reports that at least 11 Uyghur Muslims were detained and four were placed under criminal detention. What crime did they commit? They were accused of “engaging in illegal religious activities” because they were reading the Koran in their own homes. Since April 10 this year, members of Beijing Shouwang Church have experienced weekly detention, harassment and abuse for 35 weeks in a row. The entire church leadership has been under house arrest, without freedom of movement, the entire time. Many believers have lost their jobs and been evicted from their rented apartments. Why? Again, it is because they have been accused of “engaging in illegal religious activities” – in their case, by worshipping in a public space. Never mind that they were forced to worship in an outdoor public area because the government forced the church out of its rented worship place and made it impossible for it to move into its own purchased facility.

Ever since the fall of Communism in the former Soviet Union and Eastern Europe, the Chinese Communist Party has acted as though mafia groups can be tolerated but not independent religious believers. The treatment of house church Christians, Falun Gong practitioners, Uyghur Muslims and Tibetan Buddhists has been far worse than other so-called “unstable social elements.” Torture and brainwashing with drugs have been used to achieve what the authorities call “transferring the mindset” of these believers.

As we all know, Liu Xiaobo’s “Charter 08” calls for many freedoms, of which freedom of religion is only one. However, we at ChinaAid firmly believe that freedom of religion is the first freedom, and that it cannot be separated from the other freedoms that Charter 08 calls for:

“9. Freedom to Form Groups. *The right of citizens to form groups must be guaranteed. The current system for registering nongovernmental groups, which requires a group to be “approved,” should be replaced by a system in which a group simply registers itself. The formation of political parties should be governed by the constitution and the laws, which means that we must abolish the special privilege of one party to monopolize power and must guarantee principles of free and fair competition among political parties.*

10. Freedom to Assemble. *The constitution provides that peaceful assembly, demonstration, protest, and freedom of expression are fundamental rights of a citizen. The ruling party and the government must not be permitted to subject these to illegal interference or unconstitutional obstruction.*

11. Freedom of Expression. *We should make freedom of speech, freedom of the press, and academic freedom universal, thereby guaranteeing that citizens can be informed and can exercise their right of political supervision. These freedoms should be upheld by a Press Law that abolishes political restrictions on the press. The provision in the current Criminal Law that refers to “the crime of incitement to subvert state power” must be abolished. We should end the practice of viewing words as crimes.*

12. Freedom of Religion. *We must guarantee freedom of religion and belief, and institute a separation of religion and state. There must be no governmental interference in peaceful religious activities. We should abolish any laws, regulations, or local rules that limit or suppress the religious freedom.*

The persecution that ChinaAid has documented in the first 11 months of 2011 occurred in 11 provinces, one municipality under direct central government jurisdiction and three autonomous regions – that is, in nearly half of China's regions and cities. Nearly 30 house churches were persecuted, affecting more than 1,500 believers. The number of Christians arrested or detained exceeds 300. If we take into account the number of people from Shouwang Church who were detained by police in the 35 times the congregation has met for outdoor Sunday worship services, the number would be as high as 1,000. Dr. Fan Yafeng, the prominent Christian constitutional law scholar and pioneer in China's legal rights defense movement has been under house arrest December 2010, with all forms of communication with him severed; Shouwang Church pastor Jin Tianming and other church leaders have been held under house arrest for eight months; the Chinese House Church Alliance is under attack, with its vice president, Pastor Shi Enhao, being sentenced in July to two years of re-education-through labor; in Xinjiang, in China's far west, Uyghur house church leader Alimujiang is serving a 15-year sentence; while in Beijing, the chief representative of a video and film company, Ms. Jiang Yaxi, was criminally detained on November 11 for distributing a government-approved Christian documentary. These are but a few of the cases ChinaAid has documented.

What we have seen in 2011 has been the continuation and escalation of the Chinese government's comprehensive suppression of independent religious groups and dissident groups since the September 2010 Lausanne Congress on World Evangelization and the awarding in October of the Nobel Peace Prize to Liu Xiaobo. The Hu Jintao government has since the 2008 Olympic Games reinstated some of the Communist Party's most extreme political ideologies, resulting in a serious and overall deterioration in human rights, the rule of law and religious freedom in China.

The October 29 adoption of an amendment to the Resident Identity Card Law provides additional legal basis for this deterioration. 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 examples mentioned heretofore are just the tip of the iceberg. The persecution and suffering that the Chinese people have endured is impossible to measure in mere numbers. This year, even the families of those who work for ChinaAid have been harassed and threatened in China by the police on many occasions.

On the one-year anniversary of the awarding of the Nobel Peace Prize to Liu Xiaobo, Liu is still serving time in prison for the very act for which he was awarded the Prize. Meanwhile, his wife, Liu Xia, is still under house arrest. This embarrassing fact not only is China's sorrow, it is also evidence of the failure of the power of world justice. The failure of international efforts to bring about justice is not necessarily because Communist China today is stronger and more powerful than Germany and Japan were during World War II or the Soviet Union was during the Cold War. Rather, it is because the international community—in particular the Western world—is no longer staunchly guarding and holding fast to the concepts of freedom, justice and human rights that it once did. The result is fear when noble sacrifice is necessary and retreat when a price must be paid. Added to which is the lure of money and personal interests. All of these factors corrupt the spirit and dissipate courage, spreading ever wider just like the current economic crisis.

In America, this great and free country, we have before us the shining examples of many great heroes: General George Washington, and, sitting on the other end of the Mall as though watching us, is President Lincoln; and there's also black civil rights leader Martin Luther King as well as President Reagan, who faced up to the Soviet empire and never gave an inch nor ever considered doing so. The indomitable spirit and the commitment to freedom and human rights that they and many others who went before us held firm are like a bright torch shining throughout America's history.

Happily, in the generally disturbing circumstances of 2011, the sudden release in Sichuan province of Mr. Ding Mao was an encouraging development and the news spread quickly, giving hope to those of us who have become a bit weary in our fight

for freedom and human rights in China. Many of you sitting here today perhaps remember seeing Mr. Ding's petite but strong wife, who came to the United States, a country she'd never been to before, to plea in Congress and in the Executive Building and to the media for the release of her innocent husband. This brave Chinese woman represents the thousands and tens of thousands of wives in China who refuse to bend to the power of an evil government, who stand shoulder-to-shoulder with their husbands, defending their families without hesitation—ever willing to make huge sacrifices for the sake of a future China where there is equality, freedom and human rights.

So, let us bravely stand with them, just as you and the consular officers in Sichuan stood with Ms. Feng Xia, and in so doing won the quick release of her husband.

The Lord is with us! May we draw encouragement from the words of Hebrews 10: 35–36:

“So do not throw away your confidence; it will be richly rewarded. You need to persevere so that when you have done the will of God, you will receive what he has promised.”

PREPARED STATEMENT OF HON. CHRISTOPHER H. SMITH, A U.S. REPRESENTATIVE
FROM NEW JERSEY, CHAIRMAN, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

TUESDAY, DECEMBER 6, 2011

EXCERPTS FROM HEARING STATEMENT

One year after the independent Nobel Committee awarded the Nobel Peace Prize to Liu Xiaobo, who is a Chinese intellectual and democracy advocate, Liu remains isolated in a prison thousands of miles away from his wife, whom authorities are holding under house arrest in Beijing.

In February 2010, I led a bi-partisan group of lawmakers in nominating Liu for the prize – at the same time nominating two other persecuted human rights advocates, Chen Guangcheng and Gao Zhisheng, to be joint recipients – as part of an international tide of support for the awarding of the prize to Liu Xiaobo.

The Nobel Committee awarded the 2010 Nobel Peace Prize to Liu Xiaobo “for his long and non-violent struggle for fundamental human rights in China.” H.Res. 1717, which I authored, congratulating Liu on the awarding of the prize passed the House with a vote of 402–1—exactly one year ago this week.

Chinese authorities, on the other hand, tried Liu and sentenced him to 11 years in prison for “inciting subversion of state power,” the longest known sentence for that crime, simply for exercising his internationally-recognized right to free expression. According to Chinese authorities, Liu’s conviction was based on Charter 08 and six essays he wrote.

Liu Xiaobo signed Charter 08, which is a treatise urging political and legal reforms in China based on constitutional principles. Charter 08 states that freedom, equality, and human rights are universal values of humankind and that democracy and constitutional government are the fundamental framework for protecting these values.”

Characteristic of the Chinese government, officials blocked access to Charter 08. They have questioned, summoned, or otherwise harassed a large number of Chinese citizens for contributing to or signing that document.

CHINESE OFFICIALS ANGRY OVER AWARDING OF PRIZE TO LIU

Chinese officials apparently remain livid over the awarding of the prize to Liu, and they continue in their campaign to malign Liu and the Nobel Committee. In addition, they have nearly suspended political relations with the Norwegian government, claiming the awarding of the Peace Prize to Liu had done “great damage” to the relations between China and Norway. They blame the Norwegian government because it “supported this wrong decision.”

LIU’S LEGAL CASE

The apparent violations of Chinese legal protections for defendants that have marred Mr. Liu’s case from the outset are numerous and well-documented. In addition, the United Nations Working Group on Arbitrary Detention determined that the Chinese government’s detention of Liu and the house arrest of his wife are indeed arbitrary.

Mr. Liu's trial and sentence demonstrates once again the Chinese government's failure to uphold its international human rights obligations and also its failure to abide by procedural norms and safeguards that meet international standards.

While authorities did allow Liu to attend his father's funeral memorial service in October, they continue to limit visits from his wife. Over the past year, authorities have allowed her to visit her husband only on a few occasions.

Beijing authorities are holding Liu's wife in a de facto form of house arrest. They have cut off telephone and internet, and have made her house off-limits to visitors.

LIU XIAOBO IS NOT ALONE: CHEN GUANGCHENG

As we all know, sadly, Liu Xiaobo is not alone. As of September 1, 2011, the CECC's political prisoner database, perhaps the greatest database in the world, contained information on 1,451 cases of known political or religious prisoners currently detained.

Chen Guangcheng is one of these prisoners. Chen is a blind, self-taught legal advocate, who advocated on behalf of farmers, the disabled, and women forced to undergo abortions. Authorities have held him under a form of house arrest in Linyi county, Shandong province since his release from prison in September 2011. In effect, Chen's prison sentence has not ended.

Chen served over four years in prison on charges of "intentional destruction of property" and "organizing a group of people to disturb traffic." His real crime, however, was publicizing the abuses of local one child policy officials and trying to use the Chinese legal system to seek justice for the victims of those abuses.

For months, officials have confined Chen and his wife in their home, beaten them, and subjected them to 24-hour surveillance. Officials have set up checkpoints around the village where Chen lives to prevent journalists and ordinary citizens from visiting him and his family. According to one report, 37 people who tried to enter the village in October were attacked by 100 thugs.

Under great pressure, authorities recently allowed Chen's elderly mother to go out and buy groceries and other supplies, have allowed his six-year-old daughter to go to school flanked by security, and have allowed Chen some medicine sent by supporters, although they have not allowed him to see a doctor about his egregious health problems.

These small concessions mean little in the larger picture. Publicly available laws do not seem to provide any the legal basis for holding Chen and his family as prisoners in their own home. I would note parenthetically that as Chairman of this Commission, I and members and staff of this Commission tried to meet with Chen on his 40th birthday. We were denied a visa. We will try in an ongoing attempt to obtain a visa to visit China on a number of human rights issues, including Chen Guangcheng.

GAO ZHISHENG

And now there is the case of Gao Zhisheng. Authorities' treatment of the once acclaimed lawyer, Gao Zhisheng is even more shocking and illustrates the brutality of some officials. Officials revoked Mr. Gao's law license in 2005 in response to his brave efforts to represent fellow Christians accused of "illegally" distributing Bibles, and to defend workers and Falun Gong practitioners. In 2006, officials sentenced Gao to three years in prison on the charge of "inciting subversion," but suspended the charge for five years.

The five-year suspended sentence is set to expire later this month. Today, however, there is no word about Mr. Gao's whereabouts.

