

**STEMMING A RECEDING TIDE: HUMAN RIGHTS
AND DEMOCRATIC VALUES IN ASIA**

HEARING
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CONTENTS

	Page
WITNESSES	
Mitchell, the Honorable Derek, President, National Democratic Institute	7
Ayres, Dr. Alyssa, Senior Fellow for India, Pakistan and South Asia, Council on Foreign Relations	15
Twining, Dr. Daniel, President, International Republican Institute	30
APPENDIX	
Hearing Notice	63
Hearing Minutes	64
Hearing Attendance	65
STATEMENT SUBMITTED FOR THE RECORD	
Statement submitted for the record from Representative Connolly	66
AMNESTY INTERNATIONAL LETTER	
Amensty International letter submitted for the record	68

STEMMING A RECEDING TIDE: HUMAN RIGHTS AND DEMOCRATIC VALUES IN ASIA

Tuesday, September 22, 2020

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

The subcommittee met, pursuant to notice, at 10:06 a.m., in room 2172 Rayburn House Office Building, Hon. Ami Bera (chairman of the subcommittee) presiding.

Mr. BERA. The Subcommittee on Asia, the Pacific, and Nonproliferation will come to order. Without objection, the chair is authorized to declare a recess of the committee at any point, and all members will have 5 days to submit statements, extraneous materials, and questions for the record, subject to the length limitation in the rules.

To insert something into the record, please have your staff email the previously mentioned address or contact full committee staff.

As a reminder to members, please keep your video function on at all times, even when you are not recognized by the chair. Members are responsible for muting and unmuting themselves, and please remember to mute yourself after you finish speaking.

Consistent with the House Resolution 965 and the accompanying regulations, staff will only mute members and witnesses as appropriate when they are not under recognition to eliminate background noise.

I ask unanimous consent that the—that Representatives Trone and Chabot participate in this hearing.

I see that we have a quorum and will now recognize myself for opening remarks. Pursuant to notice, we are holding a hearing to discuss human rights and democracy in Asia.

Last year, under the leadership of Congressman Sherman, this subcommittee held a series of hearings examining human rights and democratic governance in Asia, and that reflects a long-standing interest in the importance this subcommittee and the full committee holds for human rights and democratic values.

Human rights and democratic governance have not only been central to the concerns of Congress; they have traditionally been core to the conduct of American foreign policy.

One of the greatest strengths of the United States lies in our values, including our respect for democratic and human rights. As I often tell our friends and partners, we will not always be perfect but we should at least try.

The United States has its own faults and shortcomings when it comes to living up to our own values, from disparate treatment of communities of color and immigrants to institutions increasingly influenced more by ideology than the rule of law.

That said, we welcome criticism and feedback just as our partners around the world and in the region should also recognize and welcome our feedback and criticism.

This is part of what being a mature democracy is. You know, I have a genuine interest in the developing democracies in the region and over the last year, year and a half, I have had the chance to visit some emerging democracies in Malaysia, in Sri Lanka, in Nepal, and, certainly, am very interested in hearing from our witnesses as to what we can do to help these emerging democracies become stronger democracies and become mature democracies.

We also—this subcommittee has in recent weeks had a hearing on what is happening in Burma and Bangladesh with the Rohingya population. Clearly, the tragedy with this population is one that not just the subcommittee but the full Congress and the world should recognize and work to resolve.

In addition, in recent weeks we have also had a briefing on what is happening to the Uighur population in Xinjiang and, again, issues like that should not happen in the 21st century and, certainly, very interested in hearing from the witnesses on the current status.

Last, in the current global pandemic with COVID-19 we have seen human rights and governance challenges be exacerbated by the pandemic.

Nations have enacted public health measures that may be designed to limit the spread of COVID-19 but also, intentionally or unintentionally, limit civil liberties and individual rights.

I look forward to the testimony of our witnesses and their insight on human rights and democratic values.

And with that, let me turn it over to my good friend and the ranking member, Mr. Yoho, for 5 minutes for the purposes of his opening remarks.

Mr. YOHO. Thank you, Mr. Chairman, for holding this timely hearing, and thank you to each of our witnesses for joining us today on the important human rights issue facing the Indo-Pacific region.

I look forward to hearing from each of you regarding ongoing human rights conditions in specific countries as well as how the United States has done to facilitate the overall improvement of rights protection in the region.

Many countries of the world, primarily Western democracies, have done a lot to promote human rights. But I feel no country has done more to promote human rights in all the regions of the world than the United States. Not to say that we are perfect, as the chairman pointed out.

We are a work in progress. But we are advancing more steadily to make sure that human rights is protected all over the world.

We do this not just because it is in our interests and the interests of governments around the world to preserve basic rights and freedoms for their people, but also because it is one of the founding

principles of our Nation and has served as one of the cornerstones of our foreign policy.

When we look at the Asia Pacific region today, we can see many successes in preserving and protecting human rights—excuse me, protecting human rights.

South Korea and Taiwan, nations that used to be ruled by brutal dictatorships, are now modern exemplars of a flourishing democracy.

Mongolia, which used to be under the Soviet rule, just celebrated its 30th anniversary since its democratic transition and recently held another free and fair election with record turnout.

Despite big successes for certain countries in Asia, the region remains a flashpoint for some of the worst human rights abuses in the world, with some of the worst offenders being North Korea, China, and most recently, Cambodia, where the government has effectively instituted one-party rule, jailed or exiled any political opposition, and has stepped away from its democratic roots toward some of the harshest restrictions on civil society in all of Southeast Asia, even though it's embedded in their constitution.

Last year, I introduced the bipartisan Cambodia Democracy Act, which passed the House overwhelmingly. It would impose sanctions on those in Cambodia responsible for undermining democratic rule of law in the country.

We must be especially cognizant of democracies in Asia in danger of backsliding into autocracy with China's help with their alternative to Western democracies, and that is Chinese socialism with Chinese characteristics. That is communism, regardless of how they paint it and try to rename it.

Another country that deserves a good amount of attention during this hearing is Myanmar. Many of you may remember a hearing this committee held just over a month ago on the persecution and genocide of the Rohingya population in Myanmar, which has displaced nearly a million and killed tens of thousands.

The stories coming from that country of State-sponsored violence, rape, and torture are horrible, and I wish I could say its experience was an isolated incident in the region. We know this not to be true, unfortunately.

Where countries like Myanmar and North Korea have highly received—have rightly received international condemnation, sanctions, and punishment for their human rights abuses, one country in particular has remained relatively unscathed.

China, one of the world's worst abusers of human rights, has escaped the kind of condemnation experienced by its bad neighbors for decades, despite being a repeat offender toward populations of millions.

Just this past week, the CCP, the Chinese Communist Party, released a white paper regarding its detention of Uighurs, which this committee has focused extensively on, where it admitted to incarcerating on an average of 1.3 million Uighurs per year in a so-called reeducation centers from 2014 to 2019, compared to previously estimations of just over a million people total.

This new admission confirms that China subjected potentially up to 8 million innocent people to imprisonment, brainwashing, tor-

ture, rape, forced sterilization in concentration camps for their religion, ethnicity, skin color, language, and even facial hair.

If this is what the CCP regime in Beijing will publicly admit to, imagine what is actually going on behind the scenes.

This is not even to mention the gross human rights abuses that continue to this day in China including the hostile takeover of Hong Kong and abuse of peaceful protestors, disappearance of Falun Gong members through imprisonment, the forced organ harvesting, harsh repression of the Tibetan people, and the erasure of the culture and ethnic history of the inhabitants of Inner Mongolia.

Congress and the administration has taken significant actions over the past years on human rights, including the passage of the Uighur Human Rights Act, the Hong Kong Autonomy Act, and the Hong Kong Human Rights and Democracy Act, and passed by both the House and the Senate. The Uighur Act, which would impose the harshest export restrictions yet in response to China's cultural genocide.

The next never again is happening right before our eyes. We have heard this over and over again. It is up to our leaders and the people decide whether we will live up to those words or continue to be willfully blind as bystanders.

Thank you, and I look forward to hearing from our witnesses on these important issues.

Mr. BERA. Thank you, Ranking Member Yoho.

I will now introduce our witnesses. Our witnesses for today's hearing are the Honorable Derek Mitchell, Dr. Alyssa Ayres, and Dr. Daniel Twining.

I would like to thank all of our witnesses for being here today.

The Honorable Derek Mitchell is currently president of the National Democratic Institute. He previously served as the first Ambassador to Burma in 22 years and as the State Department's first special representative and policy coordinator for Burma.

Dr. Alyssa Ayres is a senior fellow for India, Pakistan, and South Asia at the Council on Foreign Relations. She previously served as deputy assistant secretary of State for South Asia from 2010 to 2013.

Dr. Daniel Twining is the president of the International Republican Institute. He has previously served on the State Department policy planning staff and as a foreign policy advisor to Senator McCain.

I will now recognize each witness for 5 minutes, and without objection your prepared written statements will be made part of the record.

I will first call on Ambassador Mitchell for his testimony.
Ambassador Mitchell.

**STATEMENT OF DEREK MITCHELL, PRESIDENT, NATIONAL
DEMOCRATIC INSTITUTE**

Mr. MITCHELL. Well, thank you, and good morning, Chairman Bera, Ranking Member Yoho, distinguished members of this committee.

I do want to thank you for inviting me to testify today about a critical region and an issue very close to my heart that I consider

crucial to America's strategic interests, democracy and human rights.

For nearly four decades, my organization, the National Democratic Institute, working alongside our partners at the International Republican Institute and the National Endowment for Democracy, has assisted the spread and institutionalization of democracy around the world.

Let me say at the start that we can only do this work thanks to the sustained bipartisan support of Congress, including from this subcommittee. So for that, we are truly grateful.

NDI has a long history of democracy building in Asia, beginning with the first international election mission that NDI and IRI jointly observed in 1986 in the Philippines.

Today, NDI maintains nearly a dozen offices in the Indo-Pacific region, and last week, we just received clearance from the Taiwan government to open an office in Taipei, which we will do soon.

In my view, the defining issue of our time is what rules, norms, and values will guide nations and serve as the foundation of the international system in the 21st century.

Given the weight of its economic, demographic, military, and cultural power, how political developments play out in Asia will go far to determine the outcome of this contest and that, in turn, will have a direct impact on American security and prosperity in the coming century.

It is no secret, however, that democracy in Asia, like elsewhere, faces increasing headwinds. Economic underdevelopment, weak institutions, corrupt elites, and deepening ethnic, religious, and socio-economic divisions have created a well of insecurity and popular dissatisfaction that is being exploited by undemocratic actors.

Authoritarian opportunists are seizing on the pandemic to close civic space and assault fundamental freedoms. New digital technologies have both empowered and undermined democratic forces.

Disinformation over social media platforms continues to exacerbate social and political divisions, undermine democratic discourse, and promote hate against targeted typically minority populations.

And while not the main reason for democratic regression in Asia, China's growing power and influence is a critical enabler for the spread of illiberal values throughout the region.

China's policies consistently support the maintenance of autocratic systems in neighboring countries. Its testing and deployment of an Orwellian State surveillance system to ruthlessly control the Uighur population in Xinjiang is not staying in Xinjiang.

The Communist Party fears free and open debate at home but then seeks to exploit open societies to make its deceptive case abroad.

But through its handling of Hong Kong, Tibet, the Uighurs, Taiwan, and other matters foreign and domestic, the world can now see clearly the emptiness and coercive violence at the core of the CCP system.

The CCP's need for its surveillance State may demonstrate their system's weakness, but that makes it no less dangerous to the health and wellbeing of others.

Despite troubling trends in Asia, we should not be blind to positive signals, though. The democratic values remain strongly embedded in the region.

An expanding number of Asian nations are holding credible elections on a regular basis. Civil society watchdog organizations and the media continue to fight for their rights to preserve democratic norms and protect civic space. Mass popular movements throughout the region demonstrate widespread demand for political reform and government accountability.

Young people, including many women, are driving many of these movements for change and they are beginning to form networks such as the so-called Milk Tea Alliance among netizens from Thailand, Taiwan, and Hong Kong to show democratic solidarity across borders.

These young people represent an alternative vital future for democracy in Asia, despite current headwinds. It is essential, therefore, that those who believe in principles of freedom and democracy stand together like those young people in solidarity across borders to promote and defend these values. Tides that recede can roll in again, but they rarely do without assistance, gravitational or otherwise.

America must lead but cannot and should not stand alone in its support. Our closest democratic partners in Asia—Japan, Korea, Australia, India, Indonesia, Taiwan, and others—can also help us to promote democratic values and provide tangible support for transparent, accountable, inclusive, and representative governance.

We should build partnerships with civil society and the private sector, creating networks of common purpose to create a normative model for the region.

We must demand that digital technologies and platforms do their part to serve as responsible stewards of civic empowerment.

We must elevate the democratic rights of women, young people, and other traditionally marginalized communities to bring new generations and perspectives to the table and ensure fresh approaches are applied to fresh challenges.

And, finally, the United States and its allies must be prepared for the long game. Democracy is never easy, it is rarely linear, it is forever a work in progress.

We must stay engaged over the long term. When the political conditions seem to be advancing or receding, we must succumb neither to euphoria nor fatalism, never lose heart or lose faith, and that is why NDI is redoubling its efforts throughout Asia, and with Congress's support, we and our partners will continue to do our part to affirm the essential dignity of every individual and protect the sovereign independence of every Asian nation and its citizen to control their own future without malign interference.

So, again, I want to thank the chairman and ranking member and members of this committee for your support for U.S. democracy assistance worldwide, and I look forward to our discussion.

[The prepared statement of Mr. Mitchell follows:]

Written Testimony by Derek Mitchell
President, National Democratic Institute
U.S. House of Representatives Foreign Affairs Committee,
Subcommittee on Asia, the Pacific, and Nonproliferation
“Stemming a Receding Tide: Human Rights and Democratic Values in Asia”
September 22, 2020

Chairman Bera, Ranking Member Yoho, distinguished members of this Committee, thank you for inviting me to speak with you today about a critical region, and issues I believe are crucial to America's strategic interests – democracy and human rights.

I have spent the last 30 years focused on Asia, both in and out of government. Today, as the president of the National Democratic Institute (NDI), I lead a global organization that works in more than 70 countries to support those working to build and sustain democracy. For nearly four decades, NDI – working alongside our partners at the International Republican Institute (IRI) and the National Endowment for Democracy – has assisted the development of political parties, legislatures, civil society organizations and other institutions that form the foundation of healthy democracies.

We have done our democracy work thanks to sustained bipartisan support in Congress, including from this subcommittee, for which we are grateful. That support makes the world more stable, secure and prosperous, and America safer. It also speaks to the core of America's creed that affirms the universality of values of democracy, human rights, and equal human dignity.

NDI has a long history of democracy building in Asia. In fact, the first international election mission that NDI and IRI jointly observed was the 1986 election in the Philippines. Today, NDI maintains nearly a dozen offices in South Asia, East Asia and the Pacific.

And last week we just received clearance from the Taiwan government to open an office in Taipei, which we will do soon. That office will allow us to broaden and deepen our work in the region, and leverage Taiwan's own tremendous democratic vitality in that effort.

Defining Challenge

I commend the committee for calling this hearing, as we truly are at an inflection point in history. As we seek to stem the receding democratic tide, we confront conditions we have not faced since at least the end of the Cold War, exacerbated by an unprecedented global pandemic.

In my view, the defining issue of our time is what rules, norms and values will guide nations and serve as the foundation of the international system in the 21st century.

Will the world return to spheres of influence, or will independent nations – large and small – have equal rights to protect their sovereign interests?

Will a country's majority population have the right to impose itself unconditionally on minorities, or should minority populations have equal rights and protection?

Should truth and free expression remain paramount values? Or does the state determine who can say what and when?

Does national security require an Orwellian surveillance system that watches your every move? Or will nations organize themselves under the assumption that true security will only come through a community of open societies and free peoples?

Are human beings just masses ready to be manipulated by greater power? Or do they have inherent individual sovereignty?

What is more important – the glory of the state or the dignity of the individual?

When I was cutting my teeth 30 years ago, both Asian and non-Asian commentators commonly advanced a theory of Asian exceptionalism: that so-called "Western" values of democracy and human rights are somehow alien to Asian culture, lack foundation in Asian history, and thus are unnatural to Asian society.

But for all the talk of regression in recent years, it is important to note that East Asia's history since the late 1980s has fundamentally belied this theory. For much of the past 30 years, the region has enjoyed a rush of democratic change and advancement of human rights, accompanied by an unprecedented level of stability overall and dynamic economic growth.

When presented the opportunity, the people of Asia, like others around the world, have demanded that their voices be heard and respected. The yearning for individual rights, personal freedoms, and transparent, accountable and inclusive governance remains strong in Asia as elsewhere.

The Asia Challenge

And of course, Asia matters – crucially. Asia is home to the world's largest democratic country (India) its largest Muslim-majority country, and democracy (Indonesia); five critical treaty allies – Japan, Korea, Australia, Thailand and the Philippines – who

historically have shared our values and interests and served as crucial partners in propelling regional development and security; and an array of other highly vital and diverse nations in various stages of development that run the full gamut of democratic progress, regression, and conditions in between.

At the same time, Asia is also home to a rising superpower, the world's largest country – China – which harbors a very different vision for the region, if not the globe.

Asia thus belies generalization. But given the weight of its economic, demographic, military, and cultural power, how political developments play out in Asia will go far to determine the future of democratic norms and values around the world. And that in turn will have a direct impact on American security and prosperity in the coming century.

As the title of this hearing suggests, democracy in Asia faces increasing headwinds. Economic underdevelopment, weak institutions, corrupt elites, and deepening ethnic, religious, and socio-economic divisions have created a well of insecurity and popular dissatisfaction that is being exploited by demagogues and other undemocratic forces.

Authoritarian opportunists are seizing on the pandemic to close civic space and assault fundamental freedoms. The limited space for mass gatherings and other campaign activities is also complicating holding of credible, inclusive and transparent elections, potentially exacerbating civic tensions and corroding democratic norms.

At the same time, new digital technologies have both empowered and undermined democratic forces. In Taiwan, the rise of a volunteer corps of young digital “hackers” were able to counter disinformation in real time, and proliferate factual information in its place, to help the island hold successful [elections](#) in January 2020, and remain uniquely resilient against COVID-19. Organizers of mass demonstrations in Hong Kong used digital technology to reach millions of citizens, offering a model of creativity and agility that is being picked up by others, including those in Thailand.

That said, disinformation over social media platforms continues to exacerbate social and political divisions, undermine democratic discourse, and promote hate against targeted – typically minority and marginalized – populations.

Furthermore, China is pioneering the testing and deployment of an Orwellian-style [state surveillance system](#) that threatens to give authorities the final word on free speech, free association, and free assembly. What started as a method to ruthlessly control the Uyghur population in Xinjiang is not staying in Xinjiang. And for all its current potency, that system is only in its infancy. Beijing has demonstrated no hesitation to export these technologies to any and all customers without democratic safeguards, and use the

potential of its telecom companies to corner the global market in 5G to spread these capabilities, and the values inherent, even more widely.

While not the reason for democratic regression in Asia, in these and other ways China's growing power and influence is a critical enabler for the spread of illiberal values throughout the region. Chinese diplomats are increasingly brazen about interfering both directly and indirectly in the democratic politics of other Asian states, and using information operations to shape a positive image for itself and its system, and a negative one for democracy.

It is notable, however, that even those within China's borders may not prefer the Chinese model of authoritarian capitalism when allowed to speak freely, as demonstrated in Hong Kong over the past two years. To cover up this embarrassment, the Chinese Communist government prefers to shift blame for their own failure onto others, such as NDI, IRI, the NED, and others, and then violently suppress peaceful voices that have had the audacity to take Beijing at its word and defend their rights under the Basic Law.

But the world now can see the emptiness and coercive violence at the core of the CCP's system. That China fears free and open debate within its borders but seeks instead to exploit open societies to make its deceptive case abroad only reaffirms its sense of insecurity. Its need for a surveillance state demonstrates the weakness of China's system – not its strength – but makes it no less dangerous to the health and well-being of others.

Positive Signals

Despite troubling trends in Asia overall, we should not be blind to positive signals that democratic values remain strongly embedded in the region.

An expanding number of Asian nations, for instance, hold reasonably free, fair and credible elections on a regular basis, and citizens' expectations for them are high. In Malaysia, citizens voted in 2018 to expel the only ruling party the country ever had amidst reports of extraordinary corruption, and electoral conditions few expected would allow their collective voice to be heard. Likewise Maldivians the same year turned out a corrupt and oppressive president backed by China when few expected a free and fair election to be possible.

Civil society watchdog organizations and the media continue to fight for their rights in Bangladesh, Pakistan, Sri Lanka, and the Philippines, to preserve democratic norms, protect shrinking civic space, and promote political reforms.

