

**HUMAN RIGHTS IN CHINA: THE 2015 ANNUAL
REPORT OF THE CONGRESSIONAL-EXECUTIVE
COMMISSION ON CHINA**

HEARING
BEFORE THE
SUBCOMMITTEE ON ASIA AND THE PACIFIC
OF THE
COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES
ONE HUNDRED FOURTEENTH CONGRESS

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TUESDAY, JANUARY 12, 2016

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ASIA AND THE PACIFIC,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:45 p.m., in room 2172, Rayburn House Office Building, Hon. Matt Salmon (chairman of the subcommittee) presiding.

Mr. SALMON. The subcommittee will come to order.

When Chinese President Xi Jinping visited the United States in September 2015, cybersecurity, environmental concerns, and maritime disputes dominated discussions, leaving human rights advocates disappointed that the administration did not use this opportunity to make more headway on human rights issues.

As we venture to address the wide range of challenges we face in our relationship with China, we must not lose sight of the importance of human rights and the rule of law in this bilateral relationship.

The U.S. Government has paid particularly close attention to human rights in China since the 1989 Tiananmen Square massacre and, for many years, monitored human rights developments through an annual review of China's most-favored-nation trading status. I believe that was also called Jackson-Vanik.

In 2000, legislation to grant permanent normal trade relations with China, which I voted in favor of, included provisions to ensure continuing monitoring of the human rights and the rule of law in China through the establishment of the Congressional-Executive Commission on China.

The Commission has shouldered this daunting task ever since, and I commend the commissioners and staff on their hard work and recently released 2015 annual report. The report covers the gamut of human rights issues and provides several policy recommendations.

The Commission's annual reports have drawn attention to the rise of religious persecution in China, suppression of free speech, and less respect for due process in politically sensitive cases.

I would like to take this time to draw attention to some of the troubling human rights developments in the PRC.

Consider freedom of religion. Chinese policy toward religious freedom varies by religion and group, and its constitution officially protects normal religious activities that do not disrupt public order, impair the health of citizens, or interfere with the educational system of the state.

However, the PRC imposes harsh and arbitrary penalties on unregistered religious organizations, including Christian churches, imposes several restrictions on religious practice by Tibetan Buddhists and Uyghur Muslims, and persecutes Falun Gong practitioners. Tibetans and Uyghurs are often targeted under the guise of crackdowns of alleged extremist and terrorist activities.

I would like to hear from the panel on the status of religious freedom in China.

In Hong Kong, we have seen the blossoming and the suppression of an emerging democracy over the past few years. The pro-democracy demonstrations and the famous Umbrella Movement have shown the world people's excitement for democracy and basic human liberties.

We have also seen reports of Hong Kong booksellers selling or publishing books critical of President Xi and other Chinese officials mysteriously disappearing and perhaps being abducted, taken to mainland China from Hong Kong and Thailand. If true, such behavior is reprehensible—and I would concur with the statement you made: It is beyond reprehensible; it is evil. And I hope for the swift and safe return of these individuals as well as their three colleagues reportedly being held in mainland China for unknown reasons.

I look forward to hearing the updates on the situation in Hong Kong.

China's infamous one-child policy was instituted in 1980 to control population levels and has involved decades of inhumane forced abortions and sterilizations, fines, and other sanctions. This draconian policy has resulted in lopsided gender ratios in China's younger generations and an emerging demographic crisis for the entire country.

We saw the announcement late last year of the government's plan to move to a two-child policy and would like to hear updates about that from the panel.

Human rights organizations rank China near the bottom for Internet freedom and freedom of expression. Not only does China block Web sites, including major newspaper and social networking sites, it has imprisoned dozens of journalists and other citizens for posting information deemed critical of the PRC and the Communist Party.

I have only highlighted a few of the many human rights issues that persist in China today. The Commission embodies congressional concerns about human rights in China, and I really look forward to hearing from the panel on what more we can do. We certainly welcome policy recommendations and hope to have a constructive conversation to encourage improvements in the rule of law and human rights conditions in China.

Members present will be permitted to submit written statements to be included in the official hearing record. Without objection, the hearing record will remain open for 5 calendar days to allow state-

ments, questions, and extraneous materials for the record, subject to the length limitation in the rules.

And we are privileged—did the ranking member have a statement he wanted to make?

Mr. SHERMAN. Why not.

Mr. SALMON. Happy to entertain that.

Mr. SHERMAN. I do, indeed. Mr. Chairman, thank you for holding this timely hearing.

And I want to thank Mr. Smith and Mr. Walz for their work with the Commission. Since Congress created the Commission in the year 2000, the Commission has done some very thorough and important work in documenting and analyzing human rights issues in China. I want to endorse the Commission's findings as stated in the executive summary.

It is increasingly clear that China's domestic human rights problems are of critical interest to U.S. foreign policy. There is a direct link between concrete improvements in human rights and the rule of law and the security and prosperity of both the United States and China.

The Chinese Government has raised hundreds of millions of people out of crushing poverty, but they can't go forward beyond where they are now, economically or socially, unless they follow the rule of law and provide for human rights. Without stronger rule of law in China and without healthy respect for the will of the people and their individual rights, it is impossible for China to be a credible partner on issues that matter to the American people.

Trade is one of those. Tied to the rule of law and human rights are China's unfair trading practices. From subsidies to state-owned enterprises, both hidden and overt, to currency manipulation, the Chinese Communist Party has shown itself ready to pursue its own perceived short-term interest at the expense of written agreements with the United States and at the expense of transparent accounting to their own people.

Beyond the issue of American prosperity, the Commission's work is shining a light on the human cost of the excesses that accompany the single-party rule of the Chinese Communist Party. It is deeply disturbing to see the Commission's evaluation that human rights and the rule of law continue to deteriorate in China.

The list is long: The inhumane enforcement of the one-China policy, as to which we have seen some amelioration; the trafficking of persons, men, women, and children, for forced labor and sexual exploitation; harassment of religious groups, most notably the Falun Gong that we have just discussed; rigging the rules for voting in Hong Kong. Many on this committee and subcommittee have—I was there with Steve—stood shoulder-to-shoulder with democracy advocates in Hong Kong, and there have been a host of other codels that have done the same thing.