After Mr. Gao wrote an open letter to the U.S. Congress in 2007 criticizing China's human rights record, officials brutally tortured him for 50 days, beating him electric prods, abused him with toothpicks and threatened to kill him if he told anyone of his treatment.

Mr. Gao disappeared into official custody in February 2009. When he resurfaced briefly in March 2010, he told friends that he would "disappear again" if his statements about his treatment by his captors since 2009 were made public. After authorities disappeared him again, the press went public about his torture, which included a beating with guns in holsters for a period of over two days, which reportedly made him feel close to death.

HUMAN RIGHTS AND POLITICAL REFORM

It does not seem appropriate to talk about political reforms in China when there has been so little progress in improving civil and political rights and when authorities continue to mistreat people like Liu, Chen, and Gao. The political prisoners for

whom we have names are just the tip of the iceberg. No one knows how many other citizens in China are persecuted for their religious or political beliefs.

In mid-February 2011, Chinese authorities launched a broad crackdown against rights defenders, reform advocates, lawyers, petitioners, writers, artists, and Internet bloggers. International observers have described the crackdown as one of the harshest crackdowns on human rights advocates in years, if not decades. While authorities have released many of those people they first detained in February, the rapidity and severity of the crackdown indicates Chinese authorities remain intolerant of freedom of speech and religion and a whole of other fundamental freedoms and rights.

Perhaps the drafters of Charter 08 have it right. The Charter notes that China's policy of "reform and opening" has increased living standards and economic freedoms in China but states that the "ruling elite ... fights off any move toward political change."

SUBMISSION FOR THE RECORD



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**The Chen Guangcheng Report:
Coercive Family Planning in Linyi, 2005**

**Presented by Women's Rights Without Frontiers
Reggie Littlejohn, President
Congressional-Executive Commission on China
Hearing of December 6, 2011
"One Year After the Nobel Peace Prize Award to Liu Xiaobo:
Conditions for Political Prisoners and
Prospects for Political Reform"**

Women's Rights Without Frontiers has obtained a report from Chen Guangcheng's 2005 investigation into coercive family planning in Linyi County, Shandong Province. This report was drafted by celebrated human rights attorney, Teng Biao, and contains fourteen "Notes." Chen's investigation exposed the fact that there were 130,000 forced abortions and sterilizations in Linyi in 2005. He was jailed for four years and remains under house arrest. He has been tortured and denied medical treatment. His health is in serious jeopardy.

Ms. Littlejohn serves as China Aid Association's expert on the One Child Policy. It is with great gratitude that Women's Rights Without Frontiers acknowledges the substantial contributions China Aid made to this report.

**The Chen Guangcheng Report:
Coercive Family Planning in Linyi, 2005
Drafted by Teng Biao**

Note One: Linyi Family Planning Officials Beat a 59-Year-Old Man for Two Days, Breaking Three Brooms over his Head, because his Daughter Was Not Home for a Tubal Ligation Sterilization Check.

When: April 18 - 19 2005

Where: Xishigu Village, Duo Zhuang Town, Mengyin City, Linyi County, and Shandong Province

Source: Teng Biao; <http://www.douban.com/group/topic/2906598/>

At about six o' clock in the morning of April 18, 2005, Yuanzheng Liu (59 years old) from Xishigu Village, Duo Zhuang Town, Mengyin County was looking after his daughter's house. He was still in bed when he heard people knocking at the door. Immediately after he opened the door, a crowd of people (about nine, and one of them was Fengyan Han) rushed in and searched the whole house for his daughter and her husband [to give the daughter a tubal ligation sterilization check]. Since they couldn't find the couple, they dragged him out of the house, pushed him into their car and drove to the Family Planning office of Shuanghou town. They were Family Planning Officials of Shuanghou town, Yinan City, Linyi County.

They detained him separately in a small room. His son went to the Family Planning office to ask about him in the morning of the next day but was stopped by a warden. His son asked the Family Planning Officials: "Do I have the right to know the truth and the right to make my own choice?" Chengxiu Ji explained: "Ask his daughter to go to the county Family Planning office to take ligation check. If she is not qualified, go to the town Family Planning office to take contraceptive or intrauterine device." They refused to set him free. When his wife and son went there again to send him food in the afternoon, he was no longer there. His wife and son looked for him in every room of the Family Planning office, but couldn't find him. No one in the town knew where he was. In the end they had no choice but to go back home to wait.

At about six o' clock in the afternoon [of the 19th] he was found lying by the side of Yuncai bridge when his relatives went to the Family Planning office again to look for him. After he regained consciousness, his relatives knew the story: "The Family Planning Officials tortured and starved him for a whole day. Then they asked him to go back to look for his daughter. He asked for food but was refused. At about four o'clock in the afternoon, a female town official (Tingju Zhang) went back with a strong smell of wine. After beating another two elderly persons (seventy years old), she took him to the

courtyard and beat his head with brooms. Three brooms were broken. Then she slapped him in the face. At about five o' clock she pushed him into a small room. She asked him to sit on the cold cement floor and unbend his legs. She took the lead to stamp on his legs. Other officials followed her and some also slapped on his face and poured cold water on his head. He said: "I will sue you!" She shouted: "Sue me in the court if you want. It costs only ten thousand Yuan [approximately \$1500] to take your life! You are the biggest trash of all the forty thousand people in Shuanghou!" He said: "I have been a Party member for over thirty years. I'm not trash!" She said: "I joined the party in 1998, but I can beat an old Party member like you!" She beat as she shouted. He was detained unlawfully for two days and one night without eating anything.

Chen Guangcheng is a famous local rights protector. He got involved in this case soon. He prepared an indictment after the town police came to record the charge (submitted on April 25, 2005. Accepted and heard on May 9, 2005.)

Yuancheng Liu poured out his experiences the last day Yushan Guo, Bisheng Tu and I investigated in Linyi. He said: "I have observed disciplines and obeyed laws all through my life but was beaten in this way. Heaven forbids these brutal officials! Isn't there anyone that dares deal with that?" I opened Tingju Zhang's photo on my computer. He recognized her excitedly: "It was her!"

It was she. More than one villager recognized her. The three of us recognized her too. When we questioned the people who monitored us in the morning of August 14, she was standing in the village with two other women as well. She looked elegant. I could hardly associate her appearance with her outrage.

Note Two: Family Planning Forced Sterilization Campaign

When: April and May 2005

Where: Linyi County

Source: Eyewitness account by Teng Biao, recorded on 8/20/05

Before we [Yushan Guo, Tianyong Jiang, Bisheng Tu, Chen Guangcheng, Teng Biao] arrived, Li Jian, Jiang Tianyong, Li Heping, Li Chunfu and another two journalists from the *Washington Post* had come. When Jiang Tianyong and Li Chunfu came, the crime was in progress. In the evening of May 9 2005, Jiang Tianyong and Chen Guangcheng heard someone kick the door of Chen Gengjiang's house and a child was crying. They ran to the place and saw them (seventeen or eighteen Family Planning Officials). They got into their cars and tried to escape. One of their cars managed to get away, but the other one was stopped by villagers, who asked them: "If you are right, how come you are running away?" The so-called Family Planning Officials ran away in a hurry in the darkness.

Because of Chen Guangcheng and other villagers' rights protecting actions, the violent Family Planning forced sterilization campaign only lasted about twenty days. The Family Planning Officials stopped seizing people on May 13. Although some villagers were

subjected to forced tubal ligation [sterilization], there were fewer cases than in other places. Besides, the “tuition” of 100 RMB [\$16.00] per day was not charged. [When a villager was arrested in the detention center, he was required to pay 100 RMB per day as the cost to be in the detention center. This fee is called “tuition.”] When we had an informal discussion in the Yinan Family Planning bureau, I [Teng Biao] spoke to Wenbing Liu (vice head of Yinan Family Planning Bureau): “Firstly, Yinnan is doing better than other towns and districts. But secondly, there are very severe problems here.”

A blind rights protector managed to restrain the overflow of violent “Family Planning” to some degree. But his power is too limited. The “Topics in Focus” [a popular TV program in China

<http://video.baidu.com/v?ct=301989888&rn=20&pn=0&db=0&s=8&word=%BD%B9%B5%E3%B7%C3%CC%B8&fr=ala0>] takes no notice of the event. Journalists dare not touch it. Very few lawyers are willing to get involved. A lawyer who took part in a legal program in the broadcasting station of Linyi County picked up the phone but just said: “It’s illegal but I can do nothing” and hung up in a hurry. Chen Guangcheng told us [Teng Biao and other lawyers] “I was standing by the river bank at that time. But massive crimes were being committed on the other side of the river and I couldn’t stop it. The agony in my heart is beyond description. One person’s power is too limited.”

Note Three: Seven Month Pregnant Woman Forcibly Aborted and Sterilized Following Detention of Twenty-Two Relatives; Several Beaten and Tortured

When: February 19, 2005.

Where: Xiajiagou Village, Liangqiu Town, Linyi County

Source: Teng Biao, recorded August 20, 2005

Zhongxia Fang is a villager from Xiagou Village, Liangqiu Town, Fei City, Linyi County. The first time I [Teng Biao] met her was in Duozhuang, Mengyin County, when four people from Fei City came to report. More than twenty people guarded the village where Chen Guangcheng lived. We [Teng Biao and another lawyer] walked through the footpaths between fields and crossed Meng River to escape their monitor and assembled in Fei County.

Zhongxia told us her story briefly. She had repeated it many times:

“The Family Planning Officials inserted an intrauterine device in me after I gave birth to two daughters. I worked in another city since then and didn’t go to the Family Planning Office for the pregnancy check. But I was pregnant accidentally again. The Family Planning Officials said I was in violation of the “Population and Family Planning Law of the Peoples Republic of China” and looked for me all around. On the lunar calendar November 9, 2004, they had a conversation with my mother and asked her to pay a deposit of 1,000 Yuan [\$157]. My mother hid after that.

“Two months later, they found my mother-in-law. They seized her and smashed her belongings. She was seized and released altogether three times. They did the same to my third elder brother’s wife. On February 19, 2005, they seized my elder sister’s husband (Yongjun Hu, from Beiyan Village, west of Liangqiu Town). He was detained in the town Family Planning Office for a whole week and beaten twenty-seven times. Later they seized my nephew (Qiang Li, 27 years old), his wife and his child Ranran (one year old). My nephew was beaten fourteen times. His toenail was trod down by a Family Planning Official’s leather shoes. After that they seized my uncle’s wife (Shaoxiang Zhu, from the same village as I) and my husband’s younger sister (she comes from another town).

“They seized all my relatives they could find. On March, 2005, they seized my younger sister Zhongyan Fang (pregnant with her first child for three months). Seven or eight Family Planning Officials pushed her into a car and detained her for a whole day. They set her free after she paid 1,000 Yuan. My younger sister’s mother-in-law was also seized for a whole week. They didn’t give her anything to eat or drink. She was released after she paid 1,500 as so-called “tuition fee” [a fee for the cost of detention].

“My younger sister’s father-in-law was detained when he went there to send food to his wife. He was beaten by six or seven people in the Family Planning office. He ran out after one day’s detention. Then my husband’s nephew, my third aunt and her husband (Kaifeng Liu) as well as her granddaughter (not even four years old), my fourth aunt (Deying Xue), my uncle’s wife were all seized. My uncle’s wife was beaten in the car with rubber sticks all the way to the Family Planning Office. They stamped on her with leather shoes. She lost consciousness several times. Her kidney was so injured that she couldn’t do any manual work until now (proven by the medical record prescribed by expert from people’s hospital of Fei county). They also seized my fifth elder brother’s wife’s younger sister (Xuelan Guo) and my third elder brother’s wife’s younger sister (Yufeng Chai).

“My third aunt’s husband phoned me: “If you don’t come back, your aunt will be beaten to death.” I was forced to go back on 31st, March. I was already pregnant for seven months at that time and was forced to inject an oxytocic drug. My baby was aborted one day later. I had ligation at 9:00 in the morning of April 13, 2005. They let my aunt go after that.”