Mass popular movements throughout the region in recent years also demonstrate widespread demand for political reform, and for governments to be accountable. Recent mass demonstrations in Bangkok reveal a continued robust democratic spirit in Thailand, despite military domination of politics since the 2014 coup, a constitution rigged in its favor, threats to protestors' personal safety, and deep social cleavages. In Cambodia, only brutal repression has prevented similar public displays.

Young people are driving many movements for change in south and southeast Asia. Including an increasing number of women, these young people represent an alternative, more vital future for democracy in Asia. Their dissatisfaction with the status quo is not manifested in greater demand for autocratic leadership and authoritarian values, but for more social justice, economic opportunity, free speech, transparency and accountability of governance, and often a greater role in the public affairs of their country.

In other words, they do not seek less democracy but more – and better – democracy.

This opportunity, however, involves a challenge: should their expectations fail to be met, should governments fail to be responsive to their young citizens, should political and civic space not open up for new generations, and should countries fail to deliver economic opportunity to the growing youth population in Asia, frustration could reach a boiling point, with effects felt not only within a country but across borders.

How to Meet the Moment

In Asia, as elsewhere, it is essential that those who believe in principles of freedom and democracy stand together in solidarity – across borders – to promote and defend these values, to protect them at every turn, peacefully, against those who would attack or degrade them. Tides that recede can roll in again. But they rarely do so without assistance, gravitational or otherwise.

To both stem and reverse this tide will require multiple strands of effort. America cannot and should not stand alone, but must continue to work together with our partners in Europe, Canada and elsewhere to assist struggling peoples in Asia. Our democratic allies and partners in Asia – Japan, Korea, Australia, India, Indonesia, Taiwan, etc – can do more to strengthen their democracies at home, and promote and support their neighbors in the interest of broader regional stability, security, unity and development.

We all should build partnerships with civil society and the private sector in this effort, creating networks of common purpose to create a normative model for the region. Digital technology companies and platforms must do their share to serve as responsible stewards of civic empowerment, assuming responsibility, applying necessary resources, and taking appropriate action to counter those who exploit their creations to promote hate, division, and disinformation.

We should follow Global Fragility Act guidelines to prioritize investment in democratic governance in fragile states and countries in transition as a *sine qua non* for success.

We should elevate the democratic rights of women, young people and other traditionally marginalized communities throughout Asia, to bring new generations and perspectives to the table, ensure the rights of all are equally safeguarded, and ensure fresh approaches are applied to new challenges of the 21st century. In Afghanistan and Myanmar, for instance, women should participate fully in ongoing peace talks if democracy, justice and lasting peace are to be truly secured in those fractious and longstanding conflicts.

Finally, the United States and its allies must be prepared for the long game. Democracy is never easy, it is rarely linear, and it is forever a work in progress. We must stay engaged – over the long term – whether a single election goes well or poorly, and political conditions seem to be advancing or receding. We must neither succumb to euphoria or fatalism; never lose heart or lose faith.

That is why NDI is redoubling its efforts throughout Asia. With Congress's support, we and our partners will continue to do our part to affirm the essential dignity of every individual and protect the sovereign independence of every nations' citizens to chart their own path forward without malign external interference. We will continue to help people to develop the tools and capacity to defend their democratic rights and interests, and ensure democracy delivers according to its profound promise.

Doing so is not only the right thing morally but fundamental to a safe and secure world. These values are universal values, and our promotion of them makes allies of the billions of people around the world who are struggling for the dignity to be heard and to have a say in their own futures.

Again, I want to thank the Chairman and Ranking Member, and members of this Committee again for your support for U.S. democracy assistance efforts worldwide.

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Mr. BERA. Thank you, Ambassador.
I will now call on Dr. Ayres.

**STATEMENT OF DR. ALYSSA AYRES, SENIOR FELLOW FOR
INDIA, PAKISTAN AND SOUTH ASIA, COUNCIL ON FOREIGN
RELATIONS**

Dr. AYRES. Thank you very much, Chairman Bera, Ranking Member Yoho, and members of the subcommittee. Thank you for the invitation to appear before you on the question of human rights and democratic values in Asia.

I am honored to be part of this distinguished panel and to join my former colleagues, Ambassador Derek Mitchell and Dr. Daniel Twining, this morning.

And thank you for convening this hearing on a critically important topic. Ten years ago, South Asia appeared to be a region of promise and an overall strengthening of democracy region wide. India had witnessed the world's largest exercise of democracy at its 2009 general election. Bangladesh had a democratically elected government after a period of caretaker rule.

Nepal has come out of a decades-long civil war and is writing a new constitution. The Maldives had an elected government after decades of dictatorship.

Challenges in Pakistan, Afghanistan, and Sri Lanka remained. But combined with the positive shifts in the region, democracy appeared to be on the upswing.

Today, the regional picture looks less bright and this, of course, comes against the larger backdrop of China's assertiveness and its strengthened ties with most South Asian countries, offering assistance and touting the benefits of authoritarian rule.

Global trends offer reason for concern as well. So South Asia, unfortunately, tracks developments elsewhere. In that respect, the United States' single most important foreign policy tool to encourage and strengthen human rights and democratic values around the world lies in the power of our example.

Although this hearing focuses on Asia, I cannot help but observe that the problems here on the home front have tarnished our appeal and undermined our ability to urge others to live up to the highest ideals.

Now, my written statement provides highlights of some of the most urgent concerns in South Asia along with some indices for reference. But, of course, it only offers a select set of issues, given the constraints of time.

The world's largest democracy, India, has experienced substantial upheavals since the reelection of Prime Minister Narendra Modi's government last year and to the steps the government has taken that have spurred concern about the future of Indian secularism and the place of minorities, particularly Muslims.

These steps include the abrogation of Kashmir's traditional autonomy, accompanied but a security crackdown, and prevented detention of politicians. The issue of the Citizenship Amendment Act and the proposed scenario of a national citizenship register led to mass protests in the country and created fears about possible Statelessness.

India remains the one country in South Asia that Freedom House categorizes as free, and that is by a wide margin compared with every other country in the region.

The third party assessments of the health of Indian democracy including the health of the institutions of liberal democracy see things moving in a negative direction. Because India is so important to the strength of the global democratic order at a time of great strain, challenges in India are ones we should all care about deeply.

Bangladesh has been moving toward a more authoritarian system, despite its electoral democracy, and it struggles with labor rights and workplace safety.

On the bright side, it has served as a place of refuge for nearly 1 million Rohingya refugees. But this long-running humanitarian emergency has not end in sight.

Sri Lanka, after a 5-year period of improvement, is now moving in the other direction with the return of the Rajapaksa government.

The new political configuration will not pursue progress on reconciliation and accountability for the end of the civil war, and the newly elected parliament is already hard at work with a constitutional amendment to expand Presidential powers.

Pakistan has struggled with democracy for much of its existence with civil-military tensions, a long-standing problem, along with terrorism, sectarian violence, and the persecution of religious minorities.

Afghanistan is in Freedom Houses' "not free" category, the only such country in the region. A peace process is currently underway and the international security presence is shrinking. So the question of protecting human rights gains, especially for women, looms large.

Nepal and Maldives are challenged in their own ways but are the two countries in the region currently with an upward trajectory on human rights and democracy, and on Nepal we should not forget about the pressures the government faces from China on the issue of Tibetan refugees.

I want to underscore that the United States can provide a more powerful example by improving our own human rights and democracy here at home. Congress's role in shining a spotlight on these questions is an important signal in and of itself.

In South Asia, there is no substitute for diplomacy on these issues and Congress should urge the Trump Administration to elevate the priority of the issues outlined in my written statement.

While engagement on defense and security issues should remain a priority, South Asia is a vital part of the Indo-Pacific region.

A better balance with the complete range of bilateral issues, including human rights and democracy, should be restored. Strengthening the State Department, filling empty positions, and empowering the department with a budget appropriate for the challenges, and providing USAID with appropriate democracy and government support to ensure this important area does not get crowded out by more substantially resourced accounts, should be the highest umbrella priorities toward rebalancing our own diplomatic engagement on these questions.

Thank you very much, and I look forward to the discussion.
[The prepared statement of Dr. Ayres follows:]

**COUNCIL on
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Human Rights and Democracy in South Asia

Prepared statement by

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Council on Foreign Relations*

Before the

**Committee on Foreign Affairs, Subcommittee on Asia, the Pacific, and
Nonproliferation**

*United States House of Representatives
2nd Session, 116th Congress*

**Hearing on “Stemming a Receding Tide: Human Rights and Democratic Values
in Asia”**

Chairman Bera, Ranking Member Yoho, and Members of the Subcommittee,

Thank you very much for the invitation to appear before you on the question of human rights and democratic values in Asia. I am honored to be part of this distinguished panel, and certainly to join my former colleagues Amb. Derek Mitchell and Dr. Daniel Twining today.

Thank you for convening this hearing on a critically important topic. Ten years ago if you had convened us on this same subject, I would most likely have submitted to you a statement that noted promise across the South Asian region and an overall strengthening of democracy region-wide. India had witnessed the world’s largest exercise of democracy with its 2009 general election. Bangladesh had a democratically elected government after a period of caretaker rule, which many worried had over-empowered the military. Nepal had come out of a decade-long civil war, albeit with tumultuous political changes, and was at work on a new

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constitution. The Maldives had an elected government after decades of dictatorship. While the human rights and democracy challenges in Afghanistan, Pakistan, and Sri Lanka were well-documented, and the subject of substantial foreign policy attention, the region did appear broadly on an upward trajectory. Today, the regional picture looks less bright, particularly as China strengthens its ties with most South Asian countries, offering infrastructure development and touting the benefits of authoritarian rule.

But South Asia is not alone; the trendlines globally offer more reasons for concern as well, so in that sense developments in South Asia unfortunately track developments elsewhere. In that respect I would like to note at the outset that the United States' single most important foreign policy tool to encourage and strengthen human rights and democratic values around the world lies in the power of our example. Although this hearing focuses on Asia, I cannot help but observe that the disruptions to democracy, challenges to peaceful freedom of expression, and the ongoing examples of discrimination and excessive use of force particularly against Black Americans by law enforcement here in the United States has tarnished what we say we stand for, and certainly undermines our ability to urge others around the world to live up to the highest human rights ideals. As Dr. Richard Haass, president of the Council on Foreign Relations, wrote some years ago in a message that has gained further urgency this year: "Foreign policy begins at home."¹

India

India is an important global power, the world's largest democracy, one of the world's largest economies, and an increasingly important regional security provider and strategic partner of the United States. As an international actor, India has been a vocal defender of international rule of law and freedom of navigation as its own maritime interests have grown. Domestically, its size and federal system make for a complicated political environment: India's federal structure provides substantial devolution of power to the state level, and its parliamentary system counts numerous parties—seven national parties, more than fifty state-level parties, and more than two thousand other registered parties.² Every national election in India is the world's largest, and in May 2019, more than 600 million Indians (of more than 900 million eligible voters) cast ballots for their choice of representative.³

This written statement addresses only a select number of issues in South Asia, given the constraints of time. For a more detailed catalogue of human rights and democracy concerns in the region, see the annual Country Reports on Human Rights Practices and the annual Reports on International Religious Freedom from the U.S. Department of State; reports from the Office of the UN High Commissioner for Human Rights; the annual *Freedom in the World* report from Freedom House (cited extensively here); and the many issue-specific reports written by nongovernmental organizations like Human Rights Watch, Amnesty International, International Crisis Group, V-Dem, and others.

¹ See Richard N. Haass, *Foreign Policy Begins at Home*. New York: Basic Books, 2013. <https://www.cfr.org/book/foreign-policy-begins-home>.

² See Election Commission of India, "Notification No. 56/2019/PPS-III," March 15, 2019. Via <https://eci.gov.in/files/file/9438-list-of-political-parties-symbol-main-notification-dated-15032019/>.

³ See Election Commission of India, "Highlights: Lok Sabha Election 2019," October 19, 2019. Via <https://eci.gov.in/files/file/10991-2-highlights/>.

India's constitution is a formidable foundational document, one that provides the framework for ample freedoms and rights, and was modeled in many ways on the U.S. Constitution. For so long, India's press has been a point of pride and important guardrail for human rights, and the country's multilingual, multireligious secular pluralism has served as an inspiration. Within the South Asian region, India is—by a wide margin—the country with the highest score on the Freedom House index, and the only country in the region ranked “free” (although Freedom House treats Kashmir separately).⁴ While India undoubtedly has many challenges of discrimination (against women, religious minorities, subordinate caste groups, and others) that at times overshadow its many accomplishments, all of the aforementioned qualities, and all of the checks and balances of a colossal and at times chaotic multiparty federal system have made India an important pillar of the global democratic order. Even more so at a time of rising authoritarianism around the world, and at a time an authoritarian China seeks to expand its influence.

That is why recent developments in India, particularly over the course of the past year since the Bharatiya Janata Party (BJP)'s reelection in May 2019, have spurred deep concern about the country's direction and the status of religious minorities, especially Muslims. The August 2019 abrogation of Kashmir's traditional autonomy, accompanied by a severe security crackdown, has been a focus; I will say more specifically about that below. The December 2019 passage of an amendment to India's Citizenship Act, designed to provide fast-track access to citizenship for persecuted religious minority migrants (of six named religions) from Afghanistan, Bangladesh, and Pakistan notably excluded Muslims, leading critics to charge that the Amendment for the first time ever created a religious litmus test for citizenship.⁵ The Amendment's many supporters note that this legislation provides a humanitarian port of refuge for persecuted religious minorities in the region.⁶

In addition, the National Register of Citizens exercise in the state of Assam—a process unique to the state to identify illegal immigrants and one with roots in the upheavals of Partition in 1947 and the birth of Bangladesh in 1971—resulted in a roster of nearly two million people unable to produce sufficient documents to prove Indian citizenship.⁷ Public statements made by the Home Minister suggested that a similar exercise would be carried out nationwide.⁸ Critics noted that, in conjunction with the provisions of the Citizenship Amendment, it could be possible for people unable to prove citizenship but belonging to

⁴ See Freedom House, *Freedom in the World: A Leaderless Struggle for Democracy*. Washington, DC: 2020, Interactive map, “India,” via <https://freedomhouse.org/country/india/freedom-world/2020>.

⁵ See PRS Legislative Research, “The Citizenship (Amendment) Bill, 2019,” <https://www.prsindia.org/billtrack/citizenship-amendment-bill-2019>.

⁶ It is also the case that the region counts profoundly persecuted religious minorities like the Ahmadis in Pakistan, who would not be eligible for fast-tracked citizenship under the terms of this act.

⁷ “Assam NRC: What next for 1.9 million ‘stateless’ Indians?” BBC.com, August 31, 2019. <https://www.bbc.com/news/world-asia-india-49520593>

⁸ See “Amit Shah: NRC to apply nationwide, no person of any religion should worry,” *India Today*, November 20, 2019. <https://www.indiatoday.in/india/story/amit-shah-nrc-raja-sabha-1620810-2019-11-20>.

any of the eligible six religions to apply for citizenship and therefore remain in the country; no such option would be left for Muslims, who could then be rendered stateless. This potential scenario led UN Secretary-General Antonio Guterres to express concern about the new law and its possible effects, urging that “everything should be done in order to avoid statelessness.”⁹

As Members of the Subcommittee likely saw, during December 2019 and January 2020, tens of thousands of Indian citizens carried out mainly peaceful protests in at least fourteen Indian states across the country in opposition to the Amendment. Some Indian state governments said they would not implement it, nor the proposal for an expanded National Register of Citizens.¹⁰ In the wake of the protests, Prime Minister Narendra Modi stated publicly in late December 2019 that the prospect of a nationwide citizenship exercise had not been discussed, and that “Muslims of India who have lived in this country for several generations will not be affected by CAA or NRC.”¹¹ But protests continued, and one in Delhi erupted into a full-fledged riot in late February in which more than fifty people were killed, the majority of them Muslim. The Delhi Minorities Commission report on the riots placed blame on police for not protecting Muslims, and further said that “police had charged Muslims for the violence even though they were the worst victims.”¹²

In addition to the questions of freedom of religion so central to a secular democracy and the protection of religious minorities, third-party assessments of the health of India’s democracy, and particularly the institutions of liberal democracy, have increasingly flagged India as a country of concern. The Varieties of Democracy (V-Dem) Project’s March 2020 report on democracy around the world stated that “India is on the verge of losing its status as a democracy due to the severely shrinking of space for the media, civil society, and the opposition under Prime Minister Narendra Modi’s government.”¹³ The EIU Democracy Index put India in the category of “Flawed democracy” (a categorization, notably, shared by the United States); its score in this index has dropped nearly a full point on the ten-point scale over the past five years.¹⁴ This year’s

⁹ See “Necessary to prevent statelessness when national laws are changed: UN chief,” in *Economic Times*, February 19, 2020. <https://economictimes.indiatimes.com/news/politics-and-nation/necessary-to-prevent-statelessness-when-nationality-laws-are-changed-un-chief/articleshow/74208648.cms?from=mdr>.

¹⁰ See Daniel Victor, “Why People are Protesting in India,” *New York Times*, December 17, 2019.

<https://www.nytimes.com/2019/12/17/world/asia/india-protests-citizenship-muslims.html> and “Nine states that have refused to implement CAA and NRC,” *CNBC TV18.com*, December 25, 2019, <https://www.cnbctv18.com/politics/nine-states-that-have-refused-to-implement-nrc-and-caa-4932281.htm>.

¹¹ Gyan Varma, “No discussion held to introduce NRC: Modi,” *Mint*, December 22, 2019.

<https://www.livemint.com/politics/news/no-discussion-held-to-introduce-nrc-modi-11577033574834.html>

¹² “Indian minorities panel faults police role in Delhi riots targeting Muslims,” *Reuters*, July 17, 2020.

<https://www.reuters.com/article/us-india-citizenship-report/indian-minorities-panel-faults-police-role-in-delhi-riots-targeting-muslims-idUSKCN2411JA>.

¹³ V-Dem Project, *Autocratization Surges—Resistance Grows: Democracy Report 2020*, p.6. https://www.v-dem.net/media/finder_public/f0/5d/f05d46d8-626f-4b20-8e4e-53d4b134bfc6/democracy_report_2020_low.pdf.

¹⁴ Economist Intelligence Unit, *EIU Democracy Index 2019*, p.10.

Freedom in the World report from the nonpartisan Freedom House highlighted India in its very first paragraph, and went on to add:

Almost since the turn of the century, the United States and its allies have courted India as a potential strategic partner and democratic counterweight to China in the Indo-Pacific region. However, the Indian government's alarming departures from democratic norms...could blur the values-based distinction between Beijing and New Delhi. While India continues to earn a Free rating and held successful elections last spring, the BJP has distanced itself from the country's founding commitment to pluralism and individual rights, without which democracy cannot long survive.¹⁵

Indian Kashmir

The subcommittee has asked me to address Kashmir. This is a complex and tragic situation. I would like to begin by saying that there is a documented history of the former princely state of Jammu and Kashmir's accession to India after Partition, and there is a documented history of Pakistan's efforts to change the status quo by force. There is a documented history of Pakistan-based terrorists active in Indian-administered Kashmir, and Kashmiris and the Indian government continue to face a difficult challenge of border security and terrorism in this region. Terrorism has undermined every effort at peace in the last two decades, and continues to create insecurity. I would also like to acknowledge the longstanding suffering of the Kashmiri Pandits, a Hindu community driven from their Kashmiri homeland in the early years of the insurgency at the beginning of the 1990s.

The state of Jammu and Kashmir, while part of India, has had a degree of autonomy provided for in the Indian constitution due to the terms of its accession to India in 1947. In August 2019 the Indian government abruptly abrogated that traditional autonomy through the hurried passage of legislation in parliament.¹⁶ Constitutional questions about this whole procedure resulted, and twenty-three cases about the revocation of autonomy are currently before the Indian Supreme Court, according to the *Hindustan Times*.¹⁷ India's parliament passed another bill to divide the former state into two new "Union Territories": Ladakh, and Jammu and Kashmir. A Union Territory is an administrative framework under the authority of the federal government. The Union Territory of Jammu and Kashmir is supposed to have an elected assembly while

¹⁵ Freedom House, *Freedom in the World: A Leaderless Struggle for Democracy*. Washington, DC: 2020, p.2.

https://freedomhouse.org/sites/default/files/2020-02/FIW_2020_REPORT_BOOKLET_Final.pdf

¹⁶ See "Jammu and Kashmir Governor Dissolves Assembly After Rivals Stake Claims to Form Government," *Economic Times*, November 22, 2018. <https://economictimes.indiatimes.com/news/politics-and-nation/jk-assembly-dissolved-amid-claims-for-power/articleshow/66739283.cms?from=mdr>

¹⁷ See Gautam Bhatia, "The Article 370 Amendments on Jammu and Kashmir: Key Legal Questions," *BloombergQuint*, August 5, 2019. <https://www.bloombergquint.com/opinion/the-article-370-amendments-key-legal-issues>; also Murali Krishnan, "Kashmir and Article 370: A look at the cases in Supreme Court and where do they stand," *Hindustan Times*, August 4, 2020.