Pervasive restrictions on the expression in print and online; the suppression of ethnic minorities, from Tibet to the Uyghurs; detention of labor leaders, denying them the right to organize, which, of course, not only denies their rights but adversely affects American workers that would like to compete in the world on a fair basis.

This is a sobering set of problems, and I would advise those who believe the Communist regime is evolving into a modern, developed, and humane system to read the Commission report.

And, with that, I yield back.

Mr. SALMON. I thank the gentleman.

We are privileged today, this afternoon, to hear from two of our colleagues: Mr. Chris Smith of New Jersey, chairman of the Congressional-Executive Commission on China; and Mr. Tim Walz, ranking House Member of the Commission. And we are grateful to both of these witnesses for joining us today and presenting the Commission's findings.

So I will start with you, Mr. Smith.

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

Mr. SMITH. Thank you very much, Chairman Salmon and Ranking Member Sherman and the subcommittee, for holding this important hearing and inviting my good friend and colleague, Tim Walz, to be here to make a presentation and to answer any questions.

The 2015 report is a comprehensive, heavily documented review and analysis of human rights and the rule of law, or, more aptly spoken, the lack of rule of law, in the People's Republic of China. It is an impressive undertaking and is the work of an equally impressive and dedicated staff.

The Commission's 2015 report comes to the troubling conclusion that the Chinese Government's efforts to "silence dissent, suppress human rights advocacy, and control civil society" are broader in scope than in any other period documented since the Commission started issuing reports in 2002. That is distressingly bad news not only for the great people of China, who long to be free, but also for China's neighbors and, by extension, the rest of the world.

President Xi Jinping and the current cohort of China's leaders tolerate even less dissent than previous administrations. In the past year, China's leaders expanded the use of legal statutes and a pervasive security apparatus to maintain the Communist Party's leading role and power over the country.

Torture and arbitrary detention remain grave problems, employed with impunity by the security forces to silence dissent and discourage religious groups and ethnic minorities from seeking greater freedoms. Indeed, in early December, December 2 and 3, the U.N. torture reports, the fifth in a series, act as a scathing indictment of the systematic use of torture by leaders in China. We will be holding a hearing in our Commission on January 26 to probe even deeper into this horrific use of torture on people in China.

In our Political Prisoner Database, which we believe is the best in the world, the Commission has carefully compiled the information of over 8,000 cases, including over 1,300 currently detained prisoners of conscience. This is the database. It is accurate. It is used increasingly by people all over the world. We saw a 36-percent increase in access to the prisoner base from 2014 to 2015.

Among the list are Nobel Peace Prize winners like Liu Xiaobo, journalists, human rights lawyers like Gao Zhisheng, labor activists, advocates for democracy, as well as those who are fighting for minority rights, Tibetans, Uyghurs, Falun Gong practitioners, as well as Christian and Buddhist religious leaders, whose peaceful religious activities are somehow viewed as threatening to China's social order or national security.

The 2015 report also documents the highly coercive population control policies in effect since 1979 into the year 1980 and shows that this is nothing less than state-sponsored violence against women and girls. The report includes details on the methods used to enforce birth restrictions, including forced abortion and involuntary sterilization, heavy fines, draconian fines, the withholding of social benefits, the loss of jobs, arbitrary detention of couples that have a child without government permission. You need a birth-allowed coupon from the government in order to have a baby in the People's Republic of China.

Despite the platitudes given to China for the recently announced two-child-per-couple policy, the pernicious structure of coercion remains completely in effect. Chinese families are not free to determine the size of their own families and not when they might have that child. It remains illegal for single women to have a child. There is still pressure to forcibly abort a child, again, if the pregnancy is not approved by the state.

In addition, the two-child policy does little to stem the massive problem of human trafficking in China. We have seen huge increases in forced marriages, documented in the report, and sexual slavery in China. Trafficking from Vietnam, Cambodia, and Burma have increased in recent years, in part because there are an estimated 30 million, some say as many 40 million, young men who are unable to find wives or start families because of the skewed sex ratio. The girls, the women, simply don't exist.

In fact, Mr. Chabot's bill on Girls Count is an important contribution, and we make mention of this in the report, that if we really had a systematic effort to enforce that globally, we would see, I think, even greater clarity on the missing daughters of China.

So thank you, Chairman Chabot, for that bill and that law.

There is so much detail and information included in this year's annual report we don't have time to summarize it all. I am seeing the clock is winding down. But China has issued a series of new national security laws just last year that give even more unprecedented powers to domestic security forces that seek to limit the exchange of people and ideas. The NGO law is a draconian effort to end NGOs as we understand them.

Despite President Xi's public commitment to implement the rule of law, that is often a cover for lawlessness, as the pervasive use of torture, as I mentioned, and detention, especially when it is done in a way that people don't even know where the detainee is—so there is no access to a lawyer—is increasing, not decreasing.

Chinese authorities continue to rein in on the media, the Internet, and social media, especially if they are in any way criticizing the government.

China continues to rank with Iran, Vietnam, and Saudi Arabia in terms of the misery it inflicts on religious believers. And the government sometimes seeks to co-opt those religious—you asked the question, and during Q&A we can expand upon it—but the crackdown on the Falun Gong, 17 years in the making, the crackdown on even those churches that are officially recognized, like the Three Self and the Patriotic Church, the Catholic Church—they have found themselves in the cross-hairs over the last year by the Chinese dictatorship.

The report shows little progress with regards to WTO obligations, and we expand upon that in detail. And the actions of the Chinese and Hong Kong Governments during the past year raise serious concerns about the future of Hong Kong's autonomy, press freedoms, and the rule of law.

The idea that somehow more trade would bring about a matriculation to democracy has crashed and burned. This report again underscores that. Well-meaning as it was, we now know beyond any reasonable doubt they have taken that hard currency and it has increased their ability, as a dictatorship, not only to repress their own people but to project power all over the world.

I thank the chair.

[The prepared statement of Mr. Smith follows:]

**“Human Rights in China: the 2015 Annual Report of the
Congressional-Executive Commission on China”**

**Subcommittee on Asia and the Pacific
House Foreign Affairs Committee**

*U.S. Representative Christopher H. Smith
Chair, Congressional Executive Commission on China
January 12, 2016*

I want to thank the Subcommittee, Chairman Salmon and Congressman Sherman, for holding this hearing and inviting us to testify about the 2015 Annual Report of the Congressional-Executive Commission on China.