Because of the practice of “implication” twenty-two of her relatives were seized, including three children, one pregnant woman and a woman more than 70 years old. This deeply shocked us. To confirm, I told her that I wanted to see her relatives.

The next day I met with her uncle’s wife Yunxiang Cao in Liangqiu town, Fei County. She said:

“At about 6:00 in the morning of March 9, a crowd of people (Feng, Women’s Section Officer was with them) came to seize me. I was making a fire in the courtyard at that time. They dragged me out and scolded me: ‘We didn’t have any rest the whole night. You benefit from your relative and we benefit from her too!’ Some of them beat me with rubber sticks. They forced me to walk faster. They took me in their car and forced me to lead them to seize my elder sister in Nanyan village.

“I lost consciousness. I crossed my legs and covered my mouth with my hands when I regained consciousness. My sister’s door was locked when we arrived at her home. They scolded: ‘Take the b__ch in the car!’ Later they pushed me down into the car and asked me to find her neighbors. They asked her neighbors to cheat her into coming back by saying that her mother was seriously sick. After she and her husband came back, they took them in the car. She worried about her granddaughter and said: ‘What can I do with my granddaughter?’

“They took her granddaughter in their car as well. She begged them not to, but they disregarded that. They beat her and her husband in the Family Planning Office. They beat me eight times and detained me for three days. They let me go after I paid the fine. But I left the sequel of gatism [incontinence]. I still feel pain in my back until now. Because of that, my mother-in-law’s sickness got more serious as well. My two children didn’t go to school for two days because no one tended to them. All my piglets starved to death.”

Note Four: Family Planning Officials Detain and Torture Family Members of Pregnant Woman; Force an Elderly Grandmother and her Brother to Beat Each Other.

When: November 5, 2004

Where: Maxiagou Village, Liangqiu Town, Fei County, Linyi City

Source: Teng Biao’s witness interview of August 20, 2005

In the book, “Village East,” written by Wangtai Chu, a seventy-year-old woman made the following accusation: “My tears have run dry these years. My heart has dried out too. Now I can’t shed tears however heartbroken I am.” Probably I experienced too few sufferings. I cried several times in Linyi although I thought I was tough. The saddest time was when I heard Huahou Song’s story.

Huahou Song (about sixty years old) comes from Maxiagou Village, Liangqiu Town, Fei County. Her daughter-in-law Shanhua Liu gave first birth to a boy. Shanhua was not allowed to have another child but was discovered being five months’ pregnant on November 5, 2004. Shanhua told us that the Family Planning Officials didn’t give her any contraceptive device and the pregnancy was not discovered in several previous pregnancy checks. So it was not her fault. But her relatives began to face disasters.

Huahou was taken to the Family Planning Office on one of the coldest days of the year. The Family Planning Officials asked her to pay the fine. At that time she needed to spend the money for her other daughter-in-law, who lacked amniotic fluid. She begged them to exempt her from the fine. They let her go, but she was seized again three days after that. This time she was detained for four days. It remained fresh in her memory: "The Family Planning Officials charged me four thousand [Yuan, approximately \$620]. But I had only five hundred. I told them I would have to beat myself to death on the wall if they insisted on charging that large amount of money." She was released again, but she still needed to hide. As long as Shanhua didn't come back, she would be seized.

Shanhua told us, on lunar calendar January 8, her elder sister, her fifth younger sister, her first elder brother's wife, her second elder brother's wife and her younger brother's wife were seized at the same time. They were detained for five days. The Family Planning Officials set them free after they paid 500 Yuan each. On January 23rd, her elder sister, her fifth younger sister and her fifth younger sister's four-year-old daughter were seized. This time they were detained for six days and paid 1,000 Yuan together. Her fifth younger sister dared not come back home but was seized again in another village on 28th. Her sister was detained for eight days and paid more than 1,000 Yuan. Then they seized Zhongchen Fang (Huahou Song's nephew).

Huahou went to the Family Planning Office and requested to substitute for her nephew. Zhongchen Fang was released. The Family Planning Officials began to put Huahou to torture. "They beat me with rubber sticks and slapped me in the face more than ten times. My teeth began to bleed. I had sickness but they insisted that I was pretending . . . I slept on the cold cement floor at night without any quilt or blanket.

"This time I was detained for twenty-six days. My elder brother's wife was there for five days. My neighbor Baokun Wang and Dongzhen Fang were also seized and beaten. Then Shanhua Liu gave birth to her second child and paid a fine of 25,280 Yuan [approximately \$3955].

Huahou said: "After my elder brother (sixty five years old) was seized, the Family Planning Officials beat him with rubber sticks and forced me to beat him after that. I said I couldn't beat my brother but then they forced my brother to beat me." When I [author Teng Biao] recorded this part, I couldn't help crying silently. I did not want to let them see my tears. I really wanted to rush out and cry aloud! The moment reminded me of Keqin Wang, who wailed at the dinner table after investigating the slaughter in Dingzhou! The Family Planning Officials persecuted people older than their parents and forced a brother and sister to beat each other. . .

Huahou's elder brother was detained for eighteen days. His peanuts and sheep were all stolen. Some of his ducks, cows and pigs starved to death. This caused a loss of more than 3,000 [Yuan, approximately \$470]. Huahou said: "My elder brother was angry with me. He refused to see me after he was released. He asked me to pay for his loss, or else he wouldn't see me anymore."

Huahou finished telling her story. There was no tear in her eyes. But on her wrinkled face there was evidence that she had cried.

Note Five: Woman Kidnapped and Tortured for 30 Days because her Brother had an “Extra Child”; Family Planning Officials Detained and Tortured Other Family Members and Neighbors, Forcing Them to Beat One Another.

When: August 13, 2005

Where: Fei County People’s hospital

Source: Author Teng Biao, written on August 21, 2005

At about eight o’clock in the evening of August 13, 2005, we went to the Fei county people’s hospital together with Shu Liang to see his wife Jinglan Pei (she comes from Banqiao Village, Shibao Town, Fei City, Linyi County). When we entered the ward, she was laying on the sickbed. Seeing us come in, she sat up with difficulty and talked with us about her sad story.

Her second younger brother (Jinggang Pei, villager of Peijiagou village, Shijing town, Fei county) worked in another city and had an extra child. In the morning of lunar calendar March 5, five people rushed into her house and shouted: “We are from the Family Planning Office. We are out to get you because of your younger brother!” They took her to the Family Planning Office forcibly. In the morning of the next day, four Family Planning Officials unbuttoned her jacket and covered her head with it. Then they beat her violently. They took off her shoes and scraped her feet with rough bamboo. The whole process lasted for fifty minutes. Her heart was still fluttering with fear as she told us their most painful torture: “The Family Planning Officials pressed on my ribs with their strong hands. This was the most vicious. It was so painful that we burst into tears. Even men couldn’t endure the pain, let alone women.”

She was detained for thirty days. She was interrogated and tortured every day. During the daytime, only when she went to the toilet was she allowed to go out of the room. Four people followed her all the way. At night she was not allowed to go to the toilet at all, however much she begged. Her 51-year-old brother’s grandchild [who was detained with her] had to stand by the side of the window and urinate through it. An aged mother from Gaoyan Village had to urinate in a bowl and poured it out through the window. The captives often got no water to drink. Once her daughter-in-law’s younger sister sent her a pot of tea. She shared the tea with the people detained in the same room. They drank it off in a minute. They said they would have died of thirst without that. When she was released, she said: “My clothes were too smelly to take off.”

There were many rooms used for detention, two in the south and several more in the north. In her room there were about twenty-eight people. The Family Planning Officials didn’t allow their families to send them food. Whoever sent food to them was detained too. Her son (Feng Liang), her son’s fiancée (Li Song) and Li Song’s younger sister were all detained because of this. Her husband’s elder brother and his wife, her nephew and his

wife, her neighbor Han and her third uncle's younger sister were all detained. They were released after they paid the required amount of money.

During the detention, they forced her to lead the way to seize her fourth grandmother and her fourth grandfather. They were seized in the field. But the Family Planning Officials said that she asked them to do so. She said: "My grandmother believed their words and scolded me. I cried out aloud and knelt down for forgiveness. My grandfather forgave me, but my grandmother is still angry with me."

Shuhe Liang got to know that it was because of his younger brother that his family members were seized. "In order to rescue my family, I had to look for Jinggang Pei everywhere. I went to Cangshan city, Linyi city and Jilin province, but failed to find him."

On April 4th, Shuhe Liang paid 2,600 plus 600 for his neighbor and 1,000 for his son, altogether 4,200. [2600 Yuan is approximately \$406]. That was not the end of the tragedy yet. In the early morning of July 27, the Shibao town Family Planning Officials branched out into two columns: one column was led by Zijun Li (vice director) with six followers. They seized Shuhe Liang, Jinglan Pei, Jinggang Pei's uncle's wife (Xiying Wen) and his father-in-law (Shaoyu Zhu) forcibly for detention. The other column went to Peijiagou village and seized Jinggang Pei's uncle (Guangyou Pei), his second sister-in-law (Chengxiu Liu) and thirteen of his neighbors (Guangming Pei, Guanglin Pei, Jiamei Jiang, Hongge Liu, Jingyan Pei, Fuhua Liang, Caixia Pei, Huailun Pei, Jingguo Pei, Yinnian Fan, Zhongfang Liu, Fengling Liang and Shanmei Li). At about five o' clock in the morning, they were tortured with rubber sticks and wooden sticks in the Family Planning Office.

Shuhe Liang said: "Jingbao Peng (head of the Family Planning Office) felt the hearing was boring. So he asked us to sit on the floor and unbend our legs. Then he taught us how to beat our neighbors and relatives. He forced us to beat each other. He complained that the hits weren't standard and harsh enough. He demonstrated on us himself. He picked up Jinglan Pei's uncle's wife's leather shoe and hit Jinglan Pei's insteps fiercely. She burst into tears out of the pain and couldn't put on her shoes because her feet were swollen."

Later neighbors were released one after another after they paid a deposit of 100 Yuan. On July 29, Shuhe Liang was set free. But his wife was tortured again. Jinglan Pei described the nightmare:

In the evening of July 29, I was the only one detained in the Family Planning Office. At about ten o' clock, four drunk Family Planning Officials came back, including Jingbao Peng, Zijun Li and another two (my husband said they were Jingtang Yan and Xiangguo Kong). I went to the toilet and they followed me. When I was about to go to bed, they said: "Take the class in the office!"

I was scared: "May I take the class here?"

They scolded: “B__ch, it’s not up to you! Go!”

After I entered the office, they shut the door and turned off the light.

I said: “Please don’t turn off the light, I’m scared.”

They said: “Do we just listen to you?”

They asked me to lie on my stomach on the floor and didn’t allow me to raise my head. Then some of them pinched my neck while others stood around and hit me. They kicked the lower part of my body and wiped my hip and feet with the soles of their shoes. They said: “Call more people to beat you later!” Their hits lasted for more than twenty minutes. Finally they shouted to me: “F_k off!”

My legs wouldn’t listen to me after their hits. I struggled to the room on the south and cried. I placed two desks against the door but Zijun Li broke into and poked my head with his fingers. I cried until four o’ clock. No one came to have a look.

The second day Shuhe Liang received a phone call from Family Planning Officials Fengjun Xie (Town Secretary in charge of publicity. He’s also town commissary in charge of organization), asking him to pick up his wife in the Family Planning Office. “She lay on the bench. Her body was full of bruises. She couldn’t move at all. She had no words but kept on crying.” He questioned Jingbao Peng, but Peng said: “I didn’t beat her.”

He dragged Peng in front of his wife. She recognized him. In the beginning Peng denied but he acknowledged in the end.

Two weeks later, we copied Jinglan’s case of illness in the town People’s Hospital. On the “Resident Admit Note” of July 31 it is written: “Action in chief: injury on head and chest with ache for a whole day. Current medical history: the patient had dispute with Family Planning Officials and her head and chest were hit. Immediately she felt ache in the injury and was dizzy. No vomiting or obvious disorder of consciousness, only ache on chest.”