<https://www.hindustantimes.com/india-news/kashmir-and-article-370-a-look-at-the-cases-in-sc-and-where-do-they-stand/story-SLNajzn1cL3JNXuHH4eVdO.html>.

Ladakh is not; some other Union Territories have assemblies (Delhi, Puducherry) while others do not (Daman and Diu, Andaman and Nicobar Islands). Elections to the new Union Territory of Jammu and Kashmir's assembly have yet to be slated, but the territory will for all intents and purposes be governed directly from New Delhi.

The Indian government deployed a reported thirty-eight thousand additional military and paramilitary troops to the region in advance of and during this process.¹⁸ In addition, the Indian government implemented a statewide communications and internet shutdown, a move that came under significant international criticism.¹⁹ The Indian government also placed an unknown number of Kashmiri politicians and other leaders (a Reuters report placed the number at nearly 4,000) in some form of preventive detention (house arrest or detention in another facility), and “most” of the “at least 300 people” charged under the Public Safety Act were sent out of the state to jails in Uttar Pradesh.²⁰ Mainstream political leaders, including three former chief ministers of the state—one of whom, Mehbooba Mufti, had served as chief minister in a coalition with the BJP only two years ago—had their individual freedoms curtailed. Former Chief Minister Farooq Abdullah and his son, former Chief Minister Omar Abdullah, were released separately in March; former Chief Minister Mehbooba Mufti remains detained (at home) under a preventive security order.²¹ These and other mainstream politicians have done nothing wrong but have been deprived of their liberty.

The Indian government took these steps with the explanation that they would be better able to tackle terrorism in Jammu and Kashmir, and be able to bring greater economic development to the state. More than a year on, it is hard to see improvements on that front. The impact on democracy and human rights has been harmful, as Freedom House put it: “Indian Kashmir experienced one of the five largest single-year score declines of the last 10 years in *Freedom and the World*, and its freedom status dropped to Not Free.”

¹⁸ Prabhaskar K. Dutta, “Kashmir: Why Centre is sending additional 38,000 troops to J&K,” *India Today*, August 2, 2019. <https://www.indiatoday.in/news-analysis/story/-if-situation-has-improved-then-why-send-38-000-troops-to-j-k-1576436-2019-08-02>.

¹⁹ Niha Masih, Shams Irfan, and Joanna Slater, “India’s Internet shutdown in Kashmir is the longest ever in a democracy,” *Washington Post*, December 16, 2019. https://www.washingtonpost.com/world/asia_pacific/indias-internet-shutdown-in-kashmir-is-now-the-longest-ever-in-a-democracy/2019/12/15/bb0693ea-1dfc-11ea-977a-15a6710ed6da_story.html.

²⁰ Devjyot Ghoshal, Fayaz Bukhari, Alasdair Pal, “The transported: Kashmiri prisoners sent far from home,” Reuters, October 7, 2019. <https://www.reuters.com/article/us-india-kashmir-detentions-insight/the-transported-kashmiri-prisoners-sent-far-from-home-idUSKBN1WM2D6>.

²¹ “Farooq Abdullah: Kashmir leader released from seven-month detention,” BBC.com, March 13, 2020. <https://www.bbc.com/news/world-asia-india-51869134>. “Omar Abdullah: Kashmir leader released from months-long detention,” BBC.com, March 24, 2020. <https://www.bbc.com/news/world-asia-india-52015776>. “Mehbooba Mufti still held under PSA, some raise questions,” *Indian Express*, August 1, 2020. <https://indianexpress.com/article/india/mehbooba-mufti-psa-pdp-jammu-kashmir-6533329/>.

Bangladesh

Bangladesh is an important Muslim-majority country of approximately 160 million people. It has a democratically elected government led by Prime Minister Sheikh Hasina of the Awami League. Bangladesh has made great strides in human development indicators over the years, and its per capita income now exceeds that of Pakistan, the country from which it seceded in 1971.²² Bangladesh has emerged as a global garment industry powerhouse, the world's second-largest ready-made garment exporter after China, which connects American brands and retailers with Bangladesh through deep supply chain linkages.

Despite Bangladesh's economic progress, the health of Bangladeshi democracy itself has worsened due to the erosion of a competitive system—and the actions the ruling Awami League has taken to hobble its opposition, notably the Bangladesh Nationalist Party. This year two scholars of democracy categorized the country as a “competitive authoritarian” system.²³ The EIU Democracy Index ranks the country between Albania and Fiji as a “flawed democracy.” The V-Dem Democracy 2020 report called Bangladesh an “electoral autocracy” and placed it within the bottom 10-20 percent of countries ranked. Freedom House places Bangladesh in the “partly free” category, and this year included it among the countries with some of the largest declines in freedom over the past decade.²⁴ Bangladesh also has the worst indicators on child marriage in the region, with 59 percent of women (aged 20 to 24 years) first married before age 18.²⁵

Due to Bangladesh's embeddedness in U.S. garment and footwear supply chains, labor rights have grown in prominence as a concern especially after the garment industry's largest disaster in history, the collapse of Rana Plaza in 2013. While initiatives like the Alliance for Bangladesh Worker Safety and the Accord on Fire and Building Safety in Bangladesh have helped improve conditions among factories producing for international export, concerns remain about workplace safety across the large subcontracting sector, and as well about the freedom for workers to unionize. Earlier this year the U.S. Senate Foreign Relations Committee Minority Staff released a report on precisely these concerns.²⁶

Finally, and on a different note, Bangladesh has generously served as the place of refuge for nearly one million Rohingya refugees who were driven out of their homes in Myanmar's Rakhine State. The Rohingya refugees are continuing to live in what should only have been temporary shelter, and as the duration of their time in refugee camps extends without any end in sight, the Bangladeshi government and the international humanitarian consortium seek additional support as well as alternatives. Bangladesh continues to seek

²² World Bank Open Data, “GDP per capita (current US\$),”

<https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?end=2019&locations=BD-PK&start=2012>

²³ Steven Levitsky and Lucan Way, “The New Competitive Authoritarianism,” *Journal of Democracy* Vol. 31, no. 1 (January 2020): p.53.

²⁴ *Freedom in the World*, p.14.

²⁵ UNICEF and UNFPA, *Child Marriage in South Asia: an evidence review*, 2019. p.9.

https://www.unicef.org/rosa/media/4251/file/Child%20Marriage%20Evidence%20Review_Web.pdf

²⁶ Senate Foreign Relations Committee Minority Staff, *Seven Years After Rana Plaza, Significant Challenges Remain*. March 5, 2020.

<https://www.foreign.senate.gov/imo/media/doc/Final%20Bangladesh%20%20Report--3.2.2020.pdf>

repatriation of the Rohingya, yet it is apparent that there is no safety for them in their home in Rakhine State. This remains among the most difficult humanitarian situations to solve, and the United States and its humanitarian partners around the world should begin exploring the possibility (and feasibility) of a third-country resettlement program.

Sri Lanka

Sri Lanka is an upper-middle income country of more than 20 million people, and is considered a development success. It is strategically located in the Indian Ocean. Sri Lanka has been a focal point for geopolitical competition, including through its close relations with China and its paradigmatic example of the costs of Belt and Road loans, given the case of the port at Hambantota. The brutal end in 2009 of the country's decades-long civil war included accusations of severe violations of human rights and international humanitarian law on the part of the government led by former President Mahinda Rajapaksa and former Defense Secretary Gotabaya Rajapaksa, leading to sustained international calls for reconciliation and accountability. These concerns were at the center of a series of UN Human Rights Council resolutions.

In 2015, a new coalition government unseated the Mahinda Rajapaksa government that had led the country since 2005. It appeared that Sri Lanka might engage more substantially on a reconciliation and accountability agenda, particularly after the Sri Lankan government itself co-sponsored a UN Human Rights Council resolution in 2015. But political disagreements hobbled the coalition government, and then the Easter Sunday terrorist attacks in April 2019 helped former Defense Secretary Gotabaya Rajapaksa win the presidential election in November 2019 with a security-focused campaign. Then, in the parliamentary elections of August 2020, the Rajapaksa family's party swept the polls and secured a two-thirds majority (including allies). Among their explicit campaign promises was the repeal of a constitutional amendment that limited the power of the presidency through term limits, constraints on the ability to dismiss the government, restrictions on immunity, and greater independence of institutions. The president's opening speech before the new parliament in August included his commitment to repealing this 19th amendment and then drafting a new constitution.²⁷ These steps signal the return of a far more empowered and centralized presidency to come. Sri Lanka had been moving up the Freedom House ranking over the past half-decade, and is in the category of "partly free." Developments during 2020 have moved in the downward direction.

It is safe to say that Sri Lanka's new political configuration will not pursue progress on reconciliation and accountability for the end of the civil war. In February of this year, Sri Lanka withdrew from its own cosponsorship of the 2015 Human Rights Council resolution.²⁸ In May, President Gotabaya Rajapaksa said

²⁷ "Speech made by His Excellency the President Gotabaya Rajapaksa at the Inaugural meeting of the Ninth Parliament," August 20, 2020. <https://www.parliament.lk/en/news-en/view/1882?category=6>.

²⁸ Krishan Francis, "UN rights chief regrets Sri Lanka withdrawal from resolution," AP.com, February 27, 2020. <https://apnews.com/9d6870266f2711b1e005c72ed3e168fc>.

that, “If any international body or organization continuously targets our country and our war heroes, using baseless allegations, I will also not hesitate to withdraw Sri Lanka from such bodies or organizations.”²⁹

Pakistan

Pakistan is a large Muslim-majority country of more than 200 million people, and is a “Major Non-NATO Ally” of the United States. It receives a “partly free” ranking from Freedom House, one notch above Bangladesh, and is a “hybrid regime” according to the EIU Democracy Index. V-Dem terms it an “electoral autocracy” and places it within the bottom 20 to 30 percent of countries ranked. Its civil-military relations problems are a longstanding feature of its political system, and the election of the current government in 2018—the second peaceful transition from one civilian government to another, an important milestone for a country that had spent decades under military rule—was marred by accusations of vote-rigging, and numerous parties alleged tampering aided by the country’s powerful military.³⁰

Terrorism and the presence of UN- and U.S.-designated terrorist groups based in Pakistan has been a long-running problem as well, and successive U.S. governments have struggled to find the right policy tools to incentivize Pakistan to take further action against these groups. Pakistan is presently a Financial Action Task Force “jurisdiction under increased monitoring” (or “gray list”), meaning that it has yet to take sufficient steps to control terrorist financing and money laundering.³¹ Pakistan also has a longstanding problem with sectarian militancy, and with groups that target the country’s religious minorities, including its large Shi’a minority.³² Pakistan’s dwindling Hindu minority (now less than two percent of the population) face discrimination, forced conversions, and as a recent article highlighted, “voluntary” conversion due to economic duress.³³ Pakistan’s laws against blasphemy have acquired global notoriety for the ease with which religious minorities can be subjected to the charge and find themselves facing the death penalty. The Ahmadi community has endured special suffering under a 1974 amendment to the Pakistani constitution that defined them as non-Muslim, which means that any Ahmadi could be accused of “posing as a Muslim” and subject to blasphemy charges. In Pakistan, blasphemy is punishable by death.³⁴

²⁹ Krishan Francis, “Sri Lanka threatens to leave international organizations over rights,” AP.com, May 19, 2020.

<https://apnews.com/63c302b2f90a5869859ce499fe0b767f>

³⁰ “Violence and claims of election-rigging overshadow Pakistan’s election,” *Economist*, July 19, 2018.

<https://www.economist.com/asia/2018/07/19/violence-and-claims-of-election-rigging-overshadow-pakistans-election?fsrc=rs%7Casj> and “Imran Khan’s unsportsmanlike win in Pakistan,” *Economist*, July 28, 2018.

<https://www.economist.com/asia/2018/07/28/imran-khans-unsportsmanlike-win-in-pakistan>.

³¹ Financial Action Task Force, “Jurisdictions under Increased Monitoring—30 June 2020,” via <http://www.fatf-gafi.org/countries/a-c/bahamas/documents/increased-monitoring-june-2020.html>.

³² See Farahnaz Ispahani, *Purifying the Land of the Pure: A History of Pakistan’s Religious Minorities*, Oxford University Press, 2017.

³³ See Maria Abi-Habib and Zia ur-Rahman, “Poor and Desperate, Pakistani Hindus Accept Islam to Get By,” *New York Times*, August 4, 2020. <https://www.nytimes.com/2020/08/04/world/asia/pakistan-hindu-conversion.html>.

³⁴ Ayilah Chaudhary, “Surviving as an Ahmadi in Pakistan,” Pulitzer Center, April 7, 2020.

<https://pulitzercenter.org/reporting/surviving-ahmadi-pakistan>. See also Human Rights Watch, *Pakistan: Ensure Ahmadi Voting*

There are two parts of the former princely state of Jammu and Kashmir presently under Pakistani administration, known as Azad Jammu and Kashmir and Gilgit-Baltistan. Freedom House assesses these two territories as “not free,” and without “representation and other rights of Pakistani provinces.” Further, “[f]reedoms of expression and association, and any political activity deemed contrary to Pakistan’s policy on Kashmir, are restricted.”³⁵

Afghanistan

Afghanistan is in Freedom House’s “not free” category, the only such country in the region, with low scores on political rights and civil liberties due to decades of violence, severely limited state capacity, and myriad other problems. It has the lowest per capita GDP in the region, and ranks below every country in the region on other rights assessments, including in the EIU Democracy Index, where it is called “authoritarian.” A peace process is currently underway, and the international security presence in Afghanistan is shrinking. There is a bipartisan consensus in the United States that in some fashion the extended deployment of U.S. troops must end. While comment on this process is well beyond the scope of this statement, I would note that the question of protecting human rights gains in Afghanistan, especially for women, looms on the horizon. This is a vexing foreign policy question for which no obvious solution is in sight. At minimum I would urge Congress to consider crafting ways to maintain multi-year assistance and democracy and governance programs, even after the U.S. footprint shrinks further.

Nepal

Nepal is a country of more than 30 million people and has the lowest per capita GDP in the region other than Afghanistan. Its decade-long conflict with Maoist guerillas ended in 2006, and since then the country has been in a slow process of building democracy, holding elections, and drafting a new constitution for the new republic. Freedom House considers Nepal “partly free,” and the EIU Democracy Index calls it a “hybrid regime.” Its politics have been tumultuous. A reconciliation process to move forward on transitional justice following the civil war, a laudable and important goal, has not progressed.

Nepal’s new constitution, completed in 2015, was an important milestone and deserves commendation. But it would be fair to say that Nepal still has many challenges on the human rights front. Child marriage remains a problem, with the second-highest percentage in the region of women first married before age

Rights: Repeal Discriminatory Laws Against Religious Community. June 28, 2018. <https://www.hrw.org/news/2018/06/28/pakistan-ensure-ahmadi-voting-rights#>.

³⁵ See *Freedom in the World 2020*, interactive map, “Pakistani Kashmir*” via <https://freedomhouse.org/country/pakistani-kashmir/freedom-world/2020>.

eighteen; trafficking in persons remains a problem; and certain forms of traditional discrimination against menstruating women and girls continue (although the practice is now illegal).³⁶

Nepal has traditionally been a safe harbor for Tibetans who fled Tibet via the overland route, and according to FreeTibet.org, around twenty thousand Tibetan refugees live in Nepal. They have been under increased constraints in Nepal due to Chinese pressure on the Nepali government in recent years. Rumors about a possible extradition treaty between China and Nepal surrounded President Xi Jinping's October 2019 state visit to the country, although press reports immediately after the visit said the treaty had been "shelved" at the last minute. However, in February, the International Campaign for Tibet released a statement saying they had obtained copies of two agreements signed during the visit that could imperil Tibetan refugees: one, a Boundary Management Agreement, and the other, a treaty on Mutual Legal Assistance. The International Campaign for Tibet reports that in 2019, arrivals from Tibet to Nepal were down to "an unprecedented low of just 18" compared with earlier annual levels of around 2,500 to 3,500.³⁷

Maldives

The Maldives is an island archipelago nation of a little more than 557,000 people, according to the Maldivian government's latest projections.³⁸ The Maldives has the highest per capita GDP in the region, and graduated out of the United Nations' "Least Developed Countries" category in 2011. The World Bank classifies it as an upper-middle-income country (like Argentina, Brazil, or China).

Freedom House rates it as "partly free." V-Dem categorizes it as an "electoral autocracy." It has been on an upward democratic trajectory following the 2018 presidential and 2019 parliamentary elections, which returned the Maldivian Democratic Party to power after the Yameen government's years of democratic backsliding.

Citizens of the Maldives must be Muslim and the state religion is Islam. Freedom House calls religious freedom in the country "severely restricted" and further notes that "growing religious extremism, stoked in part by the Yameen administration, has led to an increase in threatening rhetoric and physical attacks against those perceived to be insulting or rejecting Islam. Secularist writers and defenders of freedom of conscience have face pressure from the authorities as well as death threats."³⁹

³⁶ *Freedom in the World*, interactive map, "Nepal," <https://freedomhouse.org/country/nepal/freedom-world/2020>; see also UNICEF and UNFPA, *Child Marriage in South Asia: an evidence review*, 2019, p.9.

https://www.unicef.org/rosa/media/4251/file/Child%20Marriage%20Evidence%20Review_Web.pdf.

³⁷ International Campaign for Tibet, "New China-Nepal agreements could deny Tibetans freedom," February 11, 2020.

<https://savetibet.org/new-china-nepal-agreements-could-deny-tibetans-freedom/>.

³⁸ See Statistics Maldives, "Maldives in Figures, August 2020," via <http://statisticsmaldives.gov.mv/nbs/wp-content/uploads/2020/09/MIF-2020Aug-Infographics-P1.jpg>.

³⁹ *Freedom in the World*, interactive map, "Maldives," <https://freedomhouse.org/country/maldives/freedom-world/2020>.

Recommendations

The above survey of the region illustrates not only that human rights and democracy are under stress in South Asia—but also illustrates the political hurdles to encouraging changes on the part of country's leaders. As I stated at the outset, the United States can provide a more powerful example by improving our own human rights and democracy here at home. Congress's role in shining a spotlight on these questions is an important signal in and of itself, for it demonstrates that our democratic separation of powers allows for debate, consideration, and questioning of the issues at stake in our policy toward the region.

Some particular challenges to deepening dialogue on democracy and human rights with India have long existed: the Indian government holds the view that domestic developments are sovereign matters for which an external actor has no standing to comment. Bangladesh's scorched-earth political system means that the party in power is never particularly interested in strengthening a competitive party system for the sake of democracy. Sri Lanka's new president has signaled the end of the reconciliation and accountability debate. The dominance of the military in Pakistan's government has made human rights a limited arena for advancement. The impending reduction of the international security presence in Afghanistan will make the protection of human rights improvements all the more difficult to sustain. Nepal and Maldives are open to wider conversations about strengthening democracy, although progress may be slow.

I believe in diplomacy as the most important approach on democracy and human rights, as government-to-government relationships are simply not the same as that between advocacy organizations and governments. Congress should urge the Trump administration to elevate the priority of diplomacy on the issues outlined here, and Congress should seek classified briefings to gain a better understanding of the current status.

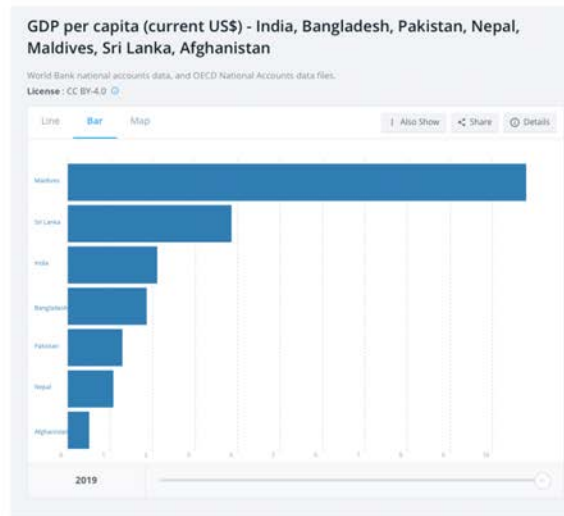
Congress should urge the Trump administration to ensure that while engagement on defense and security issues should remain a priority in the region—South Asia is a vital part of the Indo-Pacific region—a better balance with the complete range of bilateral issues should be restored. Each of the countries in South Asia is important to the United States for a unique set of reasons, and thus our focus should include engagement along a broad spectrum of issues, including democracy and human rights. Strengthening the State Department, including filling empty positions and empowering the department with a budget appropriate for the challenges it is asked to tackle, and providing USAID with funding for democracy and governance support to ensure this important area does not get crowded out by other more substantially-resourced assistance accounts, should be the highest umbrella priorities toward rebalancing our own diplomatic engagement. I would add as well that the unique design of our institutions focused on democracy—the National Endowment for Democracy, the National Democratic Institute, and the International Republican Institute—offer tremendous analytic, training, and support capacity and should continue to be a high priority for Congress.