In October of last year, the Commission issued its fourteenth Annual Report. The 2015 report is a comprehensive and heavily documented review and analysis of human rights and the rule of law conditions in China. It is an impressive undertaking that is the work of an equally impressive and dedicated staff.

The Commission’s 2015 report comes to the troubling conclusion that the Chinese government’s efforts to “silence dissent, suppress human rights advocacy, and control civil society are broader in scope than any other period documented since the Commission started issuing Annual Reports in 2002.”

President Xi, and the current cohort of China’s leaders, tolerate even less dissent than previous administrations. In the past year, China’s leaders expanded the use of legal statutes and a pervasive security apparatus to maintain the Communist Party’s leading role and power over the country.

Torture and arbitrary detention remain grave problems, employed with impunity by security forces to silence dissent and discourage religious groups and ethnic minorities from seeking greater freedoms.

In its Political Prisoner Database, the Commission has carefully compiled information on over 1,300 currently detained prisoners of conscience. Among the list are a Nobel Prize laureate; journalists; human rights lawyers; labor activists; advocates of democracy, free speech and ethnic minority rights; as well as Tibetans, Uyghurs, Falun Gong practitioners, and Christian and

Buddhist religious leaders whose peaceful religious activities are somehow viewed as threatening to China's social order or national security.

The 2015 report also documents China's coercive and intrusive population control policies. In the past year, government officials enforced policies that are nothing less than state-sponsored violence against women and girls.

The report includes details on the methods used to enforce birth restrictions including heavy fines, the withholding of social benefits, the loss of jobs, forced sterilization, and even arbitrary detention if couples have a child without government permission.

Despite the platitudes given China for the recently announced "Two Child Policy"—the pernicious structure of population control remains. Chinese families are not free to determine the size of their own families or the number of children they will have. It remains illegal for single women to have a child. There will still be pressure to forcibly abort a child if the pregnancy is not approved by the state.

In addition, the new "Two-Child Policy" will do little to stem the massive problem of human trafficking in China. We have seen increases in forced marriages and sexual slavery in China. Trafficking from Vietnam, Cambodia, and Burma have increased in recent years—in part, because there are an estimated 30 million young men who are unable to find wives or start families because of China's dramatically skewed sex ratios.

There is so much detail and information included in this year's Annual Report that we do not have time to summarize it all. I would like to highlight a few conclusions from this year's report:

- China issued a series of new national security laws last year that give unprecedented powers to domestic security forces and that seek to limit the exchange of people and ideas between China and the international community.
- Despite President Xi's public commitment to implement the "rule of law," the law is too often a cover for lawlessness, as the pervasiveness of torture in detention and the coordinated campaign to silence human rights lawyers last year demonstrate.
- Chinese authorities continue to rein in the media, opinion-makers, the Internet, and social media users critical of government policies.
- China continues to rank with Iran, Vietnam, and Saudi Arabia in terms of the misery it inflicts on religious believers. The government continued sometimes pervasive efforts to manage, control, co-opt, or crush China's diverse religious communities.
- The report shows little progress in China's compliance with its WTO obligations, as record trade deficits continued and U.S. businesses faced significant difficulties in the past year due to lack of government transparency and preferential treatment for state-owned enterprises.

- The actions of the Chinese and Hong Kong governments during the past year raise serious concerns about the future of Hong Kong's autonomy, press freedoms, and the rule of law.

The Cost of Ignoring Human Rights in China

We are living in a time where the comfortable assumptions that undergirded U.S. policy toward China are unravelling. Trade, investment, and people-to-people exchanges have not brought about fundamental political change or improved human rights in China.

China's domestic human rights problems adversely affect U.S. foreign policy priorities. The U.S. cannot afford to separate human rights from our other interests in China.

U.S. officials must not shy away from meeting with the Dalai Lama or other dissidents. The State Department must use selective visa bans on Chinese officials who violate human rights. U.S. trade representatives must connect Internet and press freedoms as both economic and human rights priorities. And we must demand, repeatedly and clearly, that the unconditional release of political prisoners is in the interest of better U.S.-China relations.

The future health of the U.S. economy and environment, the safety of our food and drugs, the security of our investments and personal information in cyberspace, and the stability of the Pacific region will depend on China complying with international law, allowing the free flow of news and information, and protecting the basic rights of China's citizens, including the fundamental freedoms of religion, expression, assembly, and association.

Mr. SALMON. Thank you.
Mr. Walz?

**STATEMENT OF THE HONORABLE TIMOTHY J. WALZ, RANKING
HOUSE MEMBER, CONGRESSIONAL-EXECUTIVE COMMISSION
ON CHINA**

Mr. WALZ. Well, thank you, Mr. Chairman and Ranking Member and members of this committee. Thank you for making this a priority.

And I want to thank my chairman, Mr. Smith. This Congress has no more passionate, committed human rights champion than Chris Smith, and he proves it year after year, and I am grateful for that.

And as Mr. Smith said, you see sitting behind us one of the most dedicated staff you will ever find in compiling the database and putting out this, what I consider to be, critically important document in leading how—again, the most important relationships in the world, between the United States and the People's Republic of China, and making sure that we are focusing on the human rights aspect of it. So I am grateful for that.

My involvement in China goes back about three decades. I started out with being one of the first group of young high school teachers to teach in Chinese high schools back in the 1980s; continued on with cultural exchanges and visiting fellowships at different institutions in China.

I have been to China dozens of times, and as I always say, I am about one trip away from knowing nothing about China, it feels like. It is complex; it is difficult. But I can tell you this: I have been on those dozens of trips to Hong Kong, and I have never quite felt the sense of concern that I have felt over the last couple months. I was in Hong Kong; in Lhasa, in Tibet; and in Beijing. And it is a challenge.

And I think many of us recognize—and I am glad that the chairman mentioned it—the decoupling of most-favored-nation status to human rights was something, and I, too, supported that. And I think the idea was, with a free-market economy, we would see a more opening of the Chinese grip on social life and on human rights. That simply has not occurred.

And so I think there needs to be the focus on what the Commission says. I would say I think the report is correct; it is getting worse, not better. It extends from, as you heard, the things Mr. Smith said.