On the “Case Record” it is written: “The patient had dispute with Family Planning Officials and her head and chest were hit. Immediately she felt ache in the injury. She felt slight ache on the right part of occipital bone and the right part of fore breast. There was slight bruise on toes of both feet and she felt ache when pressed.”

I made a record for a whole day. My neck was almost about to break. We [Teng Biao and other lawyers present] were angry, sad, hungry and tired. We still needed to shake the government officials that were running after us. Hence we parted from Shuhe Liang and Jinglan Liang, got on our van and looked for accommodation in the dark night.

Note Six: Woman Forcibly Sterilized Despite High Blood Pressure, Suffers Complications with No Compensation.

When: March 10, 2005 of Chinese lunar calendar

Where: Nanxiashi Village, Sunzu Town, Yinan County Linyi City

Source: Teng Biao

On March 10, 2005 of Chinese lunar calendar, Ruixiang Song (Village Secretary of Xiashi Village, Sunzu Town, Yinan County) asked villager Bingmei Hu (thirty-four years old) to have a ligation of oviduct [sterilization by tubal ligation]. He had never mentioned that before. She felt bad about that. He said: "We will give you a prize of 100 Yuan if you do it today. We give 50 Yuan if you do it tomorrow. But if you postpone until we seize you, you even need to pay for the operation." She said: "I'd love to conform to the state policy, but I need to take care of my child (four months old). My husband is working in Guangdong province. I will have the ligation once he comes back." The first day seven people had a ligation. Three hid to avoid it.

On April 5, she took her child to her mother's home for an injection. The Family Planning Officials (about seven) went there by car. They asked her where her child was. She told them the child was sleeping in the room. Jihe Yin entered the room and took the child in the car. She [Bingmei Hu] was also pushed into the car. They drove to her village and asked her mother-in-law to take the baby. Then they drove to Shimenting Village. Some of them got out to seize people. She was taken to the town hospital by the village Women's Section Officer.

They asked her [Bingmei Hu] to do a health check. Her blood pressure was 160 (too high to have a ligation). She waited for more than two hours and checked again, but it was still high. One expert confirmed that it was not suitable for ligation at all. For the sake of safety, the hospital refused to do the operation. One Family Planning Official reported to his leader by phone. Later he got a command and dragged her to the Family Planning Office. Her blood pressure was still 160 when checked again in the Family Planning Office. They asked her to take some hypotensor [medication for hypertension]. But three hours later the result was still the same. The doctor phoned Mrs. Yuan (Vice Officer of the Family Planning Office . . . Her husband is doctor Wang from Type-B Ultrasonic Division), but she said: "Do it regardless of the blood pressure."

Bingmei said: "I have checked in the hospital and the expert said I couldn't do it. How could you be so bold? You must be responsible for all the problems caused!"

Yuan said: "F__k off!"

The Family Planning Officials said to Bingmei: "Do what you are told to. She would be angry about your words."

Later they seized a full car of people. One Family Planning Official pointed at Bingmei's nose and shouted: "Are you going to do it at all?"

Bingmei said: "I would have done that if I didn't check in the hospital. But the fact is that my health is not qualified for ligation."

Then Fengze Du (head of the Family Planning Office) came and asked her: "Was your child born by normal childbirth or caesarean birth?"

"Normal childbirth"

"Then there would be no problem with such a small operation."

"You should give me a written guarantee in case any problem occurs."

The Family Planning Officials pointed at her nose and said: "Don't belabor the point. Just have the ligation." Fengze Du pointed at her nose and said: "As they said, you have no choice but to have a ligation. If not, we'll have to hold you on the operating table and do it!"

Bingmei said: "You must put your fingerprint and be responsible for any problem!"

Fengze Du said: "I will take the responsibility! Just put the doctor's fingerprint!"

On August 15, Bingmei told us at Chen Guangcheng's home "I was forced into the operating room, scared and angry. They forced me to sign the form and put my fingerprint before I read it."

On August 16, when I [Teng Biao] had an informal discussion with the leaders of Family Planning Office, a Vice Officer of the town Family Planning Office emphasized several times that all the people who had a ligation had signed the agreement of their own accord. Then I told him Bingmei's story in detail. I said: "First, she was cheated and threatened by the Family Planning Officials. Then her child was forcibly taken away. She was insulted by the head of the Family Planning Office at the fact her health was not qualified for ligation. They even told her she must take the operation whether she agreed or not. Can we say that she signed the agreement of her own accord under such circumstances?" On hearing my words, the leader, who was arrogant and domineering during the whole discussion, suddenly had nothing to say.

Bingmei said: "The day I had ligation was the second day I had my period, so I bled a lot. When I went back home from the operation, I was dizzy and couldn't move. My legs felt weak. I felt great pain in my abdomen. The Village Women Section Officer came and promised to help me find a doctor. A doctor came in the evening but left very soon." Bingmei's mother said: "They asked my daughter to have the ligation on the condition that they knew she was not in good health. Didn't they mean to take away her life?" The whole village has known her story.

About seven days later, she couldn't endure the pain. A swelling appeared on her abdomen. The Village Secretary phoned the Family Planning Office but they said: "It happens. Take it easy."

About ten days later, the swelling grew even bigger and the whole abdomen was swollen. She asked the Village Secretary to call the Family Planning Office. He agreed to help but not any news. She phoned him the next day, but he said he had nothing to do with it.

Bingmei asked: "How could you say you have nothing to do with that? Didn't it have much to do with you when you led them to my home to seize me?"

He said: "I did that as the town leaders asked me to!"

Bingmei cried and said: "You are delighted to serve the town leaders, but why is it so difficult for you to serve the villagers?"

Thirteen days after the operation, the Family Planning Office finally sent a car to take her to hospital. But the doctor advised her to do another operation. She was scared but still followed his advice. She stayed in the hospital for ten days after the operation. But after the doctor took out the suture and checked the condition with Type-B Ultrasonic, a lot of blood stasis was discovered. Fengze Du discussed with other Family Planning Officials and came up with the conclusion that the only way to drain the blood stasis was with a hypodermic needle. She cried on hearing that: "I'm afraid of that! I'm a human, not a cotton-padded jacket that can add or remove cotton at any time!" He said: "What are you crying for? You just had two operations. Some people had three or four!" She requested to transfer to another hospital. But he said: "Drawing the blood stasis doesn't necessarily work!" On July 5, she was reexamined in the town hospital. She couldn't endure the pain after the CT scan. The result was there were already full of bloodstains instead of blood stasis. The doctor told her there was nothing she could do but take good care and recover slowly.

Later she went to Xiangrui Song's home (Village Secretary) to dispute. But he shouted to her: "Get out! Take over my post if you could!"

She asked the town government for compensation. Zhenfeng Liu (Town Vice Secretary) said: "No way!"

On August 8, she went to the town Family Planning Office. She waited there for a whole day but couldn't find them. Actually Fengze Du fled through the back door.

When Mr. Wu (head of the Family Planning Office) talked with us [Teng Biao and the lawyers with him] about her, he admitted the fact that they forced her to do the operation despite her high blood pressure. But he explained: "160 is the breakthrough point, so it's all right whether she had the operation or not. Her worry and fear are also likely to cause the failure. Besides, no operation is 100% successful." The Family Planning Officials

forced her to do operation regardless of her health condition. They hid, cheated and threatened her after the failed operation harmed her health.

Note Seven: Villagers Detained, Tortured and Required to Pay “Tuition” in Linyi “Family Planning Learning Class.”

When: April 19, 2005

Where: Shuanghou Town, Yinan County

Source: Teng Biao

There was a “Learning Class” in the Family Planning campaign launched in three districts and nine cities of Linyi County. People who are over fifty years old should be familiar with this term. The “Mao Zedong Thought Learning Class” in the Great Cultural Revolution was called “Learning Class” for short as well. This other “Learning Class” forced people to learn the “Five Constantly Read Articles,” “Chairman Mao's Latest Words” and “Two Newspapers and One Magazine” repeatedly to eliminate different groups and reach a unified understanding towards Mao Zedong Thought. Later it became more horrible than prison. Countless people were tortured, brainwashed and mentally wrecked in it. Many were beaten to death and many committed suicide. It was a Chinese-style clone of Orwell’s room number 101 and a Chinese-style concentration camp.

In 2005, the ghost of the Great Cultural Revolution rose again from the ashes in Linyi County. But precisely speaking, it has never died out. It has been wandering in the Family Planning campaigns and campaigns combating Falun Gong all over the country. The “Learning Class” in Linyi is so close to me [Teng Biao.] I saw the physical damage with my own eyes. I heard the horrors with my own ears. I felt strongly the mental injuries from the tearful complaints of victims. All these things deeply shocked me.

Seizing people is the first step of the “Learning Class.” Before this step, the Learning Class is just several offices or vacant houses in the town government. Usually four or five Family Planning Officials (the Family Planning Officials mentioned in this article not only include the formal officials of Family Planning Office, Family Planning Committee and Family Planning Bureau, but also all the officials of the district and all the hired thugs), sometimes even more than thirty drove one or more cars to the villages. They entered a villager’s house to seize people by means of knocking at the door, prying the lock or smashing the door.

Gengjiang Chen from Shuanghou town, Yinan county said: “It was raining at about 11 o’ clock on 19th, April, 2009. I was looking after my child when I heard a bang on the door. Three people rushed in and shouted at me: ‘Township leaders want to have a conversation with you.’ Then another two or three people entered (including Yulin Hai and Shenghou Xu). They enveloped me and dragged me out of my house. Some of them pressed my neck and some others twisted my arms.”

Delu Zhang from Dongmingsheng village, Jiehu town, Yinan county told us [Teng Biao and other lawyers] “I was making pancakes at about five o’ clock in the morning. The Women Section Officer knocked at my door with seven or eight people. She asked my daughter (Chengai Zhang) to get into their car: “Get in the car, or else we’ll carry you in!” In the end my daughter was carried into the car and taken to the Family Planning Office for detention.”

As Shouhua Men (fifty-six years old) from Houzhuzi Village, Liangqiu Town, Fei County wrote in the letter of accusation: “(As was implicated by my husband’s second younger sister) At about half past six in the morning of March 4 of the lunar calendar, several Family Planning Officials suddenly broke into my house with wooden sticks. They beat me and forced me into their car and took me to the Family Planning Office for detention.”

Peirong Yang from Houzhuzi Village, Liangqiu Town, Fei County wrote: “I was seized because my son-in-law’s elder brother had an extra child. It was late at night that day. Several Family Planning Officials broke into my house and dragged me out of my bed. Before I was able to let my family know, they pulled me out the door to beat me. Then they pushed me into their car and took me to Lianqiu Town. They beat me there twice a day.”

As elders of the village said, such circumstances only occurred when the Japanese invaded the village. “They are more horrible than the Japanese!” (Regarding “implication” of the extended family in Linyi County.) Villagers were told to “learn” in the Family Planning Office when they were seized, but this “Family Planning Learning Class” is extremely special: no desk, no teaching material, and no teacher. The teaching aids are truncheons, wooden sticks and rubber sticks. It is the right of Family Planning Officials who were trained to “maintain the advanced nature of the CCP” to torture people. The “tuition” was 100 Yuan [approximately \$16] per day. To get out of the Learning Class, apart from paying the required amount of “tuition,” treating the Family Planning Officials for dinner is also needed.

Jianfu Zhang from Huading Village, Liangqiu Town said: “They pushed me into a dark room and beat me with a wooden board and rubber sticks. I fainted, but they poured cold water on me. My body shook all over. They asked me: “Are you going to tell us where your nephew is at all?” I said I really didn’t know. I fainted again and they poured cold water on me. I was detained for half a month.”

Zonghua Zhang (sixty-one years old) from Liangqiu town said: “I was taken to the Family Planning Office. They kicked me down immediately after I entered the room. Seven or eight Family Planning Officials trampled and kicked me with their leather shoes. My socks bled and my arms were broken. Then I fainted.