Comparative Rankings on Selected Indices of Freedom and Democracy

Arrows show improvement or decline over time; presented in descending order along the Freedom House index ranking

Country	Freedom House	World Press Freedom	EIU's Democracy Index		Heritage Index of Economic Freedom	
	(out of 100, higher numbers are better)	(out of 180 countries, higher numbers are worse)	(out of 10, higher numbers are better)		(out of 178 countries, higher numbers are worse)	
	2020	2020	2014	2019	2015	2020
India	↓ 71 (free)	142 (bad)	7.92	↓ 6.90 (flawed democracy)	128	↑ 120 (mostly unfree)
Nepal	↑ 56 (partly)	112 (bad)	4.77	↑ 5.28 (hybrid regime)	152	↑ 139 (mostly unfree)
Sri Lanka	↓ 55 (partly)	127 (bad)	5.69	↑ 6.27 (flawed democracy)	101	↓ 112 (mostly unfree)
Pakistan	↓ 38 (partly)	145 (bad)	4.64	↓ 4.25 (hybrid regime)	121	↓ 135 (mostly unfree)
Bangladesh	↓ 39 (partly)	151 (bad)	5.78	↑ 5.88 (hybrid regime)	131	↑ 122 (mostly unfree)
Maldives	↑ 40 (partly)	79 (problematic)	NA	NA	134	↑ 119 (mostly unfree)
Afghanistan	— 27 (not)	122 (bad)	2.77	↑ 2.85 (authoritarian)	N/A	136 (mostly unfree)

On the EIU Democracy Index, Sri Lanka improved from a "hybrid regime" to a "flawed democracy" between 2014 and 2015.



Mr. BERA. Thank you, Dr. Ayres.
And finally, Dr. Twining.

**STATEMENT OF DR. DANIEL TWINING, PRESIDENT,
INTERNATIONAL REPUBLICAN INSTITUTE**

Dr. TWINING. Thank you, Chairman Bera, Ranking Member Yoho, members of the committee. Thanks for your vital leadership in holding this important hearing.

IRI is a nonprofit nonpartisan organization working in over 90 countries around the world. We trace our roots back to President Reagan's belief that freedom is not the sole prerogative of a lucky few but the inalienable and universal right of all human beings.

Senator John McCain was our chairman for 25 years and in his spirit we believe support for democracy abroad is not a Republican or Democratic Party value. It is an American value that advances our national interest.

More people live under democracy in Asia than in any other region of the world. But too many countries still grapple with low-level institutions, weak democratic cultures, endemic corruption, and internal conflict.

When we rightly celebrate democratic bright spots in the region, from the Maldives to Taiwan, Asia's democratic deficits have been exacerbated by the COVID pandemic.

We should be clear-eyed about the challenges but we should not lose hope or falter in our commitment to stand with billions of people who want nothing more than to live in free, prosperous, and just societies.

China is home to four-fifths of those still living under authoritarianism globally. Inside the country, the Communist Party brutally crushes dissent and runs a ruthless surveillance State.

The CCP is carrying out a campaign of forced detention and population control in the Xinjiang and has unilaterally revoked political freedoms in Hong Kong, the richest part of China where citizens do not accept the party's offer of prosperity without rights.

China's leaders want to make the world safe for autocracy. Across Asia, Beijing bolsters the fortunes of illiberal actors and provides tools and talking points to justify repression.

Manipulation of the information space in many countries weakens institutions like free media and civil society that otherwise would expose the dangers of China's opaque deal making and corrupt practices.

Beyond China, the past year has seen countries once viewed as bright spots for democracy, like Malaysia and Sri Lanka, regress due to political infighting, personality politics, and failure to deliver promised reforms.

The Rohingya refugee crisis hampers Burma's democratic development. The Philippines is one of the deadliest countries in the world for human rights defenders. Crackdowns on press freedom under the cover of COVID have been prevalent in the Philippines, Fiji, Vietnam, Cambodia, Thailand, and Bangladesh.

Despite these substantial challenges, we, IRI, like my colleagues, remain hopeful about this region's democratic future.

There are more than 1 billion young people between the age of 15 and 29 in Asia. Asian youth make up over 60 percent of the world's youth. They make up more than 25 percent of Asia's population.

In Hong Kong and Thailand, young people are leading the way in protest movements to push back on authoritarianism. Young leaders in Malaysia were the driving force behind lowering the voting age from 21 to 18, which could add 4 million youth to its voter rolls.

Youth in Nepal have held the government to account for a lackluster response to COVID. President Reagan said, quote, "Democracy is not a fragile flower. Still, it needs cultivating."

Democratic gains from Indonesia to Mongolia offer proof of the value of U.S. assistance in, quote, "cultivating democracy." Congress, including this committee, has played a decisive role in supporting Asians' quest for freedom, and that work is not done.

To support those fighting for free societies, America must continue bolstering the capacity of civil society, political parties, and independent media. These institutions are essential to building solid democracies and pushing back against democratic erosion.

America should continue supporting dynamic young activists with the knowledge and skills to be democratic leaders in their communities.

Our support for democracies strengthens Asian countries' sovereignty. It helps them make independent choices that benefit their people, not some foreign power. Chinese assistance too often entraps countries in debt or corrupts their elites.

By contrast, U.S. support for accountability, transparency, and democratic decisionmaking helps ensure we have capable partners who can make their own choices, including in foreign policy.

The United States needs to use all the tools in our toolkit of leadership. China pursues its interests not only by projecting force but very much through sharp power instruments of influence: information operations, united front tactics, export of surveillance technologies, and forms of political corruption and economic capture.

Bolstering democratic resiliency in Asia against malign foreign influence is a U.S. national security interest. Our military strength is pivotal and our economic depth attracts partners, but our best Asian allies are democracies.

The core values of liberty, justice, and equality should remain at the heart of our regional engagement. They are universal ideals to which people across Asia still aspire and they are also what China's leaders fear most.

Thank you very much, Mr. Chairman. I look forward to your questions.

[The prepared statement of Dr. Twining follows:]

Supporting Asia's Democratic Future

TESTIMONY OF: Daniel Twining, *President*

U.S. HOUSE FOREIGN AFFAIRS COMMITTEE
SUBCOMMITTEE ON ASIA, THE PACIFIC AND NONPROLIFERATION
SEPTEMBER 22, 2020

Introduction

Chairman Bera, Ranking Member Yoho, members of the committee, thank you for holding this timely and important hearing, and thank you for the opportunity to testify. By way of background, the International Republican Institute (IRI) is a nonprofit, nonpartisan organization working in more than 90 countries around the world. We trace our roots back to President Reagan and his unshakeable belief that, "Freedom is not the sole prerogative of a lucky few, but the inalienable and universal right of all human beings." Senator John McCain was our chairman for 25 years, and in his spirit, we believe that support for democracy in the world is not a Republican or Democratic value but an American value that advances our national interests.

IRI's commitment to democracy and human rights in the Asia-Pacific region is long-standing. Over the nearly three decades of our presence in Asia, IRI has had the great privilege of partnering with democrats in countries across the region in their struggles for more accountable, transparent and just governments and societies. Many countries in Asia have achieved great progress in this regard, with improved standards of living and more people than ever before living in democratic states. Yet because such progress is never a straight line, countries across the region continue to grapple with vulnerable institutions, weak democratic culture, endemic corruption, significant economic disparities, and religious, racial and cultural conflicts. While we rightly celebrate democratic bright spots in the region, from the Maldives to Taiwan, Asia's increasingly evident democratic deficits have been exacerbated by the COVID-19 pandemic, which has further exposed the region's faltering democracies and aspiring authoritarians.

Today, there are many causes for concern about the future of democracy and human rights in the Asia-Pacific region, but there are also reasons for optimism. And while we should be clear-eyed about the challenges, we should not lose hope or falter in our commitment to stand with the billions of people across Asia who want nothing more than to live in free, prosperous and just societies.

Assertive China at Home and Abroad

Of course, we cannot talk about Asia's democratic deficits without talking about the People's Republic of China (PRC), which is not only home to four-fifths of those still living under authoritarianism globally, but is also undermining democratic states in pursuit of its strategic ambition to make the world safe for autocracy. Within its own borders, the Chinese Communist Party (CCP) brutally crushes dissent and enforces a societal conformity aimed at tamping out diversity. To that end, the CCP is carrying out a long-running and well-documented campaign of forced detention, population control and abuse against ethno-religious minorities in the Xinjiang Uyghur Autonomous Region, depriving millions of people of their most fundamental human rights: life, liberty and the security of their person.

Never a welcoming place for independent thought or action, in recent years the space for independent civil society in mainland China has closed precipitously. Academics previously tolerated are now detained or fired for their words, and even the doctors who first began treating COVID-19 patients in Wuhan were silenced simply for sharing information about the virus with their colleagues. Perhaps the most egregious recent example of the CCP's aggressive stifling of dissent is the National Security Law (NSL) Beijing imposed on Hong Kong on June 30. The NSL gives PRC officials unprecedented authority to supervise the enforcement of the law in Hong Kong — while they themselves remain exempt from the laws governing the once-autonomous territory and operate in direct contravention of Hong Kong's constitution, the Basic Law. The NSL not only ends Hong Kong's long tradition of judicial independence and the rule of law, but its extraterritorial jurisdiction means that it is now a crime for anyone, anywhere in the world to do anything the CCP considers an offense.

Stemming from this quest for total control within its borders is the CCP's increasingly aggressive campaign for influence and control over messaging on China beyond its borders. In the Asia-Pacific in particular, Beijing seeks to use its growing economic leverage to establish greater dependency on China, help reestablish the country as Asia's preeminent power and achieve global legitimacy as a great power without democratizing. According to leaked party documents, the CCP sees itself in an ideological contest pitting one-party rule against what it deems "Western" ideals of political rights and freedoms — even though many of the most fervent advocates of those same rights and freedoms are the Chinese citizens of Hong Kong.

China uses an expanding toolkit of tactics to advance its interests in countries across the region, in the process exploiting governance gaps, fostering corruption and undermining accountability, prosperity, and open discourse in ways that corrode democracy and establish an expanding Sino-centric sphere of influence — with dire consequences for U.S. interests.

Across Asia, China bolsters the fortunes of illiberal actors and provides tools and talking points to facilitate and justify repression of democratic advocates. In Cambodia, Chinese-funded projects and financial flows prop up Prime Minister Hun Sen, insulating him from criticism and consequences of his government's dismal human-rights record and pressure to allow open political competition in the country. Hun Sen and governments like those of Thailand and Vietnam draw inspiration, if not direct technical skills and tools, from China's repressive policies and surveillance-and-monitoring technology. It is likely no coincidence that the Thai government's recent assertions that foreign interference and funding are behind the growing student-led protest movement mirror the rhetoric used by Beijing to discredit massive popular protests in Hong Kong over the past 18 months.

In other places, China's influence is somewhat more discreet, but no less corrosive to democratic institutions and principles. China's opaque infrastructure-financing deals across the region engender rampant corruption and enrich coopted elites who are more than willing to sacrifice principles like transparency for their own financial gain. Beijing's manipulation of the information space and discourse in many countries weakens institutions such as an

independent media and civil society that in a healthy democracy would expose the negative consequences of China's opaque deal making and corrupt practices.

The frequently lopsided — and often secretive — terms of China's deals with investment- and infrastructure-starved countries create a cycle of dependence on China for further credit to finance mounting debts. Increasingly reliant on China, leaders of these vulnerable countries are more likely to tamp down domestic opposition to Chinese-financed or -owned development projects, as well as support China in international fora and disputes. Just last week, in hopes of preventing a default on loans from China, Laos was forced to cede majority control of its national power grid to the China Southern Power Grid Company, which already holds an estimated \$8 billion of Lao debt. The move binds undemocratic Laos even closer to China and further raises existing concerns about Laos' stance on issues of regional strategic importance like China's claims in the South China Sea. Laos has already shown itself to be a dutiful vassal to China by jailing dozens of Lao citizens for protesting land concessions made to Chinese companies for development projects; its now virtually insurmountable dependence on China does not bode well for the democratic aspirations of the Lao people.

Certainly, we could speak at length about the damaging impact China is having on democracy in the Asia-Pacific region and beyond, as well as the abysmal situation of human rights in the country itself, but I want to turn now to some of the other noteworthy trends in the region.

Political Change and Stymied Reforms

The past year has seen countries once viewed as bright spots for democratic reform within the region regress as a result of upheavals driven by political infighting, personality politics and poor public perception of delivery on promised reforms, among other challenges. Such changes have stymied democratic progress and, in the cases of Malaysia and Sri Lanka, brought previous governments back into power — fostering opportunities for democratic backsliding, abuses of fundamental freedoms and corruption.

In May 2018, the unexpected victory of the reform-minded Pakatan Harapan coalition in Malaysia sent shockwaves through the country, as it peacefully transitioned power for the first time since its independence in 1957. However, the coalition's progress on democratic reforms focused on good governance and anti-corruption was abruptly cut short in February 2020 by the resignation of Prime Minister Mahathir Mohamad and the subsequent government collapse. While the new Perikatan Nasional (PN) government, led by Prime Minister Muhyiddin Yassin, has focused much of its attention on managing the COVID-19 pandemic, emerging trends indicate that PN is tightening its control of government institutions — raising the alarm among civil-society organizations that fear a return to the abuses of power and corrupt practices of the past. Since coming to power, PN has offered members of parliament and party elites key positions within both government institutions and government-linked companies in order to reinvigorate their patronage networks. This has been coupled with targeted attacks on prominent opposition members, government critics and independent news outlets that have made critical statements or unfavorably reported on

the government. These developments foretell a troubling departure from the standards of transparency, civil liberty and media freedom that a majority of Malaysians favor and called for when they rejected the Barisan Nasional government in 2018.

Similarly, in Sri Lanka, where a reform-focused government was elected in January 2015, the past year has witnessed the Rajapaksa family's reconsolidation of power following the late-2019 political crisis that weakened former President Maithripala Sirisena beyond redemption. Gotabaya Rajapaksa won the presidency in November 2019 by a wide margin. And in parliamentary elections in August 2020, the Rajapaksas' grip over the country was further solidified when their party coalition won a supermajority, returning former President Mahinda Rajapaksa to the premiership. While the Sirisena-led government was ultimately unable to meet many of its reform promises, it did, with the 19th amendment to the constitution, lay the groundwork for a more balanced power structure within the government. With the Rajapaksa brothers campaigning to reverse those reforms and the family's history of brutal repression and human-rights abuses, there are fears about what their deep-rooted control over government and political institutions will mean for democracy and human rights in Sri Lanka.

Assaults on Fundamental Human Rights and Freedoms

Across the region, respect for human rights and fundamental freedoms varies widely. I touched previously on China's brutality toward the Uyghur people in the country's far western territory, but that, sadly, is not the only place in the region where the most fundamental human rights are being completely cast aside. Over the past three years, more than 700,000 Rohingya people have fled Burma and are currently living in refugee camps in Bangladesh; an unknown number have fled by sea to other destinations in Southeast Asia, many perishing during the journey. Many of those who have remained in Burma are confined to camps without access to the most basic necessities, including proper healthcare. Just this month, two members of Burma's military confessed to razing Rohingya villages and murdering the inhabitants en masse in 2017, crimes the military has long denied but which fit with its brutal history of suppression of the country's many ethnic-minority populations.

Elsewhere, Philippine President Rodrigo Duterte has since 2016 waged a violent "war on drugs" in the country, resulting in thousands of extrajudicial murders, including of young children who have been caught in the crossfire and accused drug dealers who were gunned down in the streets, denying them access to any sort of due legal process. The Philippines is also one of the deadliest countries in the world for human-rights defenders. In the four years since President Duterte took office, at least 13 human-rights defenders have been murdered, many for exposing abuses by local government officials or powerful families who dominate the country's economic and political spheres.

Another disturbing trend across the Asia-Pacific is the crackdown on independent media, which has been exacerbated by the COVID-19 pandemic. From Pakistan to Cambodia, Burma to Fiji, journalists and media outlets have been pressured, jailed, deregistered and otherwise

harassed for reporting critical of political leaders, governments or other state institutions. In the Philippines, the independent news outlet *Rappler* has been dogged by politically motivated lawsuits; its Executive Director Maria Ressa was, earlier this year, found guilty of cyber-libel and faces up to six years in prison. Likewise, the major network ABS-CBN was denied renewal of its broadcast license earlier this year after President Duterte accused the outlet of bias against him.

Several countries in the region have used COVID-19 and an expressed desire to curtail the spread of misinformation about the virus as justification for censorship and the passage of new dis- or misinformation laws that many fear will be used against political opponents or those critical of their governments. In Fiji, for example, a top military leader argued that freedom of the press and of speech should be curtailed to stifle criticism of the government's policies, while Vietnam, Cambodia, Vanuatu, Thailand and Bangladesh have all passed new laws or are using existing laws to target critics during the pandemic.

Given these trends, as well as broader stresses on democratic politics in the world today, you can see why one could despair about the prospects for democracy and rights in Asia. There are challenges, to be sure, but we at IRI nonetheless remain hopeful about this region's democratic future.

Youth-led Movements for Change

With more than 1.1 billion young people between 15 and 29 years of age, youth in the Asia-Pacific region make up over 60 percent of the world's youth and more than 25 percent of the overall population of the region. In the past year, we have witnessed young people from Hong Kong to Thailand to Nepal leverage formal and informal processes to demand overarching reforms to strengthen democratic practice in their countries.

In Hong Kong and Thailand, young people are leading the way in protest movements that seek to push back on authoritarianism, restore democratic values and protect fundamental freedoms. Their unique approaches to traditional people's movements have overcome pandemic-response restrictions and united youth from different backgrounds through the prolific use of social media and leveraging of popular culture. While some prominent young Hong Kongers are veterans of democracy movements, having played leading roles in the 2014 Umbrella Movement, the current protests, which began in March 2019, have seen overwhelming support from a wide swath of the population. Unfortunately, youth have also been disproportionately targeted by the Hong Kong police and have faced brutal physical assaults on top of arrest. Nonetheless, their involvement has helped to bridge segments of the population and continually win public support to their cause; it has also been crucial to the operation of a leaderless movement that remains fluid and adaptable, "like water."

In Thailand, the ongoing youth movements and protests demanding constitutional reforms, fresh elections and the end of harassment of protestors is being equally driven by new and old faces to the democracy movement. Sparked by the dissolution of the opposition Future

Forward Party earlier this year, youth-led protests around the country have expanded in scope, to include broader calls for democratic reform, and location – moving beyond university campuses to high schools across the country, iconic locations like the Democracy Monument in Bangkok, and even the gates of the Ministry of Education. Despite facing obstacles ranging from arrest and legal charges to physical and verbal abuse from educators and police officers, young Thais repeatedly demonstrate their commitment to the push for reform.

Young people in Nepal, incensed by their government's fumbled response to the COVID-19 pandemic and allegations of massive misuse of funds earmarked for test kits and protective gear, galvanized into a vocal protest movement. Originating online on social media as Nepal's youth spent weeks at home under lockdown orders, the movement burst onto the streets of Kathmandu in June with signs emblazoned with [its] slogan, "Enough is Enough," demanding the government take better care of its citizens. For weeks, hundreds of young people protested in the streets, wearing masks, social distancing and at times lying like corpses on the ground to call attention to their demands. And they were successful: In mid-August, the government of Nepal agreed to procure higher-quality test kits and provide better personal protective equipment to frontline health workers, access to medicines and free treatment to all COVID-19 patients. In their victory, the young protesters demonstrated the power of ordinary citizens to effect change and their knowledge that accountability requires vigilance: they have promised to return to the streets if the government does not fulfill its promises.

Finally, in both Malaysia and Mongolia, young people are relying on democratic political processes to bring about change. During the May 2018 elections in Malaysia and the June 2020 elections in Mongolia, youth played a decisive role in the trajectory of each country by turning out in droves to vote despite hurdles of political apathy in Malaysia and COVID-19 concerns in Mongolia. Beyond elections, active youth civic engagement has also resulted in an informed, involved youth electorate. Youth in Malaysia were the driving force behind advocacy efforts to amend the constitution and lower the voting age from 21 to 18 years of age. Because of their efforts, and avid support from Malaysia's youngest-ever minister, in 2019, Malaysia's parliament adopted the amendment with support from both government and opposition coalition parties. As a result, Malaysia could add an estimated 3.8 million youth to its voter rolls.