And I can tell you, the NGO law is incredibly draconian. What is really interesting to me is every person I talk to in China—and this has been in the last few weeks. We were in Hong Kong meeting with a group of the American Chamber of Commerce, and it was the bankers who were deeply concerned about this. It is not Bankers Without Borders type of folks, that they understand that the critical aspect of international cooperation and all of the things that you build to build civil society and across nations are going to be jeopardized if this NGO law goes into effect. And, again, it is meant, as I heard one of my colleagues up here say, it is about them controlling it, controlling that piece of information. It is dangerous.

I will have to tell you, Hong Kong and the basic rule of law that was drawn out is under assault. I never thought I would see it. Anson Chan, who many of you are very familiar with, I viewed as she was the person that helped transition this and was reassuring us that everything was going to be fine in this transition. She is now coming back and saying, "I was wrong. It is not going to be fine." It is being undermined.

We met with the bishops of the Catholic Church there. They are being undermined. The Chinese are appointing those, the bishops, instead of that. The lawyers being arrested—and, again, China continues to articulate they want to have rule of law. There is a difference between rule of law and rule by law, or rule by lawlessness, however you are using it. If you are using the law to oppress those very people, if the lawyers who are there—and keep in mind, these are people who were arrested trying to defend women, who were defending women's rights issues in China. They were arrested. Their lawyers were arrested. It has had a chilling effect across the society.

And if you get some time and there are some questions, the situation in Tibet—and I want to be very clear. When I was there—and I mentioned to someone, I said, "Oh, the last time I was in Tibet I think was late 1989," and the Chinese Government official said, "No, it was February 1990." I said, thank you for reminding me because I had forgotten when that was. They knew.

And I did say, when it took me 6 days by bus to get there in 1990, now we flew in next to a railroad. There is no denying China's economic growth and China's ability to raise standards of living. They should rightfully be proud of that. China has moved many people out of poverty and moved them into a more stable and more prosperous existence. But we cannot decouple economic growth from human rights growth, and, as a Nation, we need to hold those ideas up.

And in all fairness, sitting in the deepest heart of the Forbidden City, having a spirited debate with the Premier of China over Tibet and talking about the Dalai Lama, his comeback to me was, he said, Congressman, I think you also taught in Pine Ridge, did you not? And I said, yes, I did. He said, how did that work out for you? And I said, no one here is defending what happened to the Native Americans. We are pointing out that nations need to understand how you move forward, how you learn from these.

I thought, to tell you the truth, their willingness to at least engage this and not pretend—I mean, making that comparison, to me, was telling, that they were getting there.

And it wasn't about lecturing, and I don't think that is what the Commission and Mr. Smith is about, but it is about speaking truth to power. It is about speaking for those that don't have the voice. It is about understanding that those basic human rights, whether it be trafficking, whether it be draconian family planning programs, NGOs, or many of the other issues, if we don't say it, no one will.

And I would close with this and ask you—I asked activists, when we met with families under, you know, cloud of dark because their lawyer husband had been arrested, or we met with dissidents in Hong Kong or in Tibet, I asked each one of them, does it help or

hurt when we speak about this? And they said, "Please don't ever stop speaking about it. Please tell our story. Please tell what is going on. It is critically important."

So, Chairman and Ranking Member, members of this committee, I thank you for doing just that. And I am certainly open for questions.

[Mr. Walz did not submit a prepared statement.]

Mr. SALMON. I thank the two gentlemen for the very effective and well-done report. I thank you also for your commitment to human rights—all across the globe, but we are focusing on China today.

Mr. Walz, I had an opportunity back in the nineties to go into Tibet, as well, and spent a couple of days, you know, with many of those monks, interviewed them. And then I, about 6 months later, went to Dharamsala and spent about 3 days with the Dalai Lama to talk about the issues of Tibet.

I was a missionary when I was a young man for my church in Taiwan, and I learned a lot about the culture. I learned the language while I was there. I have been over to China probably close to 50 times.

And when I debated the issue of permanent normal trade relations back when President Clinton was President, it was a very robust debate. And I was on one side of the fence, and I remember the other side of the fence was a couple of people I have a lot of love and admiration for. One of them was sitting right before me, Chris Smith, and another one was a guy that is not here anymore, Frank Wolf, and, on your side, Nancy Pelosi, who made some very credible arguments about, you know, how the decoupling of trade and human rights through this activity could be very, very harmful.

And I remember saying at the time that I truly did believe that moving on the continuum of a person's basic needs, that once they opened the box on a free market that it was hard to suppress the other things that I believed would come naturally with that. And so I prognosticated that, by passage of PNTR, that in the not-so-distant future we would see a robust movement, improvement if you will, of human rights issues.

And I am still trying to scrape that egg off my face to this day, because it never happened. I think with the first couple of Presidents there was some movement, some movement, but I believe that under this current regime they have taken some big steps backward. And all the dreams and the things that I hoped would happen with the free trade, they just didn't materialize, and I am very, very disappointed.

Mr. WALZ. Mr. Chairman, if I could say—and I hear exactly what you are going through, because I do this too. The thing I would say, though, is it has inspired those dreams amongst the people, that it did do that. And the opening of the market and what is available and the middle class and what their children could achieve to or whatever, it has done that.

The problem is that I think we thought there would be more of a movement amongst or more of the desire. But I think it also comes through when people—some of my colleagues who were along on this latest trip were amazed that the students at Peking

University didn't really know what happened on June 4, 1989. I said, "That is not so surprising. What is more troubling to me is that students here might not know what happened."

And so I hear your struggle with this, but——

Mr. SALMON. Well——

Mr. WALZ [continuing]. I also think it made a difference among——

Mr. SALMON [continuing]. You know, I see people that are just, you know, regular citizens that come up with phenomenal ideas, and then they make money, and they get out of the poverty that they have been living in. And that kind of mobility has been a good thing. But not nearly enough good things have happened in the realm of human rights improvements that we all desire.

I was at the handover ceremony for Hong Kong, and I remember at the time meeting with Anson Chan and meeting with Martin Lee and, you know, getting different messages about what this "one-China, two systems" was going to mean. And I believed in my heart that China would respect that sovereignty, if you will, if that is the best term for it, that delineation of two governments within a government, letting Hong Kong operate in an autonomous way. But yet it has never materialized in the selection of their chief executive——never materialized.