Almost every person investigated had once experienced the torture described by Changjun Xu (forty-four years old) from Liangqiu town. “Qinghua Zhang, Shouhui Fan, Liangru Li, Wenfu Liu, Jingdong Pei and Tianbao Li asked me to help look for my

uncle's son Changqing Xu. But I didn't know where he was. Two of them put a motorcycle helmet on my head. Another two twisted my arms. Another one kicked my legs and the last one forced me to kneel down on a chair. Qinghua Zhang commanded: 'Each of you beat him fifty times with rubber sticks.' All of them followed his command. Then he asked them: 'Enough?' They replied 'Yes.' But he said: 'More!' So they beat me again." Changjun Xu couldn't stand on his own feet when they let him go the next day. He fell down on the ground the moment they loosened their grip."

Ruibing Xiao (forty-four years old) from Shangyang village, Liangqiu town recalled the situation of the day:

"In the evening the Family Planning Officials with a strong smell of wine came to torture me. They turned one chair upside down and pushed me on it indiscriminately. One of them pressed my head and beat me with a rubber stick. I argued with them but they beat me even more fiercely. They said: 'It costs only twenty thousand Yuan [approximately \$3128] to pay for your funeral expenses.' Then seven officials beat me with rubber sticks at the same time and I fainted. I had not regained consciousness after three hours, so they poured cold water on me to wake me up. They insisted that I was feigning death. Two people beat me again until I fainted a second time."

They usually put a motorcycle helmet on the victim's head, shined a strong light into the victim's eyes or hid their own faces, which reflected their guilty conscience. This also forecasted their upcoming indulged brutality because the victim couldn't see their ferocious faces.

Xidong Liu who was once seized by the Family Planning Office of Xinzhuang Town, Fei County said: "They turned off the light and beat me in this way. I did not want to lie on the chair and struggled. Hence three of them pushed me down on it and beat me. The chair was broken and I lay on the ground. Then they placed the chair on my waist. Two of them stepped on it. Another one stepped on my neck. Another two beat me with rubber sticks while the last one shined my eyes with a torch."

They invented a variety of cruel tortures in the "Learning Class." They asked the victim to take off his clothes and beat him with truncheons; they pressed on the victim's ribs with their strong hands; they slapped the victim in his face; they plucked the victim's hair; they stepped on the victim's head; they hit the victim's insteps with leather shoes; they covered the victim with a sack and hit; they boxed the victim's ears with rolled-up newspaper; they hit the victim's head with wooden sticks; they forced the victim to "horse stand"; they placed continuous hearing [further detention] without giving the victim anything to eat or drink; they built a specialized water dungeon to detain the victim . . . Their violence has become day-to-day. Accompanying the cruel torture are the unending mental threats and insults.

Zonghua Zhang said: "Every day they pointed at my nose and insulted me. We cried every day. Also because of our wounds, we didn't feel like eating anything." Another victim said: "They cursed my ancestors. They shouted as they beat me: 'It costs only ten

thousand (some say twenty thousand) to pay for your funeral expenses.” Unfortunately, such tragedies really happened. Some people were beaten to death by them. They just paid some money to dispose of the matter without bearing any legal liability. They didn’t even pay ten thousand, as they promised.

The Family Planning slogans are also full of naked and bloody violence. As the slogan posted in Hujiashuang village, Xinqiao town, Fei county says: “Allow the first childbirth and have [tubal] ligation [sterilization] for the second child birth.” Shixing Village, Tanyi Town, Fei County posts: “Prescribe heavy penalties on those in violation of the Family Planning law.” Another is “Induce or abort, but not bear”; “Pull down your house if you don’t ligate as requested. Take away your belongings if you don’t abort as requested.” The prevalent Family Planning slogans in Shandong Province are “We don’t discourage you from taking poison and we provide you rope if you want to hang yourself”; and “Rather ten extra tombs than one extra person.”

The environment of the “Learning Class” itself was a terrible insult to human dignity. Baigao Chen (fifty-eight years old) from Xiapo village, Yitang town, Lanshan district, Linyi city said: “We were not allowed to go out of the room, not even allowed to go to the toilet. They placed two big urinals in the room, one (on the east side) for men and the other one (on the west side) for women. There were sixty or seventy people in the room. Urine flowed to us from the other side. We couldn’t sleep at night. It was completely not a place for humans to live. They didn’t regard us as human at all. Men and women were detained together. Sometimes we had no water or food.”

Fanzhi Meng from Yitang Town, Lanshan District said: “That night there were ten or twenty people. There was only room for us to sit. We couldn’t sleep. Men and women, old and young were all in the same room. We were not allowed to go to the toilet, so we had to use the room as a lavatory. We warded off with a board (about one meter high). The place we had meals was only about two meters from the lavatory.”

Xingrong Xia from Xiajiagou Village said: “More than forty people, men and women, were detained in the same room. They locked the door at about eight o’ clock in the evening and opened the door at about six o’ clock in the morning of the next day. During the night no one cared about what happened in the room. We dared not eat or drink too much to avoid going to the toilet. I lost much weight under their control and hits.”

Shouhua Men from Liangqiu town said: “Namely it’s a Learning Class, actually it’s a “work camp” full of hits and insults.” Zongxi Zhang (disabled and single) was also tortured there. He wrote on his letter of accusation: “It’s like a hell on earth.”

During the Great Cultural Revolution, some Learning Classes carried out their “Forbids Regulation”: Forbid leaving the barrack; forbid getting in touch with outside; forbid receiving visitors. However, the “Family Planning Learning Class” in Linyi is more cruel than that: “Forbid answering back (beat you more fiercely if you answer back); forbid going out of the room; forbid going to the toilet at night; forbid sending food (those who deliver food are also forced into the Learning Class).

Producing horror -- In the beginning they forced the victims to find their relatives or neighbors by means of producing horror. But later producing terror became their purpose. Zongxue Zhang from Huading Village, Liangqiu Town was stunned by the Family Planning Officials. They poured cold water on him to wake him up. One Family Planning leader said to him: "This is beating the dog before the lion. You will be a warning to others." Other victims told us: "They beat us whether you told the truth or not; they beat us whether we agreed to help them look for others or not; they beat us whether we found others or not; they beat us whether they were clear-headed or drunk; they beat us whether we handed in money or not; they beat us whether we wanted to sue them or not; they beat us whether we revolted or not; they beat us whether we were local villagers or not; they beat us whether we were young or old; they beat us whether we were sick or not." They have become sadists. They have become hatchet men. The regime was once leftist and encouraged cruelty. The "Family Planning Learning Class" in Linyi causes us to be aware of the fact that such a regime has not parted from us. But it yet requires further investigation regarding how the Family Planning work by means of producing terror has transformed into the Family Planning work for the purpose of producing horror.

On earth how many people were illegally detained in the Learning Class? According to Chen Guangcheng's rough statistics, Linyi city has a population of 10,800,000 and 130,000 people (12‰ of the population) were forced to have litigation. Three to 30 of each victim's relatives or neighbors were implicated. This amounts to 520,000 people if we count 4 for each victim. Everyone was detained 1 to 40 days and in total it was 1,560,000 days (about 4,300 years) if we count 3 days for each person. Each person was charged 100 Yuan each day (some places didn't charge while some other places charged several times. But most places charged this amount of money). It amounts to more than 93,000,000 Yuan if we count 60 for each person per day. This is just a conservative estimate. But what the farmers' hard-earned money bought was outrage, humiliation and horror.

The horrors produced by the "Family Planning Learning Class" are still controlling many villagers. Countless villagers wouldn't like to take part in our investigation, report to the police, sue them in the court or make a sound recording. The horrors spread all over every village of Linyi County and go deep into the soul of every villager who was once tortured in the Learning Class or merely heard of the stories.

Note Eight: The Practice of "Implication"; a Farmer Commits Suicide when Family and Neighbors Are Detained and Tortured because his Son Had an "Extra Child."

When: March 8, 2005

Where: Xiajiagou Village, Liangqiu Town, Fei County

Source: Teng Biao, written on August 22, 2005

The practice of "Implication" in the Family Planning Policy of Linyi County has far surpassed any other such implication policy in history. A distressed old party member

said: "It is the CCP that does the things even the nine-generation-implication policy in ancient times didn't do." Twenty-two of Zhongxia Fang's relatives were implicated. Her mother-in-law, her third elder brother's wife, her elder sister's husband, her nephew and his wife as well as his child (one year old), her husband's elder brother's wife's younger sister, her younger sister (pregnant), her younger sister's parents-in-law and their grandson, her third aunt and her husband as well as their granddaughter (not yet four years old), her fourth aunt, her uncle's wife, her fifth elder brother's wife, her third elder brother's wife's younger sister and so on were all detained, beaten and charged the "Learning Fee." Anyone who was discovered to have a blood connection with her was implicated. Many of them got to know how they were implicated several days after they were seized.

That's not even the whole story. Apart from relatives, neighbors were also implicated. The local policy is that people living within several dozen or even several hundred meters around the person's home are all implicated. Some implement the ten-family policy, which means that if one family is in violation of the policy, ten related families are punished. The scope is said to be fifty meters sometimes, two hundred or five hundred meters once in a while, and even the entire village in some cases. As long as one person in the village "has any problem," all the villagers in sight are seized. ("Has any problem," as villagers put it -- actually only a very small proportion out of all those who have hidden or fled have more than one child. Besides, according to the Family Planning Law, no one has the privilege to implement forced abortion. Most of them have hidden to avoid forced ligation [sterilization]. Nevertheless, every citizen is entitled to the right by the law to choose safe, effective, and appropriate contraceptive methods.)

Things were even worse sometimes. In some extreme cases, no one in the village dared stay at home at night. They slept in the farmland for several continuous nights. As Menshou Hua from Liangqiu Town, Fei County wrote: "Officials of the Town and the County assembled and formed the temporary so-called 'Family Planning Work Group.'" This Group dispatched cars to every Village round the clock to seize and rob villagers. If one person fled, they seized his relatives, neighbors, relative's neighbors, people living within 150 meters of his home, and even anybody they met in the village. This drove everyone crazy. Even cocks and dogs were not in peace. No family dared turn on the light at night and they would rather sleep in the farmland, which is exactly the same as avoiding Japanese invaders in the War of Resistance against Japan.

A retired soldier in Fenghou Village, Tanyi Town called Shi Mingli was seized because of his son, who has more than one child. He was set free after his other son (an officer in the army) pleaded mercy for him. However, that's not the end of the story. The Work Group seized his daughter and his son-in-law in another village instead. His son-in-law climbed up the house and managed to run away through the roof of his neighbor. Consequently, the poor kind-hearted neighbor Zhengang Ji was seized. Being irritated by the unfair treatment, Zhengang's wife went to Mingli Shi's home and scolded him every day. Feeling deeply sorry and ashamed, he requested to take the place of Zhengang. But not only was his request rejected, he also heard Zhengang's scream through the phone

when the group afflicted this poor man. Meanwhile, Zhengang's wife came to rebuke him again. Unable to endure the torment of shame, he took farm chemicals and ended his life.

Sometimes the Family Planning Officials intentionally asked relatives and neighbors to lead the way, even if they knew the way. They did so to shift their responsibility ("It's your nephew that led me to seize you, not me") and to break the relationships in order for them to produce horrors more effectively.