Conclusion and Recommendations

In the speech at Westminster that led to the creation of IRI, NDI and the National Endowment for Democracy, President Reagan said that "democracy is not a fragile flower; still it needs cultivating." In our lifetime we have seen democratic gains in Asia that offer proof of the value of U.S. assistance in "cultivating" democracy. Congress has played a decisive role in ensuring that our tools to support democracy and liberty remain strong. The generous investments that American taxpayers make in development assistance for health

care, nutrition and infrastructure are unlikely to be successful if the governments with whom we partner lack strong, citizen-centered institutions, suffer from corruption and other abuses of power, and do not respect human rights.

To counter the negative democratic trends we are seeing in the Asia-Pacific region and support those fighting for free, prosperous and just societies there, the United States must continue to dedicate resources to bolstering the capacity of civil society, political parties and independent media. These institutions are critical to establishing solid democracies and pushing back against democratic erosion. IRI research suggests democratic erosion is often a gradual process, with incumbents first seeking to weaken checks and balances, particularly legislatures, judiciaries and election commissions. Organized pushback from opposition parties, civil-society watchdogs and independent media against these subtle first steps can help to head off more dangerous forms of repression and state capture later on. Our support for partners in these spheres is therefore proactive and preventive, not just reactive.

The United States, likewise, can play an important role in ensuring that dynamic young activists have the knowledge and skills to be leaders in their communities while embodying democratic values. We should continue to equip and support young leaders dedicated to building inclusive coalitions and increasing youth participation in decision-making processes. Alliances are critical for maintaining civic space in the face of democratic backsliding and helping young leaders pool resources and work together to take collective action for reform.

With regards to China, the United States must balance complex equities. There is no doubt that China's influence is negatively impacting countries' democratic trajectories, but especially in the Asia-Pacific region, the U.S. approach cannot be one of "us or them." However, we can take steps to ensure that China finds countries less hospitable to its advances and that countries in the region value and pursue closer relationships with the U.S. and other democracies, including Japan, Australia, South Korea and India. The United States and its partners must invest resources in changing the context in the countries China targets for influence. This can be accomplished through two complementary efforts: 1) offering countries alternatives to Chinese investment and assistance on how to structure future deals with China; and 2) building the resilience of developing democracies to the malign effects of CCP influence.

American support for democracy and human rights strengthens Asian countries' sovereignty, helping them make independent choices that benefit their people rather than any foreign power. Whereas Chinese assistance too often suborns countries' independence, for instance by entrapping them in debt or corrupting their political elites, U.S. support for accountability, transparency, democratic decision-making and regular elections helps ensure that we have capable allies and partners that can make their own choices, including in foreign policy, at a time when great-power competition threatens the peace that produced Asia's economic miracle.

America needs to utilize all the tools in our toolkit of leadership. China is pursuing its interests not only by projecting military power but through what the National Endowment for Democracy calls "sharp power" tools of influence: information operations, united-front tactics, and forms of political corruption and economic capture. Bolstering democratic resiliency in Asia against such forms of malign foreign influence is a U.S. national security interest. Our military strength is pivotal, and our economic depth attracts partners, but the core values of liberty, justice and equality should remain at the heart of America's regional engagement. They are universal ideals to which people across Asia and the world still aspire.

Mr. BERA. Thank you to all the witnesses. I will now recognize members for 5 minutes each, and pursuant to House rules, all time yielded is for the purposes of questioning our witnesses.

Because of the hybrid format of this hearing, I will recognize members by committee seniority, alternating between Democrats and Republicans. If you miss your turn, please let our staff know and we will circle back to you.

If you seek recognition, you must unmute your microphone and address the chair verbally. I will start by recognizing myself for 5 minutes.

You know, I appreciate the testimony of all these witnesses. A year ago, almost exactly a year ago, we were—had the opportunity to travel to Malaysia and the Philippines, and in Malaysia with the Mahathir government you saw young burgeoning democracy by you also—you know, I think it was very evident to the members who were traveling with me the fragility of these young parliamentarians who were trying to figure out how to be successful. And we had our folks from the embassy and our staff on the ground.

The same thing in the Philippines. We had a chance to meet with some of the young parliamentarians that were dynamics but very much have interest in democratic values and the rights of their citizens, again, against the backdrop of Duterte.

I had a chance in February to travel to Sri Lanka shortly after the Rajapaksa government came in, to really try to urge them on a path of reconciliation.

I had the chance to visit India last February and, again, just deliver a message that India's strength is being a secular democracy where you can have 750 million Hindus living side by side with 250 Muslims and still be functioning, and also on that same trip had a chance to visit Nepal where there is a sense of optimism. They are trying.

I guess the question for Ambassador Mitchell and Dr. Twining both NDI and IRI are working extremely hard to take these young emerging democracies and create sustainable democracies.

What are the things that we should be focused on in Congress and the tools that you have that can help these democracies become more successful?

And we see that fragility in Nepal, Sri Lanka, Malaysia. What accounts for this fragility and what are some of the tools that NDI and IRI are seeing that actually are working very well on the ground?

I guess I will start with Ambassador Mitchell.

Mr. MITCHELL. Well, thank you, Mr. Chairman, for that question, and let me just say, first, it is great to hear how you have gone to the region, gone to these places and represented these values, as you had suggested, of making the case as to why this matters to the United States, why it matters to the U.S. Congress, and I am sure many of the other members of the committee have done the same.

I think that is very important for ensuring that there is at least a floor amidst this backsliding to show that America is still engaged and aware and alert and concerned.

What we do—what we have to recognize is, as we said before and as you recognize, too, is that things move forward and back. We have to be patient, first of all. There are not silver bullets to this.

But what we try to do is create at least some guardrails and some safeguards. What is critical when these things happen is that at least there are some institutions, civil society organizations that are protected, media organizations that get support, capacity is built, that things still are moving forward even if at the national level it seems to be regressing.

So I think focusing on the youth empowerment. I mean, the problem in many of these countries you have the same old guys. When you look at Nepal, the demographics of the leadership in Nepal, these guys have been doing the same thing for 40 years together.

You can say that in Malaysia with Mahathir and Anwar and the UMNO kind of gamesmanship.

Sri Lanka Rajapaksas have been around for a while. There is a lot of the old guard holding on, doing the same old things and there is just a lot of frustration beneath the surface.

So it may seem that there is not much progress and, certainly, there is regression in these places and there is turmoil and there is frustration. Steps forward in the Sri Lanka election or a step forward in Malaysia suddenly gets sort of turned back because people get frustrated that the government is not delivering.

I think what we can try to do when democracy has a chance, when it has its moment and there is a moment where there is some more—there is hope, that government needs to deliver and we need to help it deliver the goods—economic goods, political goods, give space and try to encourage these governments that if you do not do that it will regress and it will leave space for demagogues.

Mr. BERA. Right. Dr. Twining?

Dr. Twining, do you want to add?

[No response.]

Dr. TWINING. Can you hear me now?

Mr. BERA. We can hear you now. Thank you.

Dr. TWINING. Sorry about that. I had a microphone issue.

Just very quickly, there is no silver bullet, sir. But staying the course, supporting independent institutions so that power is not concentrated in one man, one woman, one actor in the executive branch.

Those civil society watchdogs, those youth groups, those activities are vital. That free media. We saw in Indonesia a huge U.S. emphasis on democracy support in the first decade after its transition and then, frankly, the U.S. stepped back from a lot of that support, thinking that the work was done, and we have seen some slippage in Indonesia.

The work is, unfortunately, not done anywhere in Asia. The kind of parliamentary engagement you offer, and your colleagues, matters in helping build parliamentary oversight capabilities, really getting youth involved and invested in politics.

Connecting them into political parties, connecting them into public life is really, in terms of the long—the long game how Asian democracy succeeds because a lot of it is for them, not the old guys Derek mentioned.

Thank you.

Mr. BERA. Great. Thank you.

Let me go—let me go and recognize the ranking member, Mr. Yoho, for 5 minutes of questions.

Mr. YOHO. Thank you, Mr. Chairman, and I appreciate all of our witnesses.

You know, as I hear the testimony and Dr. Ayres, you brought up how we need to fill vacancies, do more funding, more vacancies filled, and I agree with all of that.

But this is not a new issue. This is something that is—you know, we have looked at this and as I hear all the testimonies, we look at our foreign policy, we can look back 20, 30, 40 years and those policies go to good governance, democracy, lack of corruption, and all these things and the American taxpayers have spent hundreds of billions if not trillions of dollars to do this around the world. Yet, we are backsliding.

And so we need a new game plan, especially with the horizon of China offering their form of democracy with Chinese characteristics. There is a lot of money going out there and money corrupts people if there's people around, and certainly we have our own problems in this country.

So starting with you, Ambassador Mitchell, you have been around this, I think, since 1971 or I forget what—no, it wouldn't be that long. You'd be a lot older than what you look like on the screen.

But you have been around this for a while. What—I mean, you, obviously, have a perspective where you can say, well, you guys up in Washington redirect this and tell us to do something different from the State Department.

I would like to hear your thoughts on that, and anybody else that wants to weigh in on that.

Mr. MITCHELL. Well, thank you. Yes, 1971 I was, I think, 7 years old. I am showing my age.

[Laughter.]

Mr. YOHO. You were just ahead of your time.

Mr. MITCHELL. Indeed. Well, look, first of all, I would take issue with respect on the amount of money that has been put into this, in fact.

I mean, the militarization, the use of the military in whether it is Iraq or Afghanistan, that is the trillions of dollars. That wasn't really about democracy building. There was a component of that nation building.

But the work that we do are really in the hundreds of millions for a global fight and billions over the years. So it is actually cost effective, and I would also say that there is a lot more—as I suggest, there's a lot more happening beneath the surface.

This stuff seems to regress but Sam Huntington used to talk about tides and waves of democracy. They go out and they recede, and he actually predicted in 1991, going back to then, I think it was a piece in 1991, 1992, that there will be a receding tide, and he actually predicted the conditions upon which that would happen and those are things that are exactly happening.

When you talk about technology, talk about the rise of new great powers, he talked about regression in Russia and in Eastern Europe, I mean, it is remarkable.

So but what we have now, what we have been able to build is an expectation among people that this is not satisfactory. But, unfortunately, people are voting for some of these demagogues and voting for some of these authoritarian leaders.

Those authoritarian leaders get in, they start chipping away at the safeguards and at the liberal components—you know, the civil society, the media, free media, and all the rest.

But people are fighting back. This is not over. So what we have done is created the kind of expectation. We have created the capacities. We have created, I think, networks and generations of people that expect and demand something different.

Unfortunately, it has only been, really, a generation, when you think about it—the 1990's. I think we declared victory too soon, as Dan Twining, I think, suggested. This is a long-term fight. It will have forward and back.

So I think—I do not want to say stay the course. We have to adjust. We have to deal with things like the new technologies. We have to deal—

Mr. YOHO. Right. Let me—let me break in here, because you brought up something, and if we go back to Ben Franklin, I think it was in 1779 where he said, when asked what kind of government we have, he said, “A republic, if you can keep it.”

So we know these things are difficult. We know having a democratic process to form a government is difficult. But yet, it is worth it because what you brought up or somebody brought up, liberty and freedom is not something innate or is not something solely for the American people.

It's an innate quality that has been bestowed upon us by our Creator that all people aspire to around the world.

And I guess what I want to do is move on, and I appreciate your comments, is to move on to how do we—and I do not want to say force—how do we compel the leaders of those countries to say, you know what, we want what you have, and bring them this way and pull them with our foreign policy and with our—with the tools we have?

You know, and, of course, the DFC is a new tool that we can use to get them to come this way and have metrics in there if they do not meet that to be willing to take it away from them.

Anybody? I have got 16 seconds.

Dr. TWINING. Mr. Yoho, I would just say, U.S. engagement has been an extraordinary source of democratization in Asia—

Mr. YOHO. I agree. I agree.

Mr. TWINING [continuing]. Not just through democracy assistance but through our alliance and security relationships. When we think about the dictatorships you mentioned—South Korea, Taiwan—these are now very strong democracies, and our engagement helps countries steer themselves on the right course.

But that requires making sure that democracy is at the center of our engagement. We should also note that China is so vociferously attacking democracy, including in allied nations, including in very robust democracies like Australia, where they have insinuated themselves into domestic political life and information and free media because the Chinese see this as a way to weaken our leadership and hurt our friends.

So we should care about democracy for that reason, too.

Mr. YOHO. Absolutely. I agree. I have got to yield back because I am over my time, and thank you all.

Mr. BERA. Let me recognize my good friend from California, Mr. Sherman.

Mr. SHERMAN. Mr. Chair, I thank you for having this hearing, and building on the series of human rights hearings we did in this subcommittee last year.

To reprise some of the things we learned in those hearings, we've seen a government in Burma—Myanmar—installed in part because of human rights concerns around the world, in fact, turn out to be a catastrophe with regard to the human rights of the Rohingya people, intent upon ethnic cleansing if not genocide.

We saw the Philippines devolve from an imperfect democracy into a country where democratic values are barely adhered to. We saw that in Pakistan in the southern province of Sindh, Hindu girls kidnapped, forced to convert and marry to old men, and we see political activists there imprisoned and disappeared.

And, finally, and this probably should be underlined because it can get lost, is we see China getting \$1 billion \$2 billion in World Bank concessionary loans.

This is outrageous because, first, China does not need concessionary loans. It has all the capital it needs. Second, because this finances a government that oppresses its people, and third, because it steals World Bank resources from those governments that are really trying to help their people rather than using their economic power to, say, take over the South China Sea.

Our witnesses have brought a couple of important points to our attention. I like the phrase “making the world safe for autocracy” and I will point out that when we make a mockery of democracy in the United States or as they try to make a mockery with their interference in our election, they make it—they do more to make the world safe for autocracy.

And Dr. Ayres reminded us that Freedom House has indicated that India is—has the highest rating, really, in South Asia and continues to be a vibrant democracy. Of course, at hearings last year we explored some issues in India as well.

The question is what can the United States do. We are focused on the floor this week on the Uighurs. Several weeks ago, we passed and we saw signed into law the Hong Kong Autonomy Act, and I want to thank Ranking Member Yoho and Senators Van Hollen and Toomey for their work in getting that passed into law.

Today, we will deal with—or today or tomorrow we will deal with the Uighur Forced Labor Prevention Act. This also builds on Congresswoman Wexton's bill to force disclosures of forced labor and indentured labor in Xinjiang.

I would ask our witnesses do they have any insight into what percentage of goods imported from China are manufactured in the forced labor camps of—by the Uighurs and can the United States be effective.

Last week, the U.S. Customs and Border Protection issued five withhold release orders on products with State forced labor in Xinjiang, Uighur autonomous regions.

So can we be effective in determining which goods are made by slave labor?

Mr. MITCHELL. Do you want me to take that? I do not know, myself, whether it is worth the effort—it is worth finding out and tracing it back. I think that it is absolutely essential.

And I have to say another component of the Uighur issue of the approach that we have to take is yes, we have to lead and we are on a bipartisan basis, which is extremely important.

But we also need partners around the world. We are finding too many other countries, including Islamic countries, who are giving China a pass because of economics or just ideological considerations.

Mr. SHERMAN. I would point out how many Muslim countries are deliberately ignoring, even returning to China dissidents, and the bad rap the United States gets in the world as somehow being anti-Islam and anti-Muslims when it is the United States that took the strongest action with regard to the Rohingya and it is the United States that bombed Serbia in order to protect the people of Kosovo and the Muslims of Bosnia.

My time has expired.

Mr. BERA. Let me go and recognize my good friend from the State of Pennsylvania, Mr. Perry.

Mr. PERRY. Thanks, Chairman Bera.

Dr. Ayres, in your witness testimony you mentioned that the United States is guilty of disruptions to democracy here at home and that undermines our ability to sell democratic values overseas. I am just wondering, do you—do you believe there is any real comparison or moral relativism between China and the United States in the way we treat our respective citizens?

Dr. AYRES. Thank you, sir. I certainly do not believe there is any comparison or moral relativism there. But I do think that when we are at our best in upholding our highest ideals, we are a much more persuasive power on the world stage. That is what I meant by my comments as I wrote in my written statement.

Mr. PERRY. Well, I would agree that we want to be at our best all the time. The CCP, on the other hand, has thrown 1° million people into concentration camps. They forcibly sterilized women and facilitated a permissive rape culture in Xinjiang province.

They have harvested the organs of untold members of the Falun Gong practitioners. They regularly punish those who yearn for fundamental freedoms. We absolutely can and must call out evil, and while our Nation may have issues of its own, which nation does not?

Any of the issues that we have, all of the issues that we have pale in comparison to the evil of the Communist Chinese Party.

Dr. Twining or Twinning—I am sorry if I butchered your name there—is China promoting authoritarianism abroad? I just wonder how do especially Asian governments and elites and public view Chinese policies on human rights? I mean, do they affect their attitudes toward a relationship with China or is it—is it more transactional, especially on economic terms? And in either case, how should we be responding to that?

Dr. TWINING. Great question, sir. So the answer depends on what kind of government it is. As Mr. Yoho mentioned, in Cambodia a

dictator there laps up Chinese investment, is trying to build a Chinese style firewall around the internet, puts the opposition in prison, makes political opposition essentially illegal.

So he is aping the Chinese style in order to cling on to power he has held for decades, including by running fake elections.

So there, China's influence is welcome. Obviously, that is a net negative for the Cambodian people and for U.S. interests. In many countries, however, countries, frankly, leaders worry very much about Chinese meddling, about Chinese involvement in their information space, about China's united front tactics that suggest that somehow a Chinese Indonesian, an Indonesian of Chinese descent is really Chinese and not Indonesian.

So people all over the region worry about the corrupting influence of these closed-door infrastructure deals that China does that are very nontransparent.

So countries are going to transact economically with China but they want balance very much. They want to have many options and very much want to hold on to their sovereignty and their independence. That is a core principle of ASEAN.

The great threat to countries' independence and sovereignty today is not the United States. That was the argument maybe decades ago.

It is China, and it is meddling in many of these countries, and our response should not be to make it us versus China but it should very much be about supporting what the people of those countries want, which is free and accountable institutions, leaders who answer to them, and not Beijing or anything else.

Mr. PERRY. Well, then continuing on, I know that there are criticisms about the Indo-Pacific strategy, even while we went decades, in my opinion, without a coherent strategy.

While there might be apt criticism of that strategy right now, at least we have one.

Where would you say we are excelling and where would you say we are falling short and need further—some changes or course corrections regarding the Indo-Pacific—the current Indo-Pacific strategy?

Dr. TWINING. Sir, if that is for me, I would just say, very quickly, the—our allies in the Indo-Pacific want all of the engagement and all the U.S. attention they can get. It is a big world. We are a global power, but they appreciate all those congressional visits, all those leadership visits from U.S. principals.

I would say we are doing well as a country with Taiwan. That relationship has grown strongly. We are still doing well with India, partly because Indians have an acute security dilemma with China and many other external concerns, and see America as their most decisive partner, even though it is not an alliance—that we are their most important security partner.

We could certainly do more just in connecting with people. Not necessarily leaders, but people in Southeast Asia, the Pacific Islands. The Chinese are engaged in all sorts of scholarships, all sorts of cultural diplomacy, including in these tiny little outposts in the South Pacific. They see them as very strategic.

We should want to make sure that all those countries remain free and independent so that they can be good partners and allies

and provide security to their people and, again, not be answerable to a foreign country.

Mr. PERRY. Thank you. My time has expired. I yield.

Mr. BERA. Great. Let me recognize my good friend, the gentlelady from Pennsylvania, Ms. Houlahan.

Ms. HOULAHAN. Thank you, Mr. Chair, and thank you very much to the witnesses who are here virtually. My question—my first couple of questions are for Mr. Mitchell and for Dr. Twining.

My question—you mentioned briefly a bit about technology—is what is the role that technology is playing right now in human rights abuses through Asia, particularly in China, Vietnam, and Thailand, and do we, as the U.S., have any diplomatic tools available to help shape international norms regarding the use of surveillance technology in human rights protections?

Mr. MITCHELL. Well, there are a number of factors, and you mentioned particular countries. I think a broader issue throughout Asia with technology is the proliferation of disinformation, which is in hate and division.

That is extremely important. Again, when I was Ambassador in Burma it was decisive in many ways and we are seeing that in other countries.

