

COUNTERING CHINA'S GLOBAL TRANSNATIONAL REPRESSION CAMPAIGN

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

SEPTEMBER 12, 2023

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COUNTERING CHINA'S GLOBAL TRANSNATIONAL REPRESSION CAMPAIGN

TUESDAY, SEPTEMBER 12, 2023

CONGRESSIONAL-EXECUTIVE
COMMISSION ON CHINA,
Washington, DC.

The hearing was held from 10:00 a.m. to 12:12 a.m., in Room 1100, Longworth House Office Building, Representative Chris Smith, Chair, Congressional-Executive Commission on China, presiding.

Also present: Senator Jeff Merkley, Co-chair, Under Secretary Uzra Zeya, Senator Dan Sullivan, and Representatives McGovern, Zinke, and Salinas.

STATEMENT OF HON. CHRIS SMITH, A REPRESENTATIVE FROM NEW JERSEY; CHAIR, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

Chair SMITH. This is an important hearing. It's a hearing that we have been working on and working closely with Co-chair Merkley and, of course, Ranking Member McGovern on, because this is an issue that is getting worse, not better. And so we are trying to bring a focus on it. We've introduced legislation, totally bipartisan. Senator Merkley, Jim McGovern and I, and others, have sponsored it, which is now pending in both the House and the Senate.

In June 2021 on the 32nd anniversary of the 1989 student democracy protests, which as we all know ended in the horrific Tiananmen Square Massacre, I visited Liberty Sculpture Park in Yermo, California to witness the unveiling of a sculpture made by artist Chen Weiming. It was a 20-foot-tall statue that morphed Xi Jinping's skull with a coronavirus molecule. And Chen named it the "CCP Virus." It was a bold work of art rightfully assigning blame to the CCP, and Xi Jinping in particular, for the horrific pandemic and all the mistakes that were made, especially in the early months, that shook the world.

I was honored to attend and to see Chen's work, and to join him and other heroes of the Chinese democracy movement in speaking out against the atrocities committed by the Chinese Communist Party. Less than two months later, however, the sculpture was gone. It was vandalized and then burned to the ground, likely by a band of CCP agents targeting Chen and other Chinese democracy activists here in the United States to punish and scare them into silence. At the ceremony, there were Chinese Communist Party agents in attendance.

Unfortunately, Chen's case is not a rare case. With us that day in Yermo was Wei Jingsheng, perhaps the greatest advocate for Chinese human rights and democracy of our time. Very few people know this, but in May of 2022 right here in Washington, a car swerved in front of Wei's car and suddenly braked in front of him while another rammed him from behind. Both cars quickly fled the scene. Wei believes, and I also believe, that this was an attempt on Wei's life. This, incidentally, is the same tactic that I have heard used over and over against other Chinese individuals who have run afoul of the CCP.

And the list goes on. Major Xiong Yan, who served in the U.S. Army and ran for Congress in New York City, was stalked and harassed by Chinese agents here in the United States. Pastor Bob Fu, whom I've known for over two decades, a leading advocate on behalf of Christians and human rights activists and defenders trying to escape China, was threatened with a bomb at his home in Texas. The brave eight Hong Kongers, whose heads the authorities have placed bounties on, have been harassed along with their families just this past summer, solely for speaking out against the atrocities happening in their beloved Hong Kong.

Indeed, I note that that group includes a number of individuals whose outspokenness has led them to testify here at the China Commission. So this is really personal for all of us on this panel. It also becomes personal when I hear about a fellow legislator from a sister democracy who has been harassed for speaking out about human rights in China. Member of Parliament Michael Chong of Canada was harassed for what Senator Merkley and I have repeatedly done, calling the Chinese Communist Party's treatment of Uyghurs what it is—genocide. And although Michael has been harassed, he is not in any way, shape, or form intimidated. And he is joining us today on the witness panel; he'll be the first to speak to us today.

My friends, the Chinese Communist Party has waged a pervasive coercive campaign around the world against anyone who does not agree with the Party. They target Uyghurs, Hong Kongers, Tibetans, dissidents, activists, students, journalists, or anyone who dares to state their unapproved opinions about the People's Republic of China. The Chinese Communist Party uses modern technology to digitally harass and surveil individuals around the globe. They abuse the Interpol system to punish and force the return of those who exercise their freedom of speech while abroad. They detain and harass dissidents' families and friends back in China, like the sister of Rushan Abbas, to unjustly attempt to coerce silence. Rushan will join us here this morning on panel number II.