And that is why we saw the Umbrella Movement. That is why we saw the student protests and the uprising. I had an opportunity myself last year to go and meet with a lot of those students and freedom fighters, and they are hoping that their trusted friends here in the United States will not leave them by the wayside. They are hoping with all their hearts that we will continue to call attention to the need to allow them to be able to choose their own path and their own leaders.

And so I didn't mean to, you know, kind of go into some kind of a soliloquy here, but the fact is what you are doing is so incredibly important, and I appreciate it. And I believe that, as we go forward, we need to have a strong bilateral relationship with China, but that doesn't mean that we are not honest and that we don't stand up for the values that have made us a great Nation and to be that shining city on a hill that we have always been.

Mr. Smith, I am sorry for all those comments. I wanted to ask a question or two, but I have used my time. I don't mean to filibuster either, so I am going to turn it over to Mr. Sherman.

Mr. SHERMAN. China is undergoing a real economic stress. Its Chinese party derived its support, arguably its legitimacy, not from any ideological reason. You know, if you believe in the divine right of kings, well, then a king has legitimacy. If you believe in democracy, winning an election gives you legitimacy. If you believe in Marxist Leninism, then if you are the vanguard of the proletariat, you have legitimacy. They are not the vanguard of the proletariat. So they achieve their legitimacy chiefly by saying, hey, we deliver better economic growth. They are not doing that now.

Do you see them relaxing their control in order to gain the economic benefits of the rule of law or retrenching their dictatorship as a reaction to, well, hey, we may be less popular because the economy is not doing as well, so we are going to have to smash more heads in?

Mr. Smith?

Mr. SMITH. I think it is more the latter, I would say to my good friend from California.

Let me just, you know, to Chairman Salmon, we had the exact same goal, all of us, and it was to promote democracy, freedom, and human rights for the great people of China. Unfortunately, they were not players. They gamed the system. They continue to do so.

And I think, to the question just asked, we are looking at a dictatorship that is flush with power. It is making money hand over fist all over Africa. It is trying to export its bad governance model all over the world. That is why people like Bashir in Sudan and others, you know, prize the Chinese relationship, because they ask no questions about human rights and democracy and freedom. We do. The West does, as well.

So I think they feel there has never been a real penalty phase for their gross human rights abuse.

On the population control program, for example, I have been raising that issue doggedly since 1983, when I first learned about it; offered the first bill in Congress to criticize it, call it crimes against humanity.

And, recently, the former director of the Brookings Center for Public Policy, Wang Feng, said that history will judge the one-child policy as worse than the cultural revolution—worse. It has so horribly impacted upon women especially. They have 6,000 suicides per day—not week, month—per day. And that is from their own CDC numbers, largely attributable to this draconian policy which just invades women and kills their babies and hurts them.

On all these other issues—

Mr. SHERMAN. I do want to sneak in one more question.

Mr. SMITH. Sure. But all the other issues, the whole basket of human rights issues, they have not been held to account. And, unfortunately, they have been rewarded, unfortunately, with more economic benefits, more access. There are 90 bilateral—

Mr. SHERMAN. Mr. Smith, I would like to sneak in another question.

We have had a dedication to the free flow of information. In the era when we confronted Soviet Communism, we had Voice of America, and they would jam it. So the technological battle to push in the free flow of information was something we engaged in. We used our skill to get around the jamming.

Well, today it is not about shortwave radio; it is about the Internet. We see the great firewall of China, the jamming of the 21st century. But what I don't see is all of the intellectual capacity of Silicon Valley being used to smash that wall.

Mr. Walz—and I realize I, at least, am not a technological expert, and this may be something you would want to pursue with the Commission. But could the United States offer a contract or prize to those in Silicon Valley who can crack the great firewall of China, defeat these efforts, and let everyone in China who is online be online to the World Wide Web?

Mr. WALZ. Yes, I think so. But the problem we have had—and we have had this hearing—American companies have helped be part of that firewall. And that is the problem.

And I would say this is a very sticky subject for all of us, and I think many of you have hit on it. Your question was, are they entrenching? Yes, I do believe they are entrenching. China changes when it is in China's interest or when there is a penalty for it.

All of a sudden now, you saw—we got a real big breakthrough on cybersecurity when President Xi was here. That is the untold story. We got a good deal on cybersecurity. Well, was that because of great negotiations here? I am sure some of you would say, "No. We haven't seen that." I will tell you what happened, was China now has intellectual property that other countries are stealing, so now they are concerned about it, so they are involved with this. That is in our best interest, to bring them into this.

The issue in the South China Sea is simply unacceptable, in the Spratly Islands and some of the issues they are doing there, but China is not about to disrupt global international trade. It is what they do. But they do want to flex some of their muscles.

So the answer is, yes, that we can get them, yes, when companies are there. But I would leave you with this, and maybe the next question will come up, is, how much pain are we willing to take to make them pay for it economically? Because Mr. Smith is right; they have been rewarded for this. And if it is all about commerce alone, without an accountability piece on the human rights, they will continue to do it.

When the issue of intellectual property started to hurt, they changed. When the issue of human rights or some of the issues that you have heard mentioned here hurt, I believe that is when they will change their behavior. But, right now, I have to tell you, I am more pessimistic than I have been in many years because they are still continuing to benefit from it.

Mr. SHERMAN. I look forward to working with the members in the room on legislation to prohibit U.S. companies from helping this great wall of China. And I look forward, if we can get some appropriations, to actually funding an effort to defeat it.

And I yield back.

Mr. SMITH. If I could, Mr. Chairman?

Mr. SHERMAN. I yield to the gentleman from New Jersey.

Mr. SMITH. Just briefly, a couple of points.

In 2006, I chaired a hearing right here, and we had the top people from Google, Microsoft, Cisco, and Yahoo sworn in. I swore them in. And, at that point, they were completely manipulating the search engines of the Internet, especially Google and Yahoo, and Cisco was helping with an enormous project that was literally helping the public security apparatus, the police, the secret police, to surveil and find out when anybody went online and logged in.

They have gone from bad to worse on Internet restrictions. Our report deals with that extensively. I have introduced a bill called the Global Online Freedom Act, which would prohibit the export of those items to China, where they have the capability to help their police.

We did that with apartheid. There were certain things that the police could not get in South Africa from the United States, put on the no-export list, because it aided and abetted that kind of repression, you know, apartheid by South Africa and in this case in China.