In the closed societies, it is the challenge of the digital firewall of having sort of sovereign—digital sovereignty by an individual country where there is not an open internet and, therefore, people, if they do try to communicate with each other or organize or exercise their freedoms, that they will have the authorities come in immediately and grab them. Or companies that abide by that that say, well, that's the local law. Therefore, we have to abide by it. That is simply unacceptable.

I think what we need to do is help—not just talk to the companies but help the people subvert that kind of firewall and so that they are able to speak freely and engage freely with each other.

Ms. HOULAHAN. So do we have any diplomatic tools? You mentioned a couplet that are sort of maybe more domestic in nature and, of course, the subversion. But is there anything in the diplomatic space that we have as the U.S.—and from the U.S.'s perspective?

Mr. MITCHELL. I am sorry. I will ask Dan to—do you want to?

Dr. TWINING. The administration has this—Congresswoman, a great question. The administration has this new initiative which is about the security of supply lines and including digital supply line that Under Secretary of State Keith Krach has been leading. That feels like a valuable initiative.

More broadly, really, we should just, I think, understand that the contest underway in the world between freedom and autocracy, between democracy and what the Chinese have to offer, is very much taking place in the digital domain including in the information domain.

We have had lots of churn at the U.S. broadcasters, including Radio Free Asia and these other instruments that are supposed to be getting free and independent news out there—VOA. We have—we have seen the Chinese really doubling down on engaging with media, again, including in very friendly countries to us like Australia, as well as just across the region.

And so paying more attention to media freedom issues, paying more attention to kind of making sure that U.S. broadcasting gets into these countries and also that democracy activists have digital tools so that democracy can fight back so that it's not simply China providing the surveillance suite to dictators but that democratic civil society activists have their own suite of technologies they can use to organize and hold governments accountable and demand more responsiveness and transparency.

Ms. HOULAHAN. Thank you. I very much appreciate the answers and the thoughtfulness.

My next question is for Mr. Mitchell again and Dr. Ayres about the Rohingya women who are, of course, suffering gross human rights abuses at the hands of the Burmese military, who are using systematically gender-based violence tactics.

The current environment in which Rohingya women and girls are finding themselves in does not appear to be any safer than it has historically. What is the status of women and girls in Bangladesh refugee camps and what more can be done to address gender-based violence in this crisis?

And, specifically, how can we better include women in their own discussions of human rights and protection? Perhaps Dr. Ayres could start here.

Dr. AYRES. Thank you. Thank you, Congresswoman. I wasn't sure if I should step in.

I would be happy to get back to you with more specific information on the status of women and girls in the refugees camps.

But I can certainly say without having that detail immediately in front of me that the conditions of the camps are something that has long been a concern, and as this State of emergency and the fact that they are having to continue to live in what should only have been temporary, as long as this extends forever with no place for them to go, this becomes a real issue that needs some kind of a solution.

The Bangladeshi government keeps seeking a repatriation effort, and I think we all know that there is no security for the refugees in their homes in Rakhine State.

I do not know if Ambassador Mitchell has more information on this. Of course, he has spent so much of his career working directly on this issue.

Ms. HOULAHAN. I have—

Mr. MITCHELL. Thank you.

Ms. HOULAHAN. Go ahead. Go ahead.

Mr. MITCHELL. Do I have time here? Yes.

Ms. HOULAHAN. Yes.

Mr. MITCHELL. Just very quickly. The issue of gender-based violence, there are two aspects to it. One is what the Burmese military and the Burmese side has done to the Rohingya—to women, to men, to all—and then there is what is happening in the camps and the fact that when you are stuck in that kind of situation the frustration, the lack of access, the lack of any kind of policing or hope has created an endemic of gender-based violence against women.

We have to focus on this. It gets to the broader issue of the Rohingya. Not only do we have to figure out the political aspects

of it but the personal aspects of their dire situation day by day, and taking care of them as human beings and it must, as you say, include the issue of what is happening to the women.

Ms. HOULAHAN. I apologize. I have run out of time, and I yield back. Thank you.

Mr. BERA. Thank you.

Let me go ahead and recognize my good friend from the State of—the gentleman from the State of Michigan who joins us virtually, Mr. Levin.

Mr. LEVIN. Thank you so much, Mr. Chairman, and I want to thank our witnesses for helping us in this really important hearing.

This month, Disney released its live action version of “Mulan.” Viewers quickly noticed that the credits included “Thank you” to the authorities in Xinjiang where the movie filmed and where China has detained an estimated 1 million or more Uighurs and other largely Muslim ethnic minorities. A “Thank you” even went to the Turpan Police Security Bureau, which runs the internment camps, or some of them.

Hollywood taking pains to ensure films succeed in China is not new. Last month, PEN America put out a report describing how film makers make decisions about and even changes to films to appease Chinese censors.

But here, and I will emphasize, it is not clear this necessarily happened. It seems possible Disney might have coordinated to some extent with the same authorities committing crimes that include torture, forced sterilization, and forced labor.

Even if Hollywood does not cooperate with Chinese authorities outright, they could self-censor, as the PEN America report points out.

If studios do not want to anger the Chinese government, they are not going to tell stories about the oppression of Uighurs or Tibet or about 1989, and if those stories aren’t told it’ll be that much easier for Chinese authorities to continue their abuses.

So I will pose this question to Mr. Mitchell and Dr. Twining. What can be done to tackle this problem?

Mr. MITCHELL. I will start, I suppose.

Well, look, money talks for—in businesses, including Hollywood, unfortunately. But exposing this, I think. Transparency. This is what China hates, I think what also anyone who is doing something that is abhorrent in terms of values hates the most.

So I think PEN America did a tremendous service in their extensive report. I think you and others in the U.S. Congress spotlighting this is extremely important.

I think their recommendation ensuring that whatever is done in terms of censorship, in terms of editing, in terms of violating these liberal—these democratic and human rights norms should be exposed, to be transparent about what they are doing, and I think there is a lot more attention to it in the United States and elsewhere that will create boycotts and other things that can have a great impact. That will talk probably most to companies than anything else.

Dr. TWINING. Congressman, thank you for flagging this. I mean, the issue is not new, but China’s ambitions actually are. We are seeing a Chinese Communist Party effort to censor and control

speech, not just in China, which has always been the case, but now outside of China.

We have seen with BNBA, we have seen with Disney, as you correctly point out, that they want to change the conversation in America about sensitive topics in China. And I suspect you will agree that Americans will not stand for that. That is not something that will go over well with America and our free speech traditions.

I should add that the Chinese Communist Party, as part of this extraordinary national security law they imposed unilaterally in Hong Kong, have made it a crime to support freedom for Hong Kong, to support the basic rights of Hong Kong citizens as enshrined in their constitution.

They have made it a crime to support those rights anywhere in the world. They have sanctioned Derek Mitchell and me personally for our support for the people of Hong Kong.

So this is an extraterritorial attempt, again, to make the world safer for Chinese autocracy in the digital domain, in the cultural domain with movies, and free society should not stand for it.

Mr. LEVIN. Well, absolutely. And let me stick you with the Uighurs for a minute. Let me ask both of you, what do you think are the areas of the U.S.-China relationship that give us the greatest leverage to use to try to influence Chinese policies and activities in Xinjiang.

Do you have any ideas about things that we as the Congress could do in this regard? Or the administration, I guess.

Mr. MITCHELL. Yes. It is difficult—too much leverage when China wants to do something on their own turf like this.

But I do think that embarrassing them, exposing it, they hate that. They absolutely hate that, and sending around word to allies, to partners, to the world, I think that has a huge impact as we have seen already when this was exposed as it was in Hong Kong and otherwise, and Tibet.

I think sanctioning individuals and targeting sanctions is very important. I think that also hurts them where it matters. I think the economics, as you say, of targeting those businesses that do the—American business, Western businesses, any businesses that are doing work there, that hits them where they hurt.

What the Chinese Communist Party most wants is they want to maintain their hold in their country, and how they do that is via economic development.

So the degree that you can hit them in the pocketbook and in their reputation in the glory of the new Chinese rejuvenation I think is the best leverage you can have.

Mr. LEVIN. Well, thank you.

Mr. Chairman, I see my time has expired. I could ask questions about Burma and the Rohingya refugee camps and so forth but I better yield back.

Thank you so much.

Mr. BERA. Thank you. Let me go ahead and recognize the gentlelady from the great State of Virginia, Ms. Spanberger, who joins us virtually.

Ms. SPANBERGER. Thank you so much, Mr. Chairman, and thank you to the witnesses for being here today.

Mr. Mitchell, I would like to begin with a conversation and a question for you. Terrorism and COVID-19 are very real risks and, unfortunately, in some cases we do see governments manipulating these real risks for political convenience in order to justify repression and democratic backsliding, and we can see this in Xinjiang and in Hong Kong as well as other places.

I am curious for your perspective on how we have seen this play out in the past few years. Do you believe this trend is getting worse and could you speak a little bit within the COVID-19 context of what has been the experience on the ground and what you have witnessed?

Mr. MITCHELL. Well, thank you for the question, Congresswoman.

Absolutely. I mean, look, authoritarian is the enemy of democracy. When you inspire fear and you say the terrorists are coming or we have an enemy within or whatever it is or through the pandemic, which is real scary—all of that is real—then you can say, look, you have to give us more power.

We have to centralize the power to ensuring our security, and then that is ripe for demagogues. And we are seeing that today within the China sphere. We are seeing that in Cambodia. We have seen that in the Philippines. We have seen that all over the place.

You will see that in Sri Lanka after the Easter day—Easter Sunday bombing. And in Burma they say, look, we were attacked by the Rohingya.

Now we have to go and attack them, and they have been saying it for 70 years—we have enemies within, therefore you need the military in the middle here. Otherwise, we will fall apart and our security will be destroyed.

So we are seeing it—you know, you do not need an excuse for a pandemic. The pandemic gave a perfect excuse to—for Cambodia and others to declare these emergencies and crack down on civil society and the media or any that say that you are not living up to the democratic promise that you give us.

Ms. SPANBERGER. And a little bit of followup then. What advice would you have for governments or for civil society efforts that are working to ensure these threats are not exaggerated, that there are—that they are not utilized as justifications for limitations on civil liberties and for organizations trying to get the real facts of both being aggressive against this virus but ensuring that that fear that comes with the virus isn't being utilized as a tool.

Mr. MITCHELL. Yes. Well, I think keeping that fight going. I mean, keep it going. But, look, you can point to where there have been successes in Asia. They can point to where things have happened in the world, but we are talking about Asia.

Look what happened in Korea—South Korea. Look what happened in Taiwan. Look what happened in New Zealand and other places where these democracies they partnered with civil society. They partnered with young people who took—with the technologies that exist.

They did not use surveillance to oppress people. They used surveillance to get good information out and they then bounded that surveillance with—by saying we will only use it for this amount of time and it will be under the control of a nongovernmental actor.

It will be transparent. It will be under law and through those partnerships. I mean, Taiwan has seven deaths. I mean, it is incredible.

In Korea—South Korea—same thing. They had an election where no one—they had an election where people during the pandemic came out with their masks and nobody died.

So it is able to be done, and you can point to these circumstances where, yes, other conditions are—other places have different conditions and you have to be careful. But partnering, being transparent, operating under law is not weakness. That is strength and that is the only way you build the civic trust. You get people to go along with you and to deal with the pandemic in a thoughtful and sustained way.

Ms. SPANBERGER. And, Mr. Mitchell, that is such a good point, particularly as we have crossed the threshold of 200,000 lives lost here in the United States. So just recognizing the success other nations have had without the limitations on civil liberties I think is important.

And, Dr. Ayres, with the remaining time, if I could put it over to you, very briefly. Telehealth has been a major priority of mine. I represent rural communities throughout central Virginia, although our suburban communities love telehealth access as well.

One of the things I am hearing from many of my constituents with families back home, particularly in Kashmir, have been related to access to health care, particularly given some of the communications limitations that exist.

Could you speak to the limitations that you have seen, what is the ever evolving circumstance on the ground, and provide any comments for us to have a clear understanding of what continues to be the on-the-ground experience in Kashmir?

Dr. AYRES. Thank you very much for that important question.

Yes, as I think the world saw the abrogation of Kashmir's traditional autonomy more than a year ago was accompanied by, essentially, a communications blackout.

Now, communications have slowly been restored. It was restored first in the Jammu region, not yet in—then later restoration in the Muslim majority region of Kashmir.

There was an important Supreme Court ruling, actually, that took place in India in January of this year where the Supreme Court stated that communications disruptions or communications blackout cannot go on indefinitely.

So that formed the basis for which—under which the restoration of communications very slowly was restored into the Kashmir region.

It is my understanding that communications, including mobile communications at the 2G level have largely been restored, although there may be some districts in Kashmir that do not always have 4G access.

I saw a press report in August that there were a couple districts in Kashmir as recently as August of this year that had sporadic 4G access. There is a security concern, which I am sure you can appreciate, about the ability of terrorists to use 4G in order to coordinate.

So that is another layer on top of all of this. But I think the important check and balance on this question is the fact that the Supreme Court did have that decision about the importance of the fundamental right of access to communications.

Ms. SPANBERGER. Doctor, thank you for handling that.

Mr. Chairman, thank you for allowing me to go over with my time, and I yield back.

Mr. BERA. Thank you.

Let me go ahead and recognize the gentleman from Virginia, Mr. Connolly, who joins us virtually.

Mr. CONNOLLY. Thank you, Mr. Chairman, and thank you for holding this hearing. I am sorry I am late. I had three conflicts at 10 o'clock and I have not got tri-location down yet.

I would like to pick up on—you know, I cannot see who said it to Ms. Spanberger but you were talking about progress and you cited South Korea and Taiwan. But it looks to me, frankly, like Asia, if anything, has regressed.

Whether it is the Philippines, whether it is even India, certainly China we seem to have regressed with respect to any kind of semblance of a free press that is unfettered and free expression and outright human rights violations.

And I wonder if you could just talk about the regression part because what can we do? What leverage have we got to try to reverse some of these stringent measures that have been undertaken by even so-called ally countries like Philippines that have been rather extraordinary in the last few years?

Dr. TWINING. Derek, do you want to start?

Mr. MITCHELL. I start? Okay.

Well, look, there are—first of all, we cannot lose hope. We have to recognize that—as we talked a little bit earlier on this that we have to be quite patient with this, that things go forward and back, and that there are some old guards here that continue to push things in a regressive direction.

And we have younger generations and mass movements and other things going on beneath the surface that are not giving up and that are demonstrating resilience against this backward tide.

And we have to maintain our support, strong support. We have to put the U.S., along with our allies—we have to get our allies involved in the region. We have, as I mentioned, these democratic allies of Japan and Taiwan and Korea and the others to be with us on this.

We have to fortify civil society. We have to support them that exist via oversight, to continue to be resilient against the backsliding to raise a flag. But in some ways, we cannot control what happens in these countries, going back to some old instincts.

But there are new generations that see things differently, that have different expectations.

So as we see things happening, I am not being complacent and I am not suggesting you are wrong. We are seeing regression worldwide.

We also have to recognize that beneath the surface there are economics and expectations that are quite positive and that we need to invest in women as well in order to turn this tide and not lose faith.

Mr. CONNOLLY. And if I could just interrupt. But I would assume that, obviously, having the president of the United States either ignore human rights discussions when he meets with foreign leaders or converses with them is a huge problem because let us take a leader like Duterte in the Philippines.

He, clearly, takes the signal that that is not a priority and that is an enabling and empowering fact in and of itself, the absence of that conversation, the absence of an insistence on civil society, human rights respect, and so forth.

Would you say that that fact has also perhaps aggravated ongoing problems in the region because of lack of this vacuum we have created in terms of American outspokenness and insistence on adherence to these values?

Mr. MITCHELL. Well, I won't speak to the politics because we are not involved in the domestic politics and we should not be as NDI or IRI.

Mr. CONNOLLY. Hold it. Hold it. I am not talking about domestic politics. I am talking about statements from the president of the United States to foreign leaders and conversations with foreign leaders, and whether, from your perspective, it has had a deleterious impact on the work we are talking about.

Mr. MITCHELL. Right. Well, let me—let me put it this way. I think the American model is extremely important. I think America's voice is extraordinarily important. I mean, my friend, Professor Ayres—Dr. Ayres mentioned this—is that, look, we matter.

America's leadership and its model has mattered for generations, and we have never been perfect. We have never been—we have always been a work in progress. But our voice in support of this that the U.S. Congress certainly maintains and other voices in the United States maintained is extraordinarily important to push back against the tide and the liberal forces globally need to hear that.

They need to see it, and the stronger our democracy the stronger we can demonstrate what it means to the proxy and that—and that it creates a stability and security for us, that we are a multi-ethnic multi-religious society.

That will be extremely—it just puts wind behind the work that we do. So in that regard, Congressman, I completely agree with you.

Mr. CONNOLLY. Thank you.

Mr. Chairman, I do not know if I have any more time, but if I do perhaps another panellist would also like to address that.

Dr. TWINING. Congressman, I can pick it up. Thanks for all your support. You know, we have been so struck by congressional support in this recent period, and I think in Asia it's been noticed.

You all have increased support for the National Endowment for Democracy. You have protected those democracy rights and governance accounts in the foreign aid bills, the foreign operations bills.

So, I think we feel a strong degree of support for the work we are doing with partners across Asia from the U.S. Congress and that matters very much in Asia.

So it's not just about one particular leader. It's very much about the U.S. system, and Congress has really stepped up and played a major role here and we are grateful.

Thank you.

Dr. AYRES. Is there time for me to quickly comment?

Mr. BERA. Sure. Go ahead.

Dr. AYRES. Thank you.

Congressman, thank you for that observation. I would just note that from the perspective of our ability to speak out on the importance of human rights, it was extremely distressing earlier this year when the president visited India and a riot unfolded as he was there.

And I recognize that diplomacy can be delicate and difficult. You do not want to necessarily get in public comments about severe problems in another country. That is for a private message.

But the fact that our president did not even speak a word of grief about the deaths of people as it was unfolding I found extremely distressing, and I believe that that also undermines our ability to speak out about the importance of protecting human rights.

Thank you.

Mr. CONNOLLY. Thank you. And thank you, Mr. Chairman.

Mr. BERA. Thank you.

Let me go ahead and recognize my good friend from the State of Maryland, Mr. Trone, who, I think, joins us virtually.

Mr. TRONE [continuing]. On May 2020. This enabled individuals that have lived in Kashmir for periods of 7 years for students and 15 years for those that have worked there to claim residency in the province. What are your concerns about the law and what has been the impact?

Dr. AYRES. Is this for me?

Mr. TRONE. Yes.

Dr. AYRES. Thank you very much.

So this has just begun. I think what the larger concern is that you hear people discussing in India and outside of India is whether this will potentially change the demographic balance. That is, I think, the umbrella concern here.

This is all so new that we do not yet have much of a sense of how it is affecting the region. In fact, I would say we would need more time to understand it.

But this definitely does appear that it will create, perhaps, a different kind of ethnic balance in the place that is India's one Muslim majority territory. So that—I think that is the concern that you are addressing.

Mr. TRONE. Serious—a very serious concern we all have.

Dr. Mitchell, in your testimony you mentioned your democratic partners and allies in Asia can, quote, “do more to strengthen democracies at home as a way to help stem the tide of the democratic erosions on the continent.”

A few weeks ago, the New York Times reported on the situation in Jammu and Kashmir. They noted that many political moderates in the area who had one been aligned with the Indian government have become disillusioned by recent developments.

Some were even arrested and detained by the Indian government last year following the status change. Disengagement among political moderates strikes me as a bad sign.

What kind of support does the government enjoy among residents in Jammu and Kashmir and what type of measures should the Indian government be taking to shore up democracy?

Mr. MITCHELL. Well, thank you for that question.

The—look, India is the largest—we would say is the largest democracy in the world. It is extremely important that its democracy and its values stay on the side of small I liberal values, and what happened in Kashmir, as you suggest, was a kind of emblematic of a regression and an increase in the kind of Hindu nationalism that is concerning to folks.

And, as you say, it is pushing people to extremes. It is encouraging one extreme and it is isolating moderates. Keeping to that middle, I think, is extremely important for the future idea of India, and to the degree that it is an ally in the global fight for democracy and human rights, as suggested in the previous question, the way that we model that at home will be very important for the credibility of our work abroad.

Mr. TRONE. Dr. Ayres again, could you provide an assessment on the impact of India's citizenship amendment bill on year in, and has the passage of this bill played out? How has it played out in the following year and impacted Muslims in India?

Dr. AYRES. Yes. Thank you for that important question. That was something that I also addressed in my written statement. It has certainly been the focus of intensive protests within India and has caught substantial attention in the United States and in other countries around the world.

The citizenship amendment itself, in and of itself, was a point of protest in India because it introduced a religion question—a religious test for eligibility to fast track access to citizenship, and that issue was in and of itself disturbing to some Indian citizens because it is a secular democracy.