Jingshan Xia's story (from Xiajiagou Village, Liangqiu Town, Fei County) typically reflects this:

In the early morning of lunar calendar March 8th, seven or eight Family Planning Officials seized my wife and I, and pushed us into their car. They asked me where my second elder brother was. I told them he was working in another city. They went to his home and pried his lock. They left, as no one was in the house. They beat me with rubber sticks and forced me to lead the way to seize Jingwei Xia and Chuanyun Xia. Jingwei Xia was seized. Then they went to Chuanbang Xia's family and seized his daughter-in-law. In the evening of March 10th, they interrogated me about where my second elder brother had gone. I told them I didn't know. So they beat me with rubber sticks and forced Yungang Cao (he was also seized by them) to beat me. I couldn't endure the pain and shouted. Shouhui Fan (Family Planning Official of Liangqiu Town) hit my mouth. I couldn't move after their torture, but they still forced me to lead them to seize people. We went to Jingfa Xia's and Jinghe Xia's family but no one was at home. They scolded me: "F__k! Why are you leading us to places without anyone home?" At about ten o'clock we went to Jingjiang Xia's family home. They pried open the lock and smashed the door. His mother was sleeping but he was not at home. Then they smashed the neighbor's door, but didn't find anyone there. Then they went to Chuancai Xia's family home and broke all the glass on the windows and the door into pieces. Then they went to Jingchun Xia's and Jingcheng Xia's family..... Qinghua Zhang (Family Planning official of Liangqiu Town) commanded them to seize one more person. I told him there was nobody to seize. They said: "There's no lack of people!" Then they seized Xingdai Xia and asked me his sister's address. One of them said that his third elder sister's husband was a butcher and was not safe to seize. So they decided not to go there..... then they went to seize Jingjiang Xia's first elder sister. I was not sure about her family's address. They rebuked me: "F__k!" They kicked me and forced me to knock on the door, although I was not sure if it was her family. It turned out to be her neighbor's family. Even so they still pushed the man of the family into the car.

Xingrong Xia from Liangqiu Town, Fei County said:

"It's not a big deal to lose 1,000 Yuan, but my second daughter-in-law has decided to break off all relations with me. She said: 'I don't care if you make contact with me or not. I will break off all relations with you and I won't support you when you are aged.'" All my children have broken off with me. I will settle it

with the government. My children won't support me when I'm aged, so I have to rely on the government to support me."

During the time Jinglan Pei from Banqiao Village, Shibao Town, Fei County was detained, they forced her to lead the way to seize her fourth grandmother and her fourth grandfather. They were seized in the field. But the Family Planning Officials said that she asked them to do so. She said: "My grandmother believed their words and scolded me. I cried out aloud and knelt down for forgiveness. My grandfather forgave me, but my grandmother was still angry with me."

Xidong Liu from Jinjiagou Village said: "I scolded my husband's younger brother and his wife after they came back with their second child. They wouldn't like to talk to me any more." This is the Learning Class, which aims at destroying the foundation of social human relations in rural areas. It divides brothers and sisters, breaks off relationships between parents and children, and turns friends and neighbors into enemies. It infects the harmonious rural areas with hatred and misunderstanding, and injects poison into unsophisticated folk customs.

Thirty years ago Zhixin Zhang was sentenced to death and her family members were forced to attend the Learning Class. Her former husband, who was forced to divorce from her, as well as her underage daughter and son were all forced to show support for the court decision and make a clean break with her. Now this evil spirit of the Great Cultural Revolution continues to wander on the land of China with the help of the outrage of the Family Planning Officials, the potential poison of the autocratic regime, and the evil human nature provoked by the autocratic regime. It has gone beyond the fundamental baseline of humanity and is declaring war on humans and human nature.

**Note Nine: On the Road with Chen Guangcheng and his Investigative Team:
Constant Police Monitoring and Harassment.**

When: August 23, 2005

Where: Shuanghou Town, Linyi City

Source: Teng Biao, written on August 23, 2005

When we [Teng Biao and the rest of Chen Guangcheng's investigative team] investigated the Family Planning work in Linyi, two things shocked us: one thing is the outrage itself, while the other is the officials' reactions toward the matter and toward us.

We had been monitored by the Town Government Officials the day we arrived at Chen Guangcheng's home. We planned to go to the Yinan Family Planning station for investigation but were stopped by Town Family Planning Officials. They said the head of the town wanted to have a conversation with us. After we shook them off, we were followed by officials of the Propaganda of the County Committee. Later we divided into three teams to break loose and arrived at the Family Planning Office in the end. At noontime two Family Planning Officials tried to stop the people we investigated from

writing us letters of authorization. We coped with them but then they tangled with our driver. Luckily, the driver was not afraid of them at all.

We met with Wenbing Liu (Vice Chief of the Yinan Town Family Planning Bureau). He had to end the conversation in a hurry because villagers countered his lies and bureaucratic tone fiercely. In the evening we struck our path across the fields and went barefoot through the Meng River to shake their monitor. We arrived at Mengyin County to meet with local villagers.

During the days we were there, Dongshigu Village, Shuanghou Town, Yinan City where Chen Guangcheng's family was located was closely guarded by twenty or thirty people every day. They divided into groups of two or three people. They set up visible, invisible, fixed and flowing sentries to monitor us around the clock. Two or three cars followed us wherever we went. Sometimes they followed us secretly. When we accelerated, they did the same. When we stopped, they also had some rest around the corner. Sometimes they even followed us publicly. Their cars were very close to ours, to explicitly reveal their tasks to us.

When we met with Baigao Chen from Xiapo Village, Lanshan District, Linyi County, he had just been called for a conversation. In the beginning he dared not tell us his experiences. He said: "I will never ever talk about the event (Family Planning event). One Villager from Xiazhubao Village was beaten five or six days ago and his legs were broken because he reported on the guilt of the Village Secretary of the Party Committee." Our investigation in Lanshan District was destroyed by people tailing us. A police car followed us immediately after they saw us. We shook their track after weaving our way through the pathway.

When we stayed at a hotel (the only time we stayed at a hotel), thirty or forty people rushed into our room, including Fali He (Vice Chief of Linyi City Justice Bureau), Wenbing Liu (Vice Chief of Yinan Town Family Planning Bureau) and people who called themselves officials of Vice Squad of the Public Security Bureau. They threatened us, took Xiao Su and Xiao Liu away into another room and messed about [translation unclear] Chen Guangcheng, who is blind. Actually some of them had lived in our adjacent rooms. Villagers recognized them. A lot of cars and plainclothes police were downstairs. We were afraid that they might take our materials (notes, sound records and photos) away violently. If so, it would be too big a loss. But there was nothing we could do. We were very likely to be seized if we went out to copy the materials, since that would expose what we were trying to hide from them. (Later things proved they didn't know that what we cared about most was those materials.) They would have been able to take measures to confiscate the materials if we were to send them by post. The Family Planning Campaign in Linyi has proved that there is nothing they cannot do with the help of public power.

The most funny was the last afternoon's track. They covered the two license plates of their van with red paper. After following us to the courthouse, they tore the paper down and left it on the ground. We discovered the van and the red paper when we came out, so

we picked up the paper and took photos. We headed for the passenger station and they followed too. They got out of their car separately when they arrived. A woman pretended to be buying vegetables. A man stood by the bus stop and pretended to make a phone call. Another woman pretended to wait for the bus. At least six or seven people monitored us, but all these were clear to us.

We walked across the road to have supper and the first woman followed us. We slowed down and asked her why she followed us but she denied it. I asked her where she was from. She told me she is from Junan County. Later I asked the other woman. She told me she is from Yishui County and she didn't know the first woman. But I saw clearly they talked with each other. The station was full of people monitoring us. The boss of the restaurant told us that outside the restaurant there were always people looking inside. Actually, the two sitting next to our table were also monitoring us. So we intentionally had an idle conversation. After supper we saw the two women again in the shop next door. We greeted them. They appeared to be embarrassed. But they still followed us and kept a very short distance. They seemed to be telling us: "It's our task. We'll monitor you even if you recognize us." I gave them my business card and told them to feel free to contact me. I made fun of them: "Monitoring us is not your regular work. You could refuse or ask for overtime compensation."

When the Yinan Family Planning Officials had an informal discussion with us, what the head of Family Planning Office said most was: "China has too large a population and the right to existence is the biggest human right. Shandong province is the hometown of Confucius. Having no male heir is the gravest of the three cardinal offences against filial piety. Farmers are traditional and conservative." He also said: "It takes only ten minutes to have the [tubal] ligation [sterilization]. It's only a small operation. People feel ligation is harmful to health. But from the perspective of medical science, it's good to women's health." (I once talked with a friend working in Family Planning Department. In that place the family planning work is well enforced under the principle of voluntarism. But no one has had voluntary ligation!) As for the sufferings of Bingmei Hu and Xifeng Xu (villagers of Shuanghou Town, Yinan County. She was affected with hyperthyreosis but was still required to undergo forced [tubal] ligation [sterilization], which left sequel after the operation), they didn't give any sympathy at all. In their eyes, the most important thing is accomplishing the Family Planning Quota passed down from the higher authorities. They do not care whether people live or die. They never dare to face the consequences.

.....

As mentioned in "Implicating Ligation [Sterilization] in Ten Generations in Linyi City," the head of Tanyi Town announced publicly: "We would rather shed rivers of blood than have one extra child." A friend phoned the Justice Bureau of Lanshan District, Linyi, but they replied: "Family Planning is a national policy. Although it's a little bit rude, it's not in violation of the law as long as there's no death or disability caused. That's it." While the reply from the National Family Planning Committee was: "It's in violation of the law, but there's nothing we can do. Please resort to local Public Security organs for a

solution.” But actually there’s no solution from either the National People's Congress or the Public Security organs.

After we went back to Beijing, officials of Linyi came to Beijing as well. They came for backdoor deals. They divided into two groups. One group looked for a shield from high authorities while the other one imposed pressure on the work units of the investigators. They did not want us to mind their business. After we left Linyi, they convened meetings all over the villages. They had 24-hour duty, and Party members were not allowed to accept any investigation.

Chen Guangcheng was almost put under house arrest. They followed him wherever he went. Villagers who accepted our investigation were cheated and threatened as well. They almost disregarded the cost of their monitor. They hid the facts with taxpayers’ money and the heavy “Learning Class Tuition Fee” levied.

Note Ten: Linyi’s Family Planning Campaign Has Declared War on Human Nature; Teng Biao’s Tribute to Chen Guangcheng.

When: August 24, 2005.

Where: Shuanghou Town, Yinan

Source: Teng Biao

Zhisheng Gao gave one of his articles a good name, “Who Has Ever Won Over Human Nature?” He said: “There has never been a power that has ever won over human nature since human beings came into existence, and there never will be. The violent Family Planning campaign in Linyi has declared war on human nature. I have witnessed too much sorrow, humiliation, injury and death, but I have never witnessed the surrender of human nature.”

Chen Guangcheng has lived in darkness since he was three years old. The world has been unfair to him, so it should have let him feel the warm, bright and beautiful side through sounds. But what has he heard? He has heard countless heart-broken stories. He has heard Family Planning Officials smash glasses and beat people. He has heard children and elders weep. He has heard the lies and dirty words of the officials. However, he still responds to the world with his joyful voice, patience and love. He plants various flowers and trees in his courtyard. He raises cats, dogs and birds. He knows which of his Chinese roses are yellow and which are red. He learns law on his own and safeguards legal rights for the disabled, which is very fruitful. He knows how to use a computer, fax and photocopier. He understands English and has friends from many different countries of the world. He keeps a large number of phone numbers, sounds and ways in his mind, so he doesn’t need anyone to accompany him whichever family in the village he visits. Actually people with discerning eyes like us often ask him for help to point the way. His phone is just like a legal advice hotline. This time he sees injustice again and has decided to expose the dirty tricks of the violent Family Planning. On the phone his voice is always warm and optimistic even when he is wiretapped or when his freedom is restricted. One time he shed tears after he heard Siyi Li’s story. [Siyi Li was a three-year

old girl who lived in Chengdu City, Sichuan Province. She died of starvation.] I [Teng Biao] held his hands and comforted him. I was quite tired that day and he massaged my neck. I think his prestige not only lies on his knowledge of law and his courage, but also on his sensitive and nurturing heart.

Note Eleven: Analysis of How Coercive Family Planning and the Practice of Implication Break Chinese Law.

When: August 2005

Where: Shuanghou Town, Yinan

Source: Teng Biao, written on August 24, 2005

Yongjun Su is a simple and honest villager. He accompanied us throughout the whole investigation. One day in the morning, he wrote several full pages of paper with pencil, saying that he would hand them out to more Villagers. I admired him a lot after reading his article called, "Is it right to implicate the ten generations with ligation [sterilization]? The article goes like this:

First, let's have a look at the Constitution of the PRC:

Article 37: The freedom of person of citizens of the People's Republic of China is inviolable. Without the permission or decision of the People's Procuratorate or the decision of the People's Court, and the dispensation of Public Security organs, no citizen can be arrested. Unlawful deprivation or restriction of citizens' freedom of person by detention or other means is prohibited; any unlawful search of the person of citizens is prohibited.