I would ask you to take a look at the section. It is very real. I think Google and others have learned a hard lesson as the indigenous facsimiles of Google, like Baidu and the others, have literally pushed them out almost completely, not completely, taken over, pirated their software. Intellectual property rights are not respected by the Government of China, so they just steal it, make it their own. And, you know, shame on us for not seeing that coming, but it is not too late because, obviously, the Internet and all of those things are continuing to evolve. All the more reason why that legislation needs to move.

And I thank my friend.

Mr. SALMON. Thank you.

Mr. Rohrabacher.

Mr. ROHRABACHER. Well, thank you very much.

And thank both of you for being with us to focus our attention on what is going on in China.

I remember Tiananmen Square. I think that that was a historic turning point for the worse. 1989, Herbert Walker Bush was President of the United States. And we had just had Ronald Reagan, he had just replaced Ronald Reagan. And under Ronald Reagan, we set in motion—I was happy to be part of his team—we set in motion the—how do you say—the dynamics that would bring down the Berlin Wall, would have the Soviet troops withdrawing from Central Europe, and, yes, the democratization, as rocky as it has been, in what was the Soviet Union and now is a somewhat democratic Russia, although lots of flaws.

And then, in 1989, when George Bush was President and Tiananmen Square happened, I believe that had Herbert Walker Bush called the Chinese leadership and told them that if they used their military to suppress Tiananmen Square all the deals that we had made are off, all the economic deals—that is what Ronald Reagan would have done, and that is how Ronald Reagan would have created a freer world. But Herbert Walker Bush created a world in which we have a monster state that threatens the peace and stability and represses over 1½ billion of their own people.

And we then embarked, under the leadership of Herbert Walker Bush and then, of course, every President since then, of a policy designed to increase the economic power of a country that was ruled by a totalitarian government. And as the witnesses have stated, it was done with the excuse that making them more prosperous would make them more democratic, make war less likely, et cetera.

And I take it that both of the witnesses—and you may comment on it—now say that theory was totally false and basically is what has led us to the evil situation that we have today. Is that correct?

Mr. Smith?

Mr. Walz?

Mr. SMITH. Yes, I believe that.

Mr. WALZ. Well, I think so, but I think it is hard, too. I think Mr. Rohrabacher summed it up. I do think there are frustrations with that. I think it is hard to say what containment would have done, and not doing anything. But I do think, as a Nation, that we can't decouple our economic interests from our human rights and our values. So, on that, I agree with you on that.

Mr. ROHRABACHER. Right. And with this policy, we actually made ourselves vulnerable if we tried to enforce our own standards.

Mr. WALZ. That is true.

Mr. ROHRABACHER. It would then be very detrimental to our economy and our people in order just to maintain the standards that we supposedly believe in.

Mr. SMITH. Chairman Rohrabacher, if I could just respond quickly.

Mr. ROHRABACHER. Yes. Go ahead.

Mr. SMITH. You know, Herbert Walker Bush obviously was once our Ambassador to China and really thought that he knew the Chinese leadership or how they might respond. When he sent Brent Scowcroft there after Tiananmen Square, that was a major, major mistake, in my opinion.

Bill Clinton properly said that he was coddling dictatorship. He made a famous speech along those lines.

Mr. ROHRABACHER. I remember.

Mr. SMITH. But then he, Bill Clinton, came into town. We had the votes in a bipartisan way to take MFN away unless there was significant improvement in human rights. You know, Nancy Pelosi on the Democrat side, I and many others on the Republican side, we had the votes, in my opinion. And the President did an Executive order that said, unless all of these criteria are met—and it was an excellent Executive order—MFN is a goner. We were conditioning our trade with human rights.

In May 1994, on a Friday afternoon after just about everybody left this place, President Clinton ripped in half his Executive order and decoupled human rights from trade. That is when the Chinese Government took their measure of us and said, “They just care about profits.”

Mr. ROHRABACHER. So instead of making them more democratic, our association and interaction economically with the Chinese have actually made us less democratic. What you just described, waiting until everybody is out of town in order to make a fundamental change, is not consistent with what a free society does.

Let me note that on most of the petitions and most of the letters and most of the demands and the bills that you are talking about, I think you will find my name right underneath yours. And I always, always, always respected your leadership on this.

One last note. It has been stated quite often, when you talk to the people about the current situation in China, that they say, well, now there are Christians in China. There are more Christians in China than there are in the United States, but they are in their churches.

And here is what we have to remember. There were other periods in China that the Chinese people are very familiar with, and that is that they are told, if their church registers, they don't have anything to fear. Okay. But we know very well—and there are many churches that people have registered.

But we know that, shortly after taking over China, the Communists had, Mao Zedong initiated what they call, “Let a hundred flowers bloom.” And what happened was—this was to open up. It was like the new—it happened under Lenin, too, if you remember, the new economic order. There always seems to be an opening in

which then the totalitarians come in, and they know exactly who to go to.

And so the people who are religious followers, as the Falun Gong now are fully aware, are targeted. And whether or not they are going to wait until after the flowers have bloomed or whether something else will cause the trigger to be pulled, they know they are in jeopardy.

We still have a totalitarian government, as your testimony—as the chairman has stated. We have a totalitarian power in charge of a huge hunk of the planet. We have been subsidizing and increasing the power of that government. It is time that we stop doing that, find a policy that will create more freedom and less likely to have conflict, and a government that is more consistent with the type of things we believe in as our gifts given by God, rights of every person.

And, with that said, thank you very much.

Mr. SALMON. I would like to thank both the gentlemen for their testimonies today, but, moreover, I would really like to thank you for all the wonderful work that you have done with the Commission and just encourage you to continue doing all the great work that you are doing. Billions and billions of people are counting on a positive outcome and the light that we can shine on these issues, because wickedness hates the light. And so I hope we keep doing that.

So thank you very, very much.

And, without any objection, this meeting is adjourned.

[Whereupon, at 3:29 p.m., the subcommittee was adjourned.]

A P P E N D I X



MATERIAL SUBMITTED FOR THE RECORD

SUBCOMMITTEE HEARING NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Subcommittee on Asia and the Pacific
Matt Salmon (R-AZ), Chairman

January 5, 2016

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held by the Subcommittee on Asia and the Pacific in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at <http://www.ForeignAffairs.house.gov>):

DATE: Tuesday, January 12, 2016

TIME: 2:30 p.m.