But there is a companion issue that presented a scenario that also captured global attention including the attention of the U.N. secretary general, and that was this issue, as I outlined in my written statement.

There was a national register of citizenship exercise carried out in one Indian State, in the State of Assam, and that is a unique process for that State that goes back to partition in 1947.

But there were a number of cases of India's home minister stating that they would seek to carry out a similar exercise around the country.

Now, people began to worry in India that such an exercise if individuals were unable to provide the necessary documentation to prove their citizenship affirmatively, Muslims, who were not named, not a named religion in the citizenship amendment, would not then be able to apply for and have access to citizenship and that might be, potentially, stateless.

That combination of factors is what led to the sustained protests that you saw across India.

Now, as I said in my written statement, India is a Federal democracy. You saw a series of Indian States say they would not implement this or they would not implement a national register were one to be proposed nationwide.

The prime minister later stated in late December 2019 that there had not been a discussion of a nationwide roll out of a citizenship register.

So for the time being, that question appears to be on hold. But, certainly, this has been a concern. It continues to be a concern within India.

Thank you.

Mr. TRONE. Thank you, Doctor. I yield back.

Mr. BERA. Thank you.

Let me go ahead and recognize our colleague, the gentlelady from Nevada, Ms. Titus, who joins us virtually.

Ms. TITUS. Thank you, Mr. Chairman, and thank you for holding this hearing today with this esteemed panel of witnesses.

I can certainly attest to the really valuable work that NDI and IRI do around the country as a member of the House Democracy Partnership we have worked together on in many instances, and I am always amazed at what all they do building citizenship, working within NGO's, teaching people how to run for office, getting out the vote, dealing with corruption.

It is just amazing, and they do it with so few resources. I want to say thank you and please keep it up. It is such an important part of our soft power.

Mr. Mitchell, you mentioned, I think, at the beginning of your comments that democracies need public support. They need for people to have confidence in them, especially in legislatures, that they—the countries will be able to take care of them, of their citizenry, whether it is a pandemic or in an economic crisis, and that they can do that while still keeping in place or even expanding democratic norms.

That means that we, as the United States, need to help to demonstrate to countries that they can thrive economically and that they can defeat a virus or they can handle national security while at the same time respecting rules of law and human rights while protecting civil liberties, supporting an independent media, implementing other democratic principles.

Unfortunately, the United States is not setting the best example right now. We have seen that with the recent protests, our inability to defeat the pandemic, our lack of a plan for an economic recovery. So we are not being the best example setters. It is kind of do as we say, not as we do.

So I wonder how the United States can help instill public confidence in democratic institution and actors and the abilities of their countries to deliver for them.

What specific areas are there that we can help countries to achieve their goals of being more democratic while also proving to their citizens that these democratic principles really will work to their best interest?

Mr. MITCHELL. I will start on that.

First of all, Representative Titus, thank you so much for the support on HDP, which is a really important program and one of my favorites, frankly, in working with our colleagues in IRI, and the support of Congress and yourself is extremely valuable. So thank you for that.

Look, democracy has—is challenged in these ways. Forgive me. I am forgetting the question now.

[Laughter.]

Ms. TITUS. Well, it was—it was rather convoluted. I just—how do we help governments ensure their publics that democracy works to their advantage when they are facing a pandemic or an economic crisis or pressure from some less democratic powers perhaps in their region.

Mr. MITCHELL. Right. Well, look, the institution building, the foundations of the society institutions need to be strengthened.

People need to see that their government is transparent. We have to encourage that kind of accountability and transparency so people can feel that they are working—the government is working for them, that something has changed.

You know, you can change—you can have an election. You can have even a parliament. You can have institutions that kind of go through the motions. But the mindsets take much longer.

But people need to see that the new system, the new processes, are actually responsive to them. There is no sort of single thing that you can do. But people need to feel that it is—that somehow it is different than the old autocratic ways.

How we can help is we should be investing not just in the NDIs and IRIs in the political sphere. We have to be investing in the economic sphere, in the aid and assistance sphere.

We have to, when we see the openings, not just walk away and say, well, they have an election or democracy. We have to invest in the economies and the businesses, try to encourage greater private sector engagement so that people can get jobs.

Because, fundamentally, if people do not get jobs, if they do not see economic progress, people will say, this is nice but I am not taking care of my families and I will turn to somebody who will tell me easy solutions to these more difficult problems.

There is no silver bullet on this. But I think the economic component to what we are talking about is extremely important.

Ms. TITUS. Thank you. Now, we often say in those meetings it is not just the elections that are important but what happens between the elections that really make the difference to build those institutions.

Thank you very much. Anybody else care to—

Dr. TWINING. Congresswoman, could I just say thanks for all your support on HDP and your leadership? You know, we need to make—we need to show that democracy works, and in Asia we should not forget the most successful, most prosperous societies in Asia are all rule of law countries with very strong institutions.

From Japan to South Korea to across the board, down to Australia and over. Indonesia and Malaysia have their own democratic transitions here over the past few decades, that what China has to offer still is not proven.

The premise from the Chinese Communist Party, that we can help you be prosperous but without political rights, was rejected by the richest people in China, which is the people of Hong Kong. Their per capita incomes are, like, five times higher than people in the rest of China.

They do not accept the proposition that prosperity without rights is a deal. They want both, just like rising Asians have wanted both as their countries have grown economically and politically.

So let us remember what actually delivers that prosperity, which is rule of law, property rights, strong institutions.

Thank you.

Ms. TITUS. Thank you.

Well, thank you, Mr. Chairman.

Mr. BERA. Thank you.

If the witnesses would indulge me, I would actually like to ask another question, and just, again, listening to some of the comments that came up. Maybe this one would be for Ambassador Mitchell and Dr. Twining.

Again, listening to your assessment of the region and how we strengthen democracy, it does occur to me that multilateralism, working with our like-minded colleagues in countries like Korea, Japan, Australia, India, and taking a multilateral approach.

So, I think a question for the two of you would be what tools and instruments already exist where we can take that approach, we take it in the geopolitical realm of maritime security and freedom of navigation but in democracy building, how we can leverage that?

And then maybe for Ms. Ayres, I do have some concern that China uses economic coercion. You know, we could use the Sri Lankan port example, and is China using that economic coercion to undermine democratic principles in some of these smaller Asian nations or emerging democracies.

So maybe, first, Dr. Mitchell—Ambassador Mitchell and Dr. Twining and then Dr. Ayres.

Mr. MITCHELL. Well, thank you for that question and, again, I completely agree that we need to be leveraging. It cannot just simply be the U.S. and China, for instance.

We have to galvanize the democratic world, whether it is in Asia or elsewhere, because these values work for all of us, and the more that we can demonstrate that China is—this is not some—not simply a great power competition but China versus the world or China versus its neighbors, it gives us extra leverage.

Look, I think one way we have to do this, we have to coordinate better. We do not think about governance as a core component of American foreign policy in promoting this. We all agree that this is important.

But, I have been promoting this notion of a fourth D in U.S. foreign policy because of the centrality of democratic governance to our international security. It is not just a nice thing. It is essential for our future stability and prosperity.

When I say fourth D, that is, in addition to diplomacy, development, and defense to be democratic governance. And I think we should be talking to them about integrating it into everything that we do, and to our diplomacy, certainly. But also when we have investment—our foreign investment, we should be integrating democratic values, accountability, transparency, inclusion.

All these things are not simply important for the governance of countries but governance of the international system of rule of law when it comes to maritime law. We want to have following international law. This is very important for our security.

So getting Japan, getting India, getting Australia. I think they are already starting to get this. I, frankly, think the China factor is helping in that regard.

People are seeing what the alternative as China is out there doing this. They are shaping these norms according to their interests and their image, and we need to be much more mindful with our allies in not just the military stuff, that security side, which I have a background at the Pentagon.

I understand that stuff. I was at State Department. I understand diplomacy. But on the values, we tend to think those are nice things. Those are important things but they may not be as strategic for—as integrated into what we do. You know, I think we need to be talking to our partners in that way.

Again, not simply vis-a-vis China but simply as a positive sum whereby doing this we make the world more healthy. You know, in health, education, all these other outcomes are much more likely to come out in positive—in a positive sum direction.

Mr. BERA. Dr. Twining?

Dr. TWINING. Thanks, Congressman. I second what Ambassador Mitchell said. I would also just add, in a more workman like fashion a lot of our work these days is not about people like Derek and me flying to Asia and telling them what to do.

They do not need to hear it from us. A lot of our work is about taking lessons learned in Asia and having Asians share those with other Asians.

So as Derek mentioned earlier, NDI and IRI are both opening offices in Taiwan. Taiwan does not need a lot of help with its democracy. It's a very strong and robust democracy.

But the Taiwanese have many lessons to offer other Asian countries about how, for instance, China runs disinformation campaigns in an effort to swing Taiwanese elections, to take the vote away from Taiwanese voters and put them in the hands of a foreign power.

So we—to give another example, we have taken Indonesians to the Maldives after the Maldives had a transition from dictatorship to democracy to talk about how do you run a smart transition, how do you root out corruption from the old regime, et cetera.

And there are a lot of lessons for Asians from within Asia because Asians have been fighting for these values for many, many years, irrespective and independent of the United States.

But finally, I would just say our greatest allies and partners in the region are democracies, from Japan to India and many countries in between, and we should not be too shy about new mini-lateral and multi-lateral instruments—the Quad, for instance—U.S., Japan, Australia, India. The D-10 concept of kind of the G-7 plus the three big Asian democracies.

We should not shy away from the idea that there is a role in geopolitics for working very closely, much more closely with our fellow democracies because we share, frankly, just a set of interests as well as a set of values.

Thank you.

Mr. BERA. Great. Thank you.

Dr. Ayres, if you would take a quick moment on the economic coercion piece.

Dr. AYRES. Yes. Thank you for asking that, Chairman Bera. That is a very important component here, and I think this is something we have to remember. The United States is not the only actor in this region.

China is an increasingly important and influential actor as it has strengthened its ties with virtually every one of the countries in South Asia with the exception of India, where there is now a border standoff. That is a subject of another discussion, obviously.

The economic coercion piece is part of this, as we have seen over and over again. All these cases of Belt and Road investments, sometimes the investments appear to be politically driven.

In other cases, of course, it happens quickly. There is no environmental review. There is no governance review. There is none of the normal checks that would go into a development bank funding of an infrastructure project.

And, of course, along with that economic investment and economic relationship with the smaller countries, one of the things I have been noticing is the way China has been setting up party-to-party kinds of relations and consultations.

There was a video conference between the Chinese Communist Party and a multi-party group in Sri Lanka a few months ago. There was a consultation, what, late July or early August between the Nepal Communist Party and the Chinese Communist Party.

So we are seeing a kind of direct engagement party-to-party as opposed to government-to-government, which is another development that I think we should all keep our eyes on.

Thank you.

Mr. BERA. Great. Thank you.

Let me recognize the ranking member, Mr. Yoho, if he has any closing remarks or questions.

Mr. YOHO. I do, and I appreciate it. And, Mr. Chairman, again you have done a great job. This is a very informative meeting.

Dr. Ayres, you just brought up a point I wanted to bring up, and how China is not just going country to country. They are going with in that country to the different political parties.

In fact, I was just reading last night that they are engaged in over 400 parties around the world in different countries. There was a great expose. It was 60 Minutes of Australia and the topic is why is China on the move in the South Pacific. I recommend that highly to everybody.

And, as we know, the world is in a tectonic shift of world powers we have not seen since World War II, and we see China is the destabilizing factor. Of course, they blame us. But we see by their actions and their—what their intent is, and they are offering their form of government.

And so it is easy for these weaker nations to bow down, be complacent, and be coerced by China's money. And with the DFC being out there to counter the BRI, where do you think we need to put the biggest emphasis on?

And I think it was Dr. Twining, you were talking about we have to get in there and stay with promoting democracies and building those but we also have to have the ability to have the metrics in there and if that country does not meet it to pull that back.

If you guys have comments on that, I would sure love to hear it.

Dr. TWINING. Alyssa, do you want to go first?

Mr. YOHO. Dr. Ayres, go ahead.

Dr. AYRES. I will take—thank you. Thank you.

I do believe that the creation of the DFC is important. It is my understanding that it is not quite up and running 100 percent. So we have yet to really see what it can do as a potential alternate to these kinds of infrastructure underwritings.

The other piece of the DFC is that it is in part designed to help crowd in private sector engagement and private sector investment, so that is another part of the story.

I think we may need more time before we are able to see how effective this mechanism can be.

I would note that we also have another very effective source of U.S. Government assistance that depends on, is premised on, good governance indicators and that is the Millennium Challenge Corporation.

And I would just caution that in the South Asia region we have now seen two examples, in Nepal and in Sri Lanka, where the long process of engaging toward a Millennium Challenge compact agreement large investments, about \$500 million in each case, toward transportation and power infrastructure.

These have actually been held up in both of those countries because of political concerns. The Nepali government does not want to be part of the U.S.-Indo-Pacific strategy or feel that it is somehow being brought into the Indo-Pacific strategy.

The Rajapaksa government is suspicious of the U.S. MCC. So I would just offer those two examples as cases where we have got a terrific tool but it has run into some challenges for political reasons in the countries concerned.

Thank you.

Mr. YOHO. Thank you. Let me see if Dr. Twining has any comments.

Dr. TWINING. Yes, sir. Yes, sir. Thank you, Congressman. You have been such a leader, including with your Cambodia Democracy Act and that is a reminder that we do have tools and leverage.

The Europeans in Cambodia have suspended trading privileges that they had offered to Cambodia. Cambodia is very reliant on our GSP still.

So some of these economic instruments matter in both a negative sense but also in a positive sense when countries do well. We should be working with them on new trade and financial arrangements. The Chinese do come in and do this in their own way and we should get back to that as a country.

Mr. YOHO. I agree.

Dr. TWINING. Sir, you mentioned, do we withdraw support when a country backslides on democracy. I would argue that most of our support for countries should not go directly to their governments.

It should go to independent civil society, free media, independent institutions, and not just go into a central coffer that disappears.

In the past—we have gotten a lot smarter about this as a country, but in the past a lot of U.S. development assistance disappeared because we were giving it to friendly autocracies, in some cases, who did not have any means of accounting for it.

So let us make sure that we invest in these democracy and governance instruments because we want to make sure that U.S. taxpayer money is being used well, and for all our investments in nutrition and health and infrastructure and nondemocracy areas.

Without some accountability and transparency, we do not know where that money is going. So the democracy and governance investments that Congress makes actually helps us make sure that America gets more bang for the buck on all these other forms of assistance beyond democracy and good governance.

Thank you.

Mr. YOHO. Ambassador Mitchell, do you have any final comments?

Mr. MITCHELL. Well, let me just reaffirm something I said at the start and what you are suggesting, Congressman. We are in a competition of norms and values and standards now.

Mr. YOHO. We sure are.

Mr. MITCHELL. And the Chinese are out there shaping things in their—according to their norms and they are out there fighting this very actively and very consciously, and we need to be similar.

We need to be strategic, we need to be thoughtful, and we cannot fight it simply by fighting on their turf in their ways. We have an alternative model as suggested, and that transparent, accountable, inclusive—that we actually care to invest in countries, not extract from them, and that we look for partnerships.

And it is that model that created the peace and stability of the last, as you say, 75 years.

Mr. YOHO. Right.

Mr. MITCHELL. And it is now at risk and we need to be out there shaping these very actively.

Mr. YOHO. Thank you. I appreciate everybody, and Mr. Chairman, another great hearing and the witnesses were awesome. Thank you.

Mr. BERA. Great. Thank you, Ranking Member Yoho.

I also want to thank our witnesses and the members who participated in this very important and interesting hybrid hearing.

And with that, the hearing is adjourned.

[Whereupon, at 11:50 a.m., the committee was adjourned.]

APPENDIX

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

Subcommittee on Asia, the Pacific, and Nonproliferation

Ami Bera (D-CA), Chairman

September 22, 2020

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, the Pacific, and Nonproliferation in Room 2172 of the Rayburn House Office Building. Pursuant to H.Res. 965, Members who wish to participate remotely may do so via Cisco WebEx. The hearing is available by live webcast on the Committee website at <https://foreignaffairs.house.gov/>.

DATE: Tuesday, September 22, 2020

TIME: 10:00 a.m. EDT

LOCATION: 2172 Rayburn House Office Building

SUBJECT: Stemming a Receding Tide: Human Rights and Democratic Values in Asia

WITNESS: Derek Mitchell
President
National Democratic Institute

Dr. Alyssa Ayres
Senior Fellow for India, Pakistan, and South Asia
Council on Foreign Relations

Dr. Daniel Twining
President
International Republican Institute

By Direction of the Chairman

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COMMITTEE ON FOREIGN AFFAIRS

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MINUTES OF SUBCOMMITTEE ON Asia, the Pacific, and Nonproliferation HEARING

Day Tuesday Date September 22, 2020 Room 2172 & via WebEx

Starting Time 10:05am ET Ending Time 11:48am ET

Recesses (___to ___) (___to ___) (___to ___) (___to ___) (___to ___) (___to ___)

Presiding Member(s)

Chairman Ami Bera

Check all of the following that apply:

Open Session

Executive (closed) Session

Televised

Electronically Recorded (taped)

Stenographic Record

To select a box, mouse click it, or tab to it and use the enter key to select. Another click on the same box will deselect it.

TITLE OF HEARING:

Stemming a Receding Tide: Human Rights and Democratic Values in Asia

SUBCOMMITTEE MEMBERS PRESENT:

*Chairman Bera, Rep. Sherman, Rep. Titus, Rep. Houlahan, Rep. Connolly, Rep. Levin, Rep. Spanberger
Ranking Member Yoho, Rep. Perry*

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

Rep. Chabot

HEARING WITNESSES: Same as meeting notice attached? Yes No

(If "no", please list below and include title, agency, department, or organization.)

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

TIME SCHEDULED TO RECONVENE _____

or

TIME ADJOURNED _____

Clear Form

Note: If listing additional witnesses not included on hearing notice, be sure to include title, agency, etc.

Subcommittee Staff Associate

WHEN COMPLETED: Please print for subcommittee staff director's signature and make at least one copy of the signed form. A signed copy is to be included with the hearing/markup transcript when ready for printing along with a copy of the final meeting notice (both will go into the appendix). The signed original, with a copy of the final meeting notice attached, goes to full committee. An electronic copy of this PDF file may be saved to your hearing folder, if desired.

STATEMENT SUBMITTED FOR THE RECORD

**“Stemming a Receding Tide: Human Rights and Democratic Values in Asia”
HFAC Asia, the Pacific, and Nonproliferation Subcommittee Hearing
10:00 AM, Tuesday, September 22, 2020
2172 RHOB
Rep. Gerald E. Connolly (D-VA)**

The hearing today will examine the human rights situation across the Asia Pacific region and the consequences of the Trump Administration’s abdication of American leadership on human rights. This Administration’s prioritization of political expediency and its glorification of transactional diplomacy have empowered anti-democratic forces and authoritarian one-party states around the world. And under Trump’s watch, several Asian countries have undergone severe democratic backsliding and intensified crackdowns on human rights.

Under Xi Jinping’s relentless campaign for power consolidation, the Chinese government has placed even greater restrictions on freedom of thought and expression, deploying tens of millions of surveillance cameras to keep tabs on citizens as well as activists, dissidents, and other vulnerable groups. The internment of 1.5 million Uyghurs, including hundreds of intellectuals, in “re-education centers” is beyond condemnable and demands Congressional action. I welcome consideration in the House this week of the Uyghur Forced Labor Prevention Act (H.R. 6210) and the Uyghur Forced Disclosure Act (H.R. 6270), which will help crackdown on companies using forced labor in the Xinjiang Uyghur Autonomous Region of China. The erosion of human rights, rapid deterioration of civil and political rights, and curtailment of basic freedoms -- of the press, speech, and association -- in Hong Kong are alarming. China’s passage of the new National Security Law in Hong Kong portends much more to come if the Trump Administration continues to respond to China’s egregious human rights record in a knee-jerk and ad-hoc fashion that seeks to paper over these moral imperatives with cheap trade deals meant only to benefit the President’s re-election prospects, as documented by the President’s former National Security Advisor John Bolton. Finally, the Trump White House’s multiple strategies for dealing with North Korea have relegated human rights issues to the back burner, invoking them only when politically expedient.