And they even use direct physical assaults beyond their borders to control what is said about their country and its wrongdoing. Recently we've seen them go so far as to set up shop right here in the United States, establishing illegal police stations here in New York City to surveil and harass Chinese immigrants on our soil. The Chinese Communist Party's strategy of trying to rewrite global norms has succeeded in far too many cases. This has led to self-censorship and curtailment of basic freedoms, even here in the United States of America—students scared to speak out, journalists

scared to write, free citizens scared to attend gatherings—all this happening beyond China's borders and within ours.

Indeed, as Michael Chong's testimony illustrates, and as underscored in news just this past weekend from Great Britain—where an alleged spy worked in Parliament—it is also happening within our legislatures. We cannot and will not let the Chinese Communist Party in any way intimidate us or scare us into submission through these tactics. Today, we will hear from experts and victims alike who have seen these stories up close. We must work to protect freedom of speech, assembly, and opinion, here in the United States as well as elsewhere, and including in the People's Republic of China.

I'd like to yield to our distinguished co-chair, Senator Merkley.
Co-chair MERKLEY. Thank you very much, Chairman Smith.

STATEMENT OF HON. JEFF MERKLEY, A SENATOR FROM OREGON; CO-CHAIR, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

Co-Chair MERKLEY. Transnational repression is central to the Chinese Communist Party's strategy of silencing critics of Chinese policy around the world. It affects so many of the Uyghurs, the Hong Kongers, the Tibetans, the human rights advocates, the journalists, and others this Commission works with on a daily basis. This hearing gives us a chance to give a platform to some of the victims and experts from across the globe who have been most engaged in trying to identify ways we can address this vexing challenge. We know from past testimony that it isn't easy, as the Chinese Communist Party's sophisticated tactics seem to know no bounds and bring the power of a ruthless state against individual dissidents, members of the Chinese diaspora, and, insidiously, their family members in China.

That's why it's so critical that we redouble the efforts to wrap our minds around the dimensions of this threat, to raise awareness globally, to identify ways to build common cause with those who have been targeted—religious groups, activists, journalists, politicians—as well as governments sick and tired of the brazen violation of sovereignty that transnational repression represents. Last year I chaired another hearing on this topic to hear about what the Biden administration is doing about it. And I'm proud that one of the officials at the forefront of that work, Under Secretary Uzra Zeya, is now one of our commissioners. The State Department is dedicated to and is continuing to apply significant time and attention to developing a more comprehensive strategy to counter, deter, and mitigate these threats. We have also seen the Department of Justice make important strides in pursuing criminal charges against groups and individuals accused of engaging in transnational repression.

But despite these efforts, this Commission's reporting shows how far we have to go. We continue to track a disturbing number of cases of transnational repression, both here in the United States and abroad, with the knowledge that countless others are taking place and likely not being reported on. I imagine that for every case we hear about, there's another 10 we don't know about. We have seen egregious harassment campaigns, even against legisla-

tors in the world, including the Honorable Michael Chong, who is here as a Member of the Canadian House of Commons. We have seen relentless targeting of young activists who have spoken out bravely against the increasingly repressive conditions in Hong Kong. And we have seen the unrelenting pressure that continues to be directed at Uyghurs around the world.

We know this is, as Freedom House calls it, the most sophisticated global and comprehensive campaign of transnational repression in the world. It relies on surveillance technology, spyware, threats to individuals through phone calls or face-to-face intimidation, and even harassment of family members and friends back in China. As Safeguard Defenders revealed in an eye-opening report earlier this year, the PRC is also responsible for establishing at least 102 overseas service stations in at least 53 countries, breaching national sovereignty and coercing Chinese diaspora members to return to the PRC for criminal investigation.

All of this requires that the United States, and as many other governments as possible—and we do need international cooperation to make this effective—make it a priority to address this issue. That’s why earlier this year I introduced the Transnational Repression Policy Act, joined on a bipartisan basis by my colleagues Senator Rubio, Senator Cardin, and Senator Hagerty, to hold foreign governments and individuals accountable when they stalk, intimidate, or assault people across borders.

I appreciate Chairman Smith’s work to lead the House companion to this legislation. If enacted, the Transnational Repression Policy Act would mandate additional U.S. Government reporting on the issue, required training for U.S. diplomatic and law enforcement personnel, bolster intelligence community efforts to track and share information on these incidents, and develop a more effective tip line for victims and witnesses. I’m working to get this bill passed. I think it’s essential that we do. And I look forward to hearing from our witnesses today who are bringing their experience, their story to bear on this very important issue.

Chair SMITH. Thank you, Chairman Merkley.

I’d like to now yield to the ranking member, Jim McGovern.

**STATEMENT OF JAMES P. MCGOVERN,
A REPRESENTATIVE FROM MASSACHUSETTS**