SUBJECT: Human Rights in China: The 2015 Annual Report of the Congressional-Executive Commission on China

WITNESSES: The Honorable Christopher H. Smith
Chairman
Congressional-Executive Commission on China

The Honorable Timothy J. Walz
Ranking House Member
Congressional-Executive Commission on China

By Direction of the Chairman

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



COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON Asia and the Pacific HEARING

Day Tuesday Date January 12th, 2016 Room 2172

Starting Time 2:45pm Ending Time 3:29pm

Recesses () () () () () () ()

Presiding Member(s)

Matt Salmon

Check all of the following that apply:

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

TITLE OF HEARING:

Human Rights in China: The 2015 Annual Report of the Congressional-Executive Commission on China

SUBCOMMITTEE MEMBERS PRESENT:

Dana Rohrabacher, Steve Chabot, Mo Brooks, Scott Perry
Brad Sherman

NON-SUBCOMMITTEE MEMBERS PRESENT: (Mark with an * if they are not members of full committee.)

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

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

Christopher Smith, Marco Rubio
Gerald Connolly

TIME SCHEDULED TO RECONVENE -
or
TIME ADJOURNED 3:29pm

Handwritten signature of Subcommittee Staff Director

Subcommittee Staff Director

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE MATT SALMON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ARIZONA, AND CHAIRMAN, SUBCOMMITTEE ON ASIA AND THE PACIFIC



**Statement of U.S. Senator Marco Rubio,
Cochairman of the Congressional-
Executive Commission on China (CECC)**

**House Foreign Affairs Subcommittee
Hearing: Human Rights in China: The
2015 Annual Report of the Congressional-
Executive Commission on China
Tuesday, January 12, 2016**

As prepared for the Record.

I'd like to begin by thanking the Chair and Ranking Member for the opportunity to submit for the Record comments on the 2015 Annual Report of the Congressional-Executive Commission on China (CECC). I am pleased to serve as Cochair of this bipartisan commission and want to take a moment to acknowledge the leadership of CECC Chairman, Congressman Chris Smith who is a tireless defender of human rights in China and an unrelenting champion for justice and human dignity globally.

The CECC's Annual Report, our flagship publication, provides detailed analysis on 19 human rights and rule of law issue areas and offers specific recommendations on ways to make progress on these issues in the broader U.S.-China relationship.

Meticulously researched and fact-checked, even a casual reader of the Report can't help but notice the voluminous endnotes at the end of each chapter. While the Chinese government is always quick to condemn the Report upon its release, the professionalism and attention to detail with which the CECC staff undertakes its research and analysis guarantees that such critiques ring hollow.

With tumultuous markets in China this past week unnerving investors around the world, including here at home, we are reminded again of the interconnectivity of our two nations. In the context of this relationship, securing basic human rights and upholding the rule of law, are not only a moral imperative in U.S. foreign policy, they are necessary to advancing U.S. interests.

And yet, the CECC's 2015 Annual Report reveals a disturbing deterioration in human rights and rule of law conditions in China—a deterioration which has continued unabated in the months following the Report's release in October—underscoring the necessity of a top-down reformulation of U.S. human rights diplomacy with China.

Six months ago, China launched the largest ever crackdown on human rights lawyers and their associates. July 2015 marked the start of a nationwide sweep that saw

innocent men and women endeavoring to live out Xi Jinping's promise of a nation governed by "rule of law," rounded up, disappeared and spirited away to undisclosed locations.

In the months that followed dozens remain arbitrarily detained in blatant violation of Chinese law. Many are being held under "residential surveillance at a designated location" a seemingly innocuous sounding term which in reality permits authorities to hold individuals incommunicado, often in solitary confinement and their whereabouts unknown to their families, and to deny them access to lawyers. This practice is ripe for abuse, forced confessions and even torture, which remains endemic in China's criminal justice system. It is worth noting that this method of enforced disappearance has also been used against American citizens like Sandy Phan-Gillis, who disappeared during a March 2015 trade mission and was held under "residential surveillance" in the southern city of Nanning for six months before being formally arrested in late September and placed in detention where she remains today — denied access to a lawyer and facing routine interrogations.

Several of the courageous lawyers who were part of the Summer crackdown were profiled, including photos, in the "Access to Justice" section of the Findings and Recommendations of the 2015 Annual Report. This is just one way in which the CECC this year has sought to put a human face on Xi Jinping's repression. We also launched a social media campaign called "Free China's Heroes" in the days leading up to Xi Jinping's state visit in September—an initiative which sought to highlight representative cases of individuals imprisoned, detained, or disappeared in China and to press for their unconditional release.

All of these cases are also featured in a Political Prisoner Database which the CECC maintains. As part of its original Congressional charge, the CECC is charged with compiling "lists of persons believed to be imprisoned, detained, or placed under house arrest, tortured, or otherwise persecuted by the Government of the People's Republic of China" as a result of their pursuit of basic, God-given human rights.

This database is a tremendous, but sadly underutilized, resource for U.S. policymakers. There are presently over 1300 records of currently detained political and religious prisoners in the Database—their individual cases should be raised in the context of any Congressional delegation's visit to China, any bilateral State Department exchange or dialogue and any presidential state visit. Too often, however, this is not the case. With a handful of exceptions, these men and women suffer in anonymity, their plight unknown, and their cause marginalized in the face of other bilateral priorities in our relationship with China.

As the findings of the 2015 Report make clear the CECC's mandate remains vital and timely. During the last reporting cycle, the CECC found that the Chinese government and Party's efforts to "silence dissent, suppress human rights advocacy, and control civil society" were "broader in scope than any other period documented since the Commission started issuing Annual Reports in 2002."

I'd like to briefly highlight some specifics.

Despite its claims to the contrary, the Chinese government is not embracing a rule of law system, but is instead further entrenching a system whereby the Chinese Communist Party utilizes law to strengthen its own power and brutally crush dissent.

Lawyers who accept politically sensitive cases face disbarment, the closure of their law firms, physical violence and torture, intimidation and widespread detention. This was certainly the case for the lawyers detained in connection to the July 2015 crackdown, including Wang Yu, Zhou Shifeng, Li Heping, Zhang Kai, Wang Quanzhang, Xie Yang and Xie Yanyi. News reports in the last 24 hours indicate that Zhou Shifeng and Wang Quanzhang have both been formally arrested as have two other human rights advocates including Zhao Wei, Li Heping's legal assistant.