Article 38: The personal dignity of citizens is inviolable, and insult, libel, false accusation or false incrimination directed against citizens by any means is prohibited.

Article 39: The residences of citizens are inviolable; and unlawful search of, or intrusion into, a citizen's residence is prohibited.

Article 41: Citizens of the People's Republic of China have the right to criticize and make suggestions to any state organ or functionary. Citizens have the right to make to relevant state organs complaints and charges against, or exposures of, violations of the law or dereliction of duty by any state organ or functionary; but fabrication or distortion of facts with the intention of libel or frame-up is prohibited. In case of complaints, charges or exposures made by citizens, the state organ concerned must deal with them in a responsible manner after ascertaining the facts. No one may suppress such complaints, charges and exposures, or retaliate against the citizens making them. Those who have suffered losses due to the infringement of citizens' rights by state organs or government functionaries, have the right to compensation according to law.

Let's have a look at the Criminal Law of the PRC:

Article 234: A person who intentionally inflicts bodily injury upon another person shall be sentenced to fixed-term imprisonment of not more than three years, criminal detention, or public surveillance. A person who commits a crime under the preceding paragraph and causes severe bodily injury to another person shall be sentenced to fixed-term imprisonment of not less than three years and not more than ten years; and if causing another person's death or, by especially cruel means, causing severe bodily injury to another person, thus resulting in severe deformity, shall be sentenced to fixed-term imprisonment of not less than ten years, life imprisonment or death. Where this law has other provisions, such provisions shall govern.

Let's have a look at the Population and Family Planning Law of the PRC:

Article 19: Family Planning shall be practiced chiefly by means of contraception. The State creates conditions to ensure that individual citizens knowingly choose safe, effective, and appropriate contraceptive methods. Where Family Planning operations are performed, the recipients' safety shall be ensured.

Article 39: Any functionary of a State organ who commits one of the following acts in the work of Family Planning, if the act constitutes a crime, shall be investigated for criminal liability in accordance with law; if it does not constitute a crime, he shall be given an administrative sanction in accordance with law; his unlawful gains, if any, shall be confiscated

(1) infringing on a citizen's personal rights, property rights or other legitimate rights and interests;

② abusing his power, neglecting his duty or engaging in malpractice for personal gain;

③ demanding or accepting bribes;

④ withholding, reducing, misappropriating or embezzling funds for Family Planning or Social Compensation fees.

Article 44: Citizens, legal persons or other organizations that believe an administrative department infringes upon their legitimate rights and interests while administering the Family Planning program may, in accordance with law, appeal for administrative review or initiate administrative proceedings.

Let's have a look at chapter one article three of the "The People's Republic of China Population and Family Planning Technical Services Management Regulation."

Family Planning Technical Service adheres to the principle of combining government guidance with the wishes of the masses.

There are many other articles standardizing the Family Planning work. We don't list them all here. In general, individual citizens have the right to choose appropriate contraceptive methods. It's illegal for Family Planning Officials to forcibly require contraceptive methods.

At present the Family Planning Officials have been in serious violation of the Constitution of the PRC, the Population and Family Planning Law of the PRC, the Civil Law of the PRC, the Population and Family Planning Regulation of Shandong Province, and the Criminal Law of the PRC. Their actions have constituted crimes. These so-called Government Officials and Family Planning Officials rack their brains to get appropriation funds for Family Planning and use the money to do wicked and illegal things that seriously go against democratic human civilization. They abuse their power, in order to detain, beat, abort and fine people illegally. What we should do is to pick up the weapon of the law to protect our legal rights and fight to the end.

Note Twelve: Villagers Conquer Fear, Resist Harassment, Substitute Themselves for their Loved Ones.

When: August 2005

Where: Shuanghou Town, Yinan

Source: Teng Biao, written on August 24, 2005

More villagers have conquered fear. They dare to protect their legal rights. Moreover, they have found some viable measures under the leadership of Chen Guangcheng. The resistance in the morning of August 14 [2005] was the most gratifying during our whole journey. The day before that day we were forced to leave the hotel. It was already two o'clock in the morning when we arrived at Chen Guangcheng's home. About 20 people monitored us. Their hearts were very gloomy. They shined the trees with torches to cause dogs to bark aloud the whole night. Nobody in the village was able to fall asleep. In the morning of the next day, we went out for breakfast and planned to talk with them about that. At the sight of us, they divided into groups of two or three people and tried to flee. We questioned them: "Are you local villagers?" "What duties are you performing?" "Now that you are here, is there anything you can't say?" They just equivocated and fled quickly. Then we went to another group (later I knew Tingju Zhang was there): "It's odious of you to scare and harass villagers by means of teasing the dogs!" Another group hurried into an alleyway at the sight of us. We kept up with them and questioned: "Are you local villagers?" They said "yes." At the moment many villagers arrived and said: "You are not!" The villagers were indignant and scolded them. We warned them: "You should never harass villagers whichever official asked you to do so. The same is not allowed to happen again tonight!"

Then we "greeted" another person. Gengjiang Chen and Yuzhi Xu recognized that he was Shenghou Xu, who rushed into their house and beat them: "It was he that beat us and took our cranking bar [tool for starting a tractor] away." He said: "I didn't beat you!" Gengjiang Chen said: "You pressed my head. It was you!" Yushan Guo took out a digital voice recorder and said: "You should be responsible for what you say!" He said: "I didn't take his cranking bar!" We asked: "You worked in the operation office, didn't

you? Was there any excuse for you to rush into the villager's house?" He fell into silence. We asked him: "Dare you admit in the future what you are saying now?" He said, "Yes." Chen Guangcheng questioned him closely: "Did you rush into Gengjiang Chen's house at all?" He bowed his head and didn't say a word. At that moment the aggressive Shenghou Xu was confounded.

Two people walked toward us. We asked them what they came for. They told us they came to buy trees. Some other Family Planning Officials who once seized and beat Villagers were also recognized. We questioned them together with villagers, who have conquered fear. In recent months, villagers let off their anger accumulated during the past several dozen years in a temperate, evidence-based and strategic way. One villager told us he had worked off his anger even if he couldn't win the lawsuit! The villagers might have never appeared so proud and self-confident in front of those officials before that morning. (The next day the Town Family Planning Bureau picked us up. The driver told us he didn't know which family to go to. So he went to the Town government first to get someone to lead the way, but no one dared to go.)

Many implicated relatives and neighbors who were detained, beaten and fined came to us together and told us they had no estrangement or hatred toward each other because they knew who was alienating their relationships, abusing violence and amassing money. Without any hesitation, they took the risk of torture and insults to substitute themselves for their parents, the sick, the aged and the more innocent people. Baigao Chen from Xiaopo Village substituted himself for his daughter-in-law together with his son. Ruibing Xiao's father from Shangyang Village substituted himself for his son. Huahou Song from Maxiagou Village substituted herself for her nephew. Mingli Shi from Fenghou Village substituted himself for his neighbor Zhengang Ji. There were many such examples.

The villagers were very friendly to us. We didn't feel any distance since the first time we met. When we were about to leave, Gengjiang Chen's wife gave a pair of shoe-pads embroidered by herself to each of us. Her shoe-pads were elaborately designed with nice patterns and fine workmanship. How could those that declared war on humanity prevail over such an exquisite heart?

The implication policies which went against humanity, the outrages which forced family members to beat each other (I was intending to call it "brutality," but I couldn't think of which kind of beast would ever force fellows of the same kind to beat each other) and the Family Planning campaigns which produced horrors did not change the unsophisticated, benign, tough characteristics and the hospitable folk customs of the Chinese farmers; the glory bursting out of the plain human nature has never been destroyed. . . .

Note Thirteen: Commentary on "Linyi Municipal People's Government's Decision on the Strengthening of the Population and Family Planning Work," Issued on July 9, 2004.

When: August 25, 2005.

Where: Linyi, Shangdong province.

Source: Teng Biao

The sufferings and crimes recorded in this report are less than one tenth of the materials in hand. The number of people we investigated is fewer than one hundredth of the people that agreed to accept the investigation and fewer than one thousandth of the total victims. It has gone beyond the description of “too numerous to inscribe on all bamboo strips.” If the evils were carved on bamboo, I’m afraid that even a whole train could not hold them!

I’d like to list all the three districts and nine counties of Linyi here: Lanshan District, Luozhuang District, Hedong District, Linshu County, Fei County, Cangshan County, Yinan County, Mengyin County, Tancheng County, Junan County, Yishui County and Pingyi County. We cannot forget the crimes of the Family Planning Officials, just like we will never forget the sufferings people from Linyi went through.

... Many scholars have questioned the Family Planning Policy before. It has caused the high sex ratio and the growing population of elderly. Drowning and trafficking of children are getting increasingly serious. Extensive phenomena that trample on human rights in connection with Family Planning work have been seriously condemned by international societies. Members of the Chinese “Family Planning Committee” are regarded as “cruel torturers” by some countries and may not be allowed to enter these countries. Massive cases that enforced the law brutally exist in Family Planning work but very few people have borne legal liability. . . . I’d like to come up with only one question that confuses many readers: why are the Family Planning Officials so brutal?

...

The survey respondents, Chen Guangcheng and the Family Planning Officials who had informal discussions with us all mentioned one document issued in Linyi City in 2004. This document is the origin and the “legal” proof of the massive brutal Family Planning campaigns in Linyi. When we requested to read this document, the Family Planning Officials concealed and refused to provide it to us, but it is available on Internet. This document, named “Linyi Municipal People's Government’s Decision on the Strengthening of the Population and Family Planning Work,” was issued on July 9, 2004. It has altogether more than seven thousand words. But it is not as ferocious as we had thought (I can’t say there is no ferocious word in the document issued by the CCP and the government, but most words are courteous). The document describes the grim situation the Family Planning work in Linyi is facing, and the causes to the problems are described as: “Population and Family Planning work encounters many new problems and challenges with the issue and implementation of the Population and Family Planning Laws and Regulations, the abolition of one-child-birth approval, the simplification of marriage registration procedures, the implementation of unified household registry, the decrease in receipts and increase in expenditure, the more intensified efforts towards incentive-oriented mechanism and the implementation of informed choice of contraceptive methods.” (Article one) Besides, “Some officials are not accustomed to the requirements of the new situation in terms of understanding and method of work. To some degree they are overwhelmed and reluctant to work. On the other hand, they have a

Pollyanna and lax attitude. The Family Planning work is in the key time that either forges ahead or gradually falls behind (article two)."

Consequently, they [the Provincial Government] came up with a series of indexes to control the Family Planning work strictly: Make sure the overall legal birth rate is over 97% and the natural population growth rate keeps within 6‰." "Achieve overall excellence in Family Planning work in the whole City by 2008." "Stabilize the sex ratio of newborn babies at a normal range." "Control the handicap rate of newborn babies within 6‰." (Articles four to six.) The measures they took are: "For those who give birth to a child illegally, collect Social Compensation Fees according to the 'Population and Family Planning Law of the PRC' and the 'Population and Family Planning Regulation.' For those with the ability to pay but who refuse, the Family Planning Department should appeal to the People's Court for compelling enforcement." (Article twelve). "The Village Party Secretary and Head of Village Neighborhood Committee are the first responsible people for the Village Family Planning work. Five responsible people (Party Branch Secretary, Head of Village Neighborhood Committee, Village Accountant, Village Family Planning Director and Village Family Planning Servant take charge of the Village Family Planning work together." (Article fourteen) "Carry out choice of contraceptive methods with informed consent and implement the contraceptive methods. Stick to the "six principles" (education is the foundation, knowing the situation is the premise, guide is the key, long-acting method is the first choice, independence is the core and satisfaction is the objective). Advocate the principle of "the first choice is intrauterine device after the first birth and [tubal] ligation [sterilization] after the second birth"; implement safe and long-acting contraceptive methods" (Article seventeen).