India, the world’s most populous democracy, is the site of religious discrimination, intolerance, and violence, with the government promulgating laws and adopting practices that discriminate against Muslims and other religious minorities. Religious freedom conditions continue a downward trend across India, which was designated in 2018 as a Country of Particular Concern for religious freedom. Turning to Burma, three years after the 2017 violence that drove an estimated 745,000 Rohingya refugees from Rakhine State, an estimated one million Rohingya live in the 34 refugee camps in Bangladesh while another 600,000 remain precariously vulnerable in Burma. For the ethnic groups living on the country’s periphery, they remain in the crossfires of the decades-long civil conflict and subject to murder, torture, sexual violence, and other serious human rights abuses. I was part of the bipartisan House Democracy Partnership delegation that visited Burma in 2019 and raised these concerns directly with State Counsellor Aung San Suu Kyi.

Hun Sen in Cambodia and Duterte in the Philippines maintain their grip on power through political suppression and extralegal means. Duterte's "War on Drugs," which has resulted in thousands of extrajudicial killings, has led to only the suspension of the U.S. assistance on counternarcotic activities. Unfortunately, Trump has shrugged off Duterte's brutal anti-drug tactics and boasted about his "good relationship" with Duterte, who in response heartily endorsed Trump for re-election and also named the President's business partner as an envoy to the United States early in the Administration.

The United States cannot lead the global community in efforts to protect and advance human rights and freedom when Trump speaks glowingly of autocratic leaders who stifle dissent and snuff out nascent pro-democratic movements. Rather than redoubling efforts and resources to improve human rights conditions, the Trump Administration's FY 2020 budget proposed a 21 percent cut in foreign aid, with the steepest cuts to assistance for refugees and conflict victims as well as contributions to international organizations. The budget proposed to slash aid to Bangladesh by 28 percent as the country attempts to manage the Rohingya crisis.

Instead of acting rapidly to protect their citizens in the time of a pandemic, some governments in the region have used the coronavirus outbreak to curtail freedoms and undermine democratic processes. In Hong Kong, the government has cited COVID-19 restrictions to postpone by one year the Legislative Council Election. China, India, and some southeast Asian countries have declared emergency law or acted against journalists in connection with their reporting. We must remain vigilant against all governmental efforts, taken under the guise of coronavirus responses, to infringe on privacy or restrict basic freedoms here in the United States and abroad.

These are the stories that made the news headlines. But there are many more stories of the voiceless and powerless populations that face persecution and repression by their own government or suffer from discrimination and acts of violence. The United States must speak out on their behalf. Under Trump our silence is deafening.

The United States has long been concerned about human rights conditions in the Asia Pacific. That is why one U.S. president to the next, from both sides of the aisle, have made human rights a U.S. foreign policy priority in the region and worked with our allies and partners to advance human rights for all. The Trump Administration's failure to uphold that precedent has emboldened authoritarian leaders, and the repercussions of American silence will reverberate far into the future. I look forward to the experts' testimonies and their recommendations on how we can help improve human rights and rule of law in the Asia Pacific region.

AMNESTY INTERNATIONAL LETTER

**AMNESTY
INTERNATIONAL**



September 21, 2020

Rep. Ami Bera
Chairman
Subcommittee on Asia, the Pacific, and
Nonproliferation
House Committee on Foreign Affairs

Rep. Ted Yoho
Ranking Member
Subcommittee on Asia, the Pacific, and
Nonproliferation
House Committee on Foreign Affairs

Re: September 22 hearing on "Stemming a Receding Tide: Human Rights and Democratic Values in Asia"

Dear Chairman Bera, Ranking Member Yoho, and Members of the Subcommittee:

On behalf of Amnesty International, we submit the following statement on the situation of human rights in Asia. Human rights crises are rocking every country in Asia. Many governments have used the COVID-19 pandemic as a pretext to impose heavy-handed repressive measures while others have jailed human rights defenders and peaceful dissenters.

China: In recent years China's government has drafted and enacted a series of restrictive laws in the name of national security that present grave dangers to human rights. Human rights defenders, including lawyers and activists, are increasingly subjected to monitoring, harassment, intimidation, detention, and imprisonment.

In July 2015, an unprecedented [government crackdown](#) on human rights lawyers and other activists began during which at least 250 targeted individuals were questioned or detained by state security agents. Many detained human rights lawyers and activists were held incommunicado for months awaiting trial. Some of them suffered torture and other ill-treatment during detention.

The internment of predominantly Muslim ethnic groups in Xinjiang Uyghur Autonomous Region (Xinjiang) has intensified since March 2017, when a "Regulation on De-extremification" was adopted in the region. Open or even private displays of religious and cultural affiliation, including growing an "abnormal" beard, wearing a veil or headscarf, or even prayer can be considered "extremist" under the regulation.

Since then, there has been a growing government campaign of [mass internment](#), intrusive surveillance, political indoctrination, and forced cultural assimilation against Uyghurs, Kazakhs and others in Xinjiang. It is estimated that up to [one million people have been held in internment camps](#) where they have endured a litany of human rights violations. Detainees have been subjected to political and cultural indoctrination, children have been separated from their

parents, and there have been numerous allegations of torture and other ill-treatment in these camps.

[Protests](#) arose in September 2020 in China's Inner Mongolia Autonomous Region in response to a new "bilingual education policy" that would gradually change the teaching medium of several different classes from Mongolian to Mandarin Chinese throughout the nine years of compulsory schooling. At least 23 individuals have reportedly been arrested for "picking quarrels and provoking trouble" for participating in, or sharing information about, the peaceful protests. The authorities have yet to release information about the whereabouts of arrested individuals.

The U.S. must recognize that a rights-respecting China is a U.S. national security imperative and would help the U.S. achieve its other political, economic, and security goals. Congress should robustly fund and support human rights non-governmental organizations that support human rights defenders including through prison visits, legal representations, consultations with human rights defenders, provisions of visas, and trial monitoring in China.

The situation in Xinjiang is graver than ever. The United States should make this human rights crisis a national security priority by calling for and supporting a [UN fact-finding mission to Xinjiang](#), holding accountable the Chinese government officials who are responsible for abuses, and providing protection opportunities to Uyghurs and other persecuted populations from Xinjiang to ensure humanitarian pathways to the U.S.

Hong Kong: On June 30 China's top legislative body passed a [draconian national security law](#) for Hong Kong that entered into force the same day. Under the new law, "secession," "subversion," "terrorism," and "collusion with foreign forces" incur maximum penalties of life imprisonment. The law is dangerously vague and asserts jurisdiction over alleged offenses committed outside Hong Kong. The overly broad and imprecise definitions in the legislation mean that virtually anyone exercising their right to free expression anywhere in the world could be deemed a threat to "national security" and prosecuted.

Immediately after the law passed, authorities began using it to crack down on legitimate and peaceful expression. People were arrested for possessing flags, stickers and banners with political slogans. Four student activists were [arrested over social media posts](#) allegedly "inciting secession" under the new law and are potentially facing life sentences. Twelve candidates who advocate viewpoints at odds with those of the government were [disqualified](#) from running in Hong Kong's Legislative Council elections. On August 10, Hong Kong police raided the offices of [pro-democracy newspaper Apple Daily](#) and arrested owner Jimmy Lai and five others for "collusion with a foreign country or external forces to endanger national security" under the new national security law.

Moreover, on August 23, the Chinese coast guard [arrested 12 Hong Kongers](#) for allegedly crossing the border between Hong Kong and China in secret in a speedboat. Two of them were under 18 years old when arrested. Held incommunicado, without access to their family and family-hired lawyers, they are at imminent risk of torture and other ill-treatment. Four family-hired lawyers from mainland China dropped the cases after they were threatened by authorities.

U.S. officials should support the human rights of the people of Hong Kong in its bilateral and multilateral dialogues with China both publicly and privately and urge the Chinese government and Hong Kong authorities to repeal or amend the National Security Law on the basis that it is incompatible with Hong Kong's international human rights obligations and stop using the National Security Law to disproportionately limit peaceful expression.

The United States should closely monitor the treatment of individuals who are criminally prosecuted, detained, or imprisoned on the basis of the National Security Law and insist that authorities comply with international human rights standards.

Rohingya in Bangladesh and Myanmar: Nearly one million Rohingya, a persecuted mostly Muslim minority in Myanmar, have fled waves of violent attacks in the country since 1978 and sought refuge in neighboring Bangladesh. The overwhelming majority of them began arriving three years ago, starting on August 25, 2017, when more than 740,000 Rohingya fled Myanmar after their homes were burned, and at least 10,000 Rohingya women, men and children were killed in a devastating campaign of violence by the Myanmar security forces.

The conditions in Myanmar, where crimes against humanity against the Rohingya continue to be committed and there has been no meaningful accountability, are not conducive for the "safe, dignified, voluntary, and sustainable" returns of the Rohingya refugees in Bangladesh. Amnesty International continues to receive video and photographs depicting human rights [violations](#) in Rakhine State. Video evidence acquired, verified, and released by Amnesty shows that the situation on the ground in northern Rakhine State is dire. Indeed, Rohingya who did not flee across the border to Bangladesh are a people still under siege from their government, which has not dismantled the apartheid regime that governs every part of their lives. Thus, for the foreseeable future, Rohingya refugees will remain in Bangladesh's Cox's Bazar district.

Amnesty International is calling on the U.S. government and international community to work with Bangladesh's government to develop rights-respecting policies that outline a framework of representation for Rohingya refugees, and that protects their human rights. The United States should continue and increase international humanitarian aid, cooperation and assistance, particularly in the areas of education, vocational training and livelihood for both Rohingya refugees and Bangladesh's host community who has been affected by the influx of refugees.

Further, the U.S. and international community should ensure that any international aid, development projects or financial assistance in Rakhine State are explicitly and specifically contingent on non-discrimination, non-segregation and equality, and that Myanmar takes immediate action to cease ongoing human rights violations against the Rohingya community and other minorities across the country and prevents the destruction of evidence of those violations.

Thailand: Amnesty International has long-standing concerns regarding Thailand's failure to prevent or investigate grave violations including torture, [enforced disappearances](#), and extrajudicial killings. Systemic torture and ill-treatment by the military continues to be facilitated by emergency law and decrees allowing individuals to be detained without charge or trial in unofficial places of detention. The delay in passing the draft Prevention and Suppression of Torture and Enforced Disappearance Act, which would criminalize both torture and enforced

disappearances, hinders families of the disappeared from claiming their rights and seeking redress.

Moreover, Thailand has held refugee and asylum seekers indefinitely, in [extremely poor conditions](#) in immigration detention centers. Despite committing to avoid forcibly returning individuals to countries where they are at genuine risk of torture or other serious human rights violations, the Thai authorities have continued to forcibly return individuals, including recognized refugees. The Thai authorities should be encouraged to uphold their commitment to protecting the human rights of refugees and be held accountable if they do not.

With these concerns in mind, it is our hope that you carefully consider the Thai government's continuing poor human record and continue to raise concerns with the authorities. By ignoring these abuses, the U.S. government would be implicitly encouraging the continuation of repressive actions that threaten the future of human rights in the country and, indeed, in the region as a whole.

Philippines: Since 2016, Philippine President Rodrigo Duterte's "[war on drugs](#)" has resulted in the summary execution of thousands of people by members of the police and vigilantes, some of whom were acting as paid assassins for the police. Human rights defenders critical of the government are increasingly harassed, vilified and attacked. The prevailing climate of impunity in the country has fueled an increase in the killings of activists for their political views.

On August 10, 2020, Philippine activist and peace advocate [Randall Echanis](#) and a neighbor were killed by unidentified individuals. Echanis had been involved in peace negotiations between the government and the National Democratic Front of the Philippines, a coalition of groups involved in an ongoing insurgency in parts of the country. A week later, human rights defender [Zara Alvarez](#) was shot dead, becoming the 13th human rights worker of the group Karapatan killed during the Duterte administration. The deaths of Echanis and Alvarez are yet another addition to the intensifying attacks against activists in the country.

On July 3, 2020, President Duterte signed the "[Anti-Terrorism Act of 2020](#)", which puts human rights defenders, pro-democracy activists, civil society organizations and members of the political opposition at greater risk under the government's continuing crackdown against political dissent. Amnesty International has called on the Philippine government to [reject](#) this legislation that contains broad and dangerous provisions and risks further undermining human rights in the country.

The U.S. should demand an end to the extrajudicial executions in the Philippines. To that end, the U.S. government should link future assistance to clear progress in reforming the Philippine National Police and ending the impunity of police officers who commit or oversee unlawful killings.

Pakistan: Authorities have repeatedly used [enforced disappearance](#) as an insidious form of extra-judicial punishment, silencing and intimidating political activists, religious minorities, and numerous others. Despite the protestations of Pakistani officials, cases of enforced disappearance are neither rare nor incidental; as of March 2019, the Commission of Inquiry on Enforced Disappearances recorded 2178 unresolved cases.

In one emblematic case, human rights defender [Idris Khattak](#) was forcibly disappeared in November 2019. In a cruel twist of irony, Idris had spent years working to shed light on enforced disappearances in the country. After a sustained public outcry, the Pakistani government acknowledged custody of him but refused to reunite him with his family or charge him with a crime. Idris has yet to be granted access to his lawyer.

Prime Minister Imran Khan's government has formally committed to ending enforced disappearances, and in January 2019, the Minister of Human Rights submitted a draft bill criminalizing the practice. The bill has yet to become law and, to date, no one has ever been punished for taking part in an enforced disappearance in Pakistan. In September, Human Rights Minister Dr Shireen Mazari tweeted that Prime Minister Imran Khan found the practice "unacceptable."

Furthermore, recent events have given Pakistani Christians and Hindus reason to fear for their security in the country. In July 2020, authorities in Pakistan [barred the construction of a Hindu temple](#) following a sustained pressure campaign from well-connected politicians, media outlets and clerics in the country. A part of the temple's site was subsequently destroyed by a mob.

Blasphemy laws continue to pose a profound threat to many of Pakistan's religious minorities. These laws, which broadly proscribe actions, words, or expressions that may be interpreted as insulting to religious sensibilities, are broad, vague, and coercive. At varying times, they have provided license for the government to persecute religious minorities or for violent mobs to harm them. In one famous case, Asia Bibi, a Christian farm worker, was sentenced to death for blasphemy in 2010. Eight years later, Pakistan's Supreme Court acquitted her of all charges. While Asia Bibi has since left the country, her attorney continues to face threats and abuse. The Governor of Punjab [Salman Taseer](#) was shot and killed by his bodyguard in retaliation for publicly defending her.

Muslim minority denominations have not been immune from discrimination and violence. In 2018, an MIT-educated economist was removed from the Prime Minister's Economic Advisory Council after the government faced sustained pressure for appointing him due to his Ahmadiyya faith. Members of the Shi'a Hazara community of Quetta have been the target of violence, including during [a bombing](#) in April 2019 which killed at least 16 people.

The U.S. should publicly call on the government of Prime Minister Imran Khan to follow through on its promises by ending enforced disappearances, criminalizing the practice, and ratifying and implementing into national law the International Convention for the Protection of All Persons from Enforced Disappearance. Moreover, the U.S. should call on the government of Pakistan to identify and account for all victims of enforced disappearance and either release them or promptly charge and prosecute them in civilian court.

The Secretary of State and the United States Ambassador-at-Large for International Religious Freedom should express concern about Pakistan's blasphemy laws to Pakistani officials and urge for their comprehensive repeal.

Afghanistan: Afghan women and civil society leaders were not invited to participate in almost all of the nine rounds of negotiations between the U.S. and the Taliban. Those negotiations led

to a peace agreement in February 2020 which set forth a shared [understanding of security matters](#), including a cease-fire, the withdrawal of foreign forces, and counterterrorism assurances. It did not, however, provide substantive guarantees for how the rights of women and girls would be protected in the future.

The subsequent *intra-Afghan* dialogue, which kicked off this month, may be marginally more inclusive: women will make up [five members](#) of the 21 member Afghan government negotiating team. There should be no controversy about the need to ensure that women are integrated into a country's decision-making processes. The view that women must play a pivotal role in making peace and protecting their own rights is a view upheld by [UN Security Council resolutions](#), the [U.S. Strategy on Women, Peace, and Security](#), and Afghanistan's [laws and constitution](#). It is also a view repeatedly expressed by members of both parties in the U.S. House and the Senate. The problems facing Afghan women are complex in origin and cannot solely be blamed on any one party to the conflict. The U.S. has been a dominant player in Afghanistan for nearly two decades and has a responsibility to exercise its influence to advance the human rights of women and girls.

The U.S. must prioritize Afghan women and girls as part of any reconstruction effort following the U.S.-Taliban peace treaty. In particular, Congress should call on the Secretary of State in concert with the Administrator of the U.S. Agency for International Development to publicly articulate a plan for supporting the empowerment and inclusion of women and girls in Afghanistan as per language in the bipartisan Afghan Women's Inclusion in Negotiations Act (H.R.4097).

Sri Lanka: Dissident voices and critics of the current government, including lawyers, journalists, human rights defenders, and victims of past abuses, are being targeted by the police, intelligence agencies, and pro-government media. In the months following the November 2019 presidential election, a number of organizations reported visits from intelligence officers who sought details of staff, programs and funding, in particular, organizations in the war-affected Northern and Eastern provinces of the country. Such visits are blatant attempts to harass and intimidate Sri Lankan civil society.

On 14 April, Hejaaz Hizbullah, a lawyer who has represented victims of human rights violations, was arrested illegally and without charge under the draconian Prevention of Terrorism Act. He was allowed limited access to his lawyers and family members and remains in arbitrary detention. The day before he was taken into custody, Hizbullah joined others in submitting a letter criticizing the denial of burial rights to the Muslim community under Sri Lanka's COVID-19 regulations

The U.S. has a strong interest in a peaceful and prosperous Sri Lanka and has a shared responsibility to help Sri Lankans restore accountability and the rule of law to their country. The United States should include Sri Lanka in an inter-agency atrocity prevention board review to create a set of policy recommendations to prevent grave human rights abuses. U.S. representatives must reiterate to the Sri Lankan government the importance of upholding human rights, including by attending court hearings in key cases. Congress should substantially increase civil society assistance for human rights groups that are working on truth and reconciliation issues and protecting human rights defenders.

India: Since the onset of the COVID-19 pandemic, Indian authorities have been [harassing journalists](#). Authorities accused Masrat Zahra, an award-winning photojournalist, on April 20 of “uploading anti-national posts [on Facebook] with criminal intentions to induce the youth.” The United States must call on Indian authorities to [stop](#) the harassment and intimidation of journalists through draconian laws that threaten the response to the COVID-19 pandemic and [create an atmosphere of fear and reprisal](#).

The February 2020 riots in Delhi claimed the lives of more than 50 people and injured more than 500 people, the majority of whom were Muslims. [An Amnesty International India field investigative briefing](#) revealed a disturbing pattern of serious human rights violations committed by the Delhi police during the riots. Police were complicit and actively participated in violence including use of excessive force against protesters, denial of medical services to victims, and torturing people in custody.

Six months later, Indian authorities have not opened a single investigation into the abuses committed by the Delhi police. By failing to investigate these human rights violations, Indian authorities have allowed the Delhi police to enjoy impunity and evade accountability. Amnesty International calls on Congress and the U.S. government to press India’s Ministry of Home Affairs to conduct a prompt, thorough, transparent, independent, and impartial investigation into all allegations of human rights violations committed by Delhi police. Such investigation is essential to holding police officers accountable and bringing justice to victims and their families.

The Indian government’s human rights abuses have taken a more severe form in [Jammu and Kashmir](#). On August 5, 2019, the Government of India unilaterally revoked Article 370 of the Indian Constitution, which guaranteed special autonomy to Jammu and Kashmir and bifurcated the state into two separate union territories, bringing the region under the direct control of the central government. These changes took place amidst a complete communication blackout, restrictions on movement, and mass detentions in the region.

The United States must push the United Nations for an independent and impartial fact-finding mission in Kashmir, and call on Indian authorities to immediately end the communications blackout in Kashmir and release all political leaders, journalists, and activists from administrative detention.

Conclusion: The U.S. should center human rights as it exerts diplomatic influence across the world, in order to stand with the people who are demanding their freedom. Congress should ensure that U.S. foreign policy in Asia includes a comprehensive and innovative human rights framework, in addition to economic, diplomatic, and security strategies. Without a concerted effort by the U.S. and the international community to strengthen human rights protections in Asia, abusers will continue to shatter human lives and stifle development without impunity. The world is watching to see whether and how the United States will choose to promote universal rights abroad. Congress must now own up to its responsibility to promote and protect human rights globally. Failure to do so will further undermine the United States’ credibility and its ability to demonstrate leadership.

Please do not hesitate to contact Joanne Lin with any questions at jlina@aiusa.org and 202/281-0017 or Deniz Yuksel at dyuksel@aiusa.org.

Sincerely,



Joanne Lin
National Director
Advocacy and Government Affairs
Amnesty International USA



Deniz Yuksel
Turkey Advocacy Specialist
Amnesty International USA