While in many respects lawyers are at the tip of the spear so to speak, authorities also expanded a crackdown on civil society organizations and further impeded the work of domestic non-governmental organizations (NGOs), particularly those receiving international assistance. A draft Overseas NGO Management Law was issued which in its current form would negatively impact a wide range of charitable, educational, and other organizations that operate inside China. It is worth noting that human rights and rule of law NGOs were not the only civil society organizations to sound the alarm about this development – even the American Chamber of Commerce and a variety of trade associations have voiced strong concerns about the anticipated impact of the law on their operations in China.

Authorities continued to use coercive population control methods as well as incentives, including job promotions, for officials who meet birth-limitation targets to implement the one-child-per-couple policy. Following the release of the 2015 Report, the Chinese government announced the repeal of this barbaric policy which has condemned millions of Chinese children, especially girls, to abortion, infanticide, abandonment and human trafficking. The Commission has already held one hearing on China's new two-child policy and will continue to follow closely its implementation in the year ahead while recognizing that this modification still represents a population control policy that, at its heart, remains repressive.

The Report also describes government campaigns in Zhejiang province against church buildings and religious symbols, specifically the removal of at least 1,200 crosses, prompted by growing alarm over the popularity of Christianity in China. Both registered and unregistered churches in Zhejiang were targeted. More broadly, harassment of Catholic clergy and Falun Gong practitioners and ongoing efforts to control the leadership of Tibetan Buddhism and restrict the religious practices of Uyghur Muslims continued unabated.

Authorities persisted in reining in media, opinion-makers, and Internet and social media users critical of government policies by shutting down popular chat site accounts, requiring real-name registration of accounts, and blocking services that allow Internet users to circumvent China's notorious "Great Firewall." Foreign journalists were

routinely harassed and placed under surveillance. In addition to the dire implications for freedom of expression, the authorities' censorship of the Internet also negatively impacted U.S. businesses and violated China's World Trade Organization commitments.

The actions of the Chinese and Hong Kong governments during the past year also raised concerns about the future of the freedoms, autonomy, and rule of law that distinguish Hong Kong from mainland China. This was certainly true in the context of the charges brought last year against four prominent pro-democracy protestors viewed as leaders of the "Umbrella Movement" including Joshua Wong. The Commission will be watching closely as their trials commence in the coming months. Moreover, in recent weeks, five booksellers from Hong Kong who sold books critical of the Chinese government reportedly disappeared, and some reports allege mainland Chinese involvement in the disappearances.

In closing, the CECC's mission is as critical today as it was when Congress created this unique entity. By nearly every possible measure, the China described in the 2015 CECC Report is more repressive and more brutal than it was when the U.S. extended Permanent Normal Trade Relations in 2000—this is true for the disappeared human rights lawyer, the imprisoned Christian house church pastor, and the silenced Tibetan songwriter.

Millions of Chinese people yearn for the same basic rights that we as Americans enjoy, but their aspirations have been met with intimidation, imprisonment, torture, and even death. These realities must not be sidelined in the context of broader U.S.-China relations. There is both a moral and strategic imperative to prioritize advances in human rights and democratic governance. A government that does not respect the rights and basic dignity of its own people cannot be assumed to be a responsible actor in the global arena.



Statement for the Record
Submitted by Mr. Connolly of Virginia

The Congressional-Executive Commission on China was established by the U.S.-China Relations Act (P.L. 106-286) to examine the status of human rights and the rule of law in China. The Commission is tasked with submitting to Congress an annual report on its mandate, and today, we will examine the 2015 report which was unanimously adopted by the Commission.

Nearly four decades after the normalization of relations, the U.S.-China relationship now pervades practically every facet of U.S. foreign operations on both constructive fronts and in areas of potential confrontation. China is a permanent member of the United Nations Security Council, China's development dollars go to many of the same countries as U.S. foreign assistance funding, and China is making aggressive sovereignty assertions in the South China Sea that threaten the rights of U.S. allies and freedom of navigation in the region. It is apparent that the relationship covers the full cooperation-to-conflict spectrum.

The multidimensional nature of the relationship provides innumerable venues for dialogue. However, managing complex U.S.-China relations requires that priorities compete for time and attention. The Commission and its focus on human rights and the rule of law hopefully help enforce a prioritization of these two issues and ensure their constant presence on the U.S.-China agenda. I joined more than 20 members of the House Foreign Affairs Committee in writing to President Obama ahead of President Xi Jinping's first official state visit to the U.S. and requesting that the Administration "continue raising human rights concerns at all levels of engagement, and not confine this fundamental issue to single dialogue," the recently rebooted U.S.-China Human Rights Dialogue.

It is not the case that progress on these matters is inevitable. In fact, as the report notes, "Human rights and rule of law conditions in China deteriorated in many of the areas covered by this year's report, continuing a downward trend since Xi Jinping took power as Chinese Communist Party General Secretary in November 2012 and President in March 2013." This is particularly troubling provided that, overall, the U.S. has realized significant diplomatic victories with China in 2015, including the Joint Comprehensive Plan of Action and the COP21 climate agreement, while a key tenet of a comprehensive relationship with China – improved human rights – experienced significant backsliding.

A cause for particular concern on this front is the draft PRC Overseas Non-Governmental Organizations (NGO) Management Law. The proposal would require certain NGOs – which the law broadly defines as non-profit, non-government social organizations that have been established outside of mainland China – to establish and register an office in China or obtain a temporary activity permit from the Ministry of Public Security. NGOs would also be required to find a government agency to serve as their professional supervisory unit. This bill would codify an immensely restrictive environment for foreign NGOs and hinder progress on the protection of human rights and development of the rule of law.

I look forward to hearing from our witnesses today on the manner in which worker rights, the Falun Gong, freedoms of religion and expression, human trafficking, North Korean refugees, and ethnic minority rights are raised with Chinese counterparts and what leverage the U.S. appears willing to use to force these issues onto the agenda. Human rights should not fall victim to a broadened relationship with China – quite the contrary actually. Further dialogue and engagement with China should provide additional venues for improving the lives of the Chinese people and proliferating respect for human rights within China.