Mobilize the power of every department and set up the system: "Party and government leaders take part in the administration and take the overall responsibility to implement active administration" (article twenty six). Family Planning work is a "one-hand project" [a project which headed by the Number One Leader].

The document lists the key emphasis in the work of supervision, personnel, finance, civil administration, public security, health, education, Family Planning and so on. For example, the people's court should "accept and hear the Family Planning Department's applications for compelling Social Compensation Fee collection and take measures to improve the enforcement rate." (Article nineteen) (The document, however, does not mention anything about prosecuting Family Planning Officials' administrative acts in violation of law.)

The document emphasizes the evaluation of leaders of all levels. That is to say, [success at Family Planning work] is closely related to achievements in their official career and change of their official position [career advancement]. Family Planning work is not only the veto power (if it's not well accomplished) that is likely to take their position away, but also the impetus (if it's well accomplished) that brings a successful official career:

“The Personnel Department should bring the Family Planning work into the annual evaluation of officials and regard it as an important basis for their promotion.” (Article nineteen)

“Implement the Responsibility System under the guideline of ‘line management counterpart assessment [direct management, department to department] and orderly announcement’ in the Family Planning Departments, including the City Prefectural Commission for the Discipline Inspection Supervision Bureau. Inspect the performance of the lower level and assess the performance of the higher level, and carry out cross-department assessment to improve the division of labor; award the well-behaved and punish the bad-behaved.” (Article twenty)

“The Party Committee and Government should be concerned with the Family Planning Officials in terms of politics, work and life. Give priority to them in promotion, further study and awards. Make sure a certain proportion of Family Planning Officials is included when nominating the Party Representative, National People’s Congress members and members of the CPPCC National Committee [Chinese People’s Political Consultative Conference].” (Article twenty-three)

“Perfect the Objective and Responsibility Evaluation System of the Population and Family Planning Work. The Party Committee, Government and all Family Planning Departments should sign the ‘Responsibility Documents of Population and Family Planning Objective Management’ to set up explicit objectives, awards and punishments. They should reward units and individuals that meet all the objectives and obviously improve their performance. They should confer a ‘Family Planning Special Contribution’ award to units that make good contributions for successive five years and a ‘five-duty responsible person’ award to individuals with good performance for five successive years. They should give warnings or [more serious] yellow card warnings to backward units and individuals. They should implement ‘Emphasis Management and one-vote-down’ in serious cases [Under the ‘one vote down’ practice, an official cannot be promoted for the sole reason that he did not perform adequately regarding Family Planning].” (Article twenty-seven)

“A Family Planning Awards and Punishments Annual Meeting should be convened to reward advanced units and publicize backward units. For the units with warnings or yellow card warnings, a time limit of one year should be set to change their passive situation. During this period of time, the track management system of monthly schedule, quarterly report, half-year assessment and annual evaluation should be implemented. Meanwhile, the warned units should not be nominated as ‘Family Planning Advanced Unit’ of the year. Give yellow card warnings to the units that remain backward in the following year.” (Article twenty-eight)

“If a unit is given a yellow card warning and after it is nominated as ‘Family Planning Advanced Unit,’ suspend the nomination and impose a fine of 5,000 Yuan [approximately \$780]. The relevant Family Planning responsible person should bear 10% of the fine and should not be promoted or transferred within one year. If the unit fails to

change the passive situation within one year, take it into Emphasis Management. The Emphasis Managed unit and responsible person should submit a written self-criticism and be put on record. No nomination should be granted to the unit within one year. If it has been given the 'Family Planning Advanced Unit' nomination, suspend the nomination. The relevant Family Planning responsible person should not be nominated as 'Family Planning Advanced Person' or be promoted or transferred. Give the unit a fine of 10,000 [Yuan, approximately \$1560] and the relevant responsible person bears 10% of the fine. If the passive work is still in Emphasis Management after one year, dispose of the matter according to relevant regulations." (Article twenty-eight)

"The Director of Village Family Planning Office should pay the Village Family Planning Officials with a block grant or subsidy for loss of 'working time' [loss of time worked at whatever other employment they might have]. The money is calculated into the town budgetary outlays." (Article twenty-nine)

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Note Fourteen: Use of Quota Systems

When: 2005

Where: Linyi, Shandong Province

Source: Teng Biao

To accomplish the quota passed down from higher authorities, seize the opportunity of gaining an award or promotion and avoid punishments, every level of official (from Municipal Party Secretary and Mayor to Village Director and Village Women Section Officer as well as the hired thugs) are all motivated. Their purpose is controlling the population, but they go to every expedient to achieve it.

According to one managing director of Yinan Family Planning Bureau, the [birth] quota assigned to Yinan Town in 2005 was 11,600. [The town was allowed no more than 11,600 births for 2005.] But seeing from the actual circumstance of this year, it's already almost 11,000 people. It's no problem at all for them to accomplish their task. The figure he provided is, almost 7,000 cases of [tubal] ligation [sterilization] have been implemented from March to August this year. (We can reckon Chen Guangcheng's statistic from this figure. It's quite accurate that 12‰ of the total population was required to undergo forced sterilization.) But why must forced sterilization be required? Mr. Wu (head of Yinan Town Family Planning Service Station) majored in medical science and said: "Ligation is good for health." Chen Guangcheng hits the mark with a single comment: "They want to diminish the victims' fertility forever!" This is the precise meaning of the "first choice is long-term measure" mentioned in the document! I'd like to ask: "If a person is required to undergo forced sterilization after the first child birth, but her/his spouse and child pass away, then she/he marries another person who has just entered the first marriage, how could his/her right of birth be guaranteed?"

They don't care so much; in a regime that is only responsible for higher levels but disregards the lower levels, accomplishing the quota passed down from higher authorities is official's first priority. The right to give birth, human rights and suffering are not worth a cent. Officials can't pass the assessment [of job performance] without treating the people brutally. The legitimate fertility, natural population growth rate and net increase of population are all subject to compulsory quotas: the Central Government passes it down to the Provincial Government, the Province to the City, the City to the County, the County to the Town...It is passed down from one level to another through the "Responsibility Documents of Objective Management." In a regime without free speech or an independent judiciary, the common people have to suffer the oppression.

As mentioned in the book "China by the Yellow River," written by Jinqing Cao, a Family Planning official who worked in township government for eight years acknowledged frankly: "To implement Family Planning work, I once seized people, took away their cows, demolished their houses and did a lot of other illegal things. It would be within reason if the court were to give me a sentence of 20 years." In China several hundred thousand Family Planning Officials commit crimes. This also could be a native juristic resource [law textbook]. As for the housebreaking, the demolition of property, the unlawful detention, the kidnapping, the blackmail, the illegal courts, the extraction of confessions by torture, the forced abortions and the forced sterilizations, these are all outcomes of a regime that is "responsible for higher levels but disregards the lower levels." Wenguang Sun from Shandong province wrote in his book, "Disaster of the National Policy," "These behaviors that infringe personal liberties are absolutely against the law and the runners should bear legal liability. But the root cause of the grass roots-level officials' illegal behaviors is the inappropriate policies made by higher authorities."

As a result, head of Fei Town could announce publicly on the town TV station: "We would rather shed rivers of blood than have one extra child." The Justice Bureau of Lanshan District could announce: "As long as no death or disability is caused [by forced abortion or involuntary sterilization], other circumstances are not in violation of the law." The Family Planning Officials could announce when they put victims on torture: "It costs only twenty thousand [Yuan, approximately \$3130] to pay your funeral expenses." (A friend told me that the officials of his Town said in a meeting that it [death] is ok so long as it's not intentional homicide.) The government can hire hatchet men to beat people. People with high blood pressure and hyperthyreosis can also be required to undergo forced abortion. Women with eight or nine months' pregnancy could also be required to undergo forced abortion. Family Planning could implicate nine generations or even the whole village [of a "violatee"].

"The autocratic regime is very cruel, but in theory, its intention is to do good things." (Ping Hu). The original purpose of the government is to control the population and improve people's living standard, but the means they adopt disregard human rights and lowered down people's living standard. (Besides, the national policies established under insufficient democracy are usually inappropriate and are not doing "good things.") Lacking an independent judiciary and freedom of the press makes the [Communist regime's] mechanism effective every time. . .

The Family Planning Officials discovered a benefit from the achievement-driven Family Planning campaign: substitute a fine for the law, in order to accumulate wealth through the national policy. They set up the “Learning Class” to collect the “learning fee,” deposit, fine and so on. They take bribes and sell ligation certificates [stating that the bearer has undergone tubal ligation sterilization] and birth-allowed certificates.

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Postscript by Teng Biao:

When I listened to villagers of Linyi tell their sufferings, I was filled with sorrow. When I wrote down their tragedies word by word, I was filled with hatred. But I must keep my rationality. It is really painful to be a legal scholar in this age. Sometimes I think: Haven’t we got enough thoughts and spiritual resources to prevent us from being swallowed by hate and fear? Haven’t we got enough power to endure such humiliation and suffering?

I would like to talk about forgiveness: forgive those brutal outrages, forgive the evil of human nature, because these people who exert violence are also victims of the regime. But I have no right to forgive. In front of the innocent lives claimed, in front of the brothers who were beaten in the Family Planning Office, in front of the elderly who were insulted every day, in front of the sisters who were required to undergo forced abortion, in front of the villagers who are still detained in the Learning Class and in front of the people who are still bleeding and crying, how can I have the right to say “forgiveness”?

The purpose of my words is not to forgive, but to accuse. This article will be handed over to the Ministry of Public Security of the PRC and the Supreme People's Procuratorate of the PRC and serve as a Letter of Accusation. Most of the Family Planning Officials mentioned in this article have been in violation of the Criminal Law and their acts have constituted crimes. As for how many Family Planning Officials of the 181 towns and counties of Linyi who are suspected of committing crimes, we will also undertake investigations, for justice . . .

“No future without forgiveness” (Desmond Tutu); but the premise of forgiveness is truth. When they [Family Planning Officials] are hiding the truth, telling lies publicly, threatening villagers and hindering the investigation, how can we talk about forgiveness?

How precious the truth is in our society. How precious it is to live in the truth. I’d like to give special thanks to Chen Guangcheng, Yushan Guo, Bisheng Tu, Jian Li, Jiang Tianyong, Heping Li, Chunfu Li, Zhenyu Wang, Zhiqiang Pu, Gao Zhisheng, Yafeng Fan, Zhiyong Xu, Han Xiao, Chu Cai, Li Xia, Yali Li, Yongjun Su, Naichun Liu, Gengjiang Chen, Yuzhi Xu, Zongxian Zhang, Xingyong Zhang, Hongling Zhou, Wangtai Chu, Zhaoyong Du, Fei Wu, Yan Wang, Dengxiang Jiang and so on.

This article is dedicated to my child who will come to the world three months from now. I keep on talking, reading and singing to her every day. I often listen to her fast and strong heartbeat and stroke her. She often wriggles and kicks me through the abdomen.

She's got senses of touch, sight, hearing, taste and smell. She's got memories as well.....How I hope the world she lives in is a safe, free and love worthy world.

Teng Biao, 2005-8-25

Note:

1. The Family Planning Officials mentioned in this report not only include the officials of Family Planning Office, Family Planning Committee and Family Planning Bureau, but also all the Officials of the District and all the thugs employed.
2. The testimonies in this article are documented by sound recordings, photos and documents of accusation.
3. Some person names and place names are replaced with homophonic renderings.
4. Local villagers usually use the traditional Chinese calendar and occasionally use the Gregorian calendar. All the dates mentioned are subject to the oral account of the person concerned.

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Here is respectable blind lawyer Chen Guangcheng, who combats violent Family Planning and forced abortion and preserves common people's legal rights. But he has been imprisoned by the local government of Shandong province with an unwarranted charge. I hope from the bottom of my heart that he will get out of the unjust charge at an early date. May good people be free from misfortunes all their lives.



The officials of Linyi have carried out 24-hour monitor to Chen Guangcheng's wife and parents. I hope from the bottom of my heart that influential international leaders could appeal the authorities to set Chen Guangcheng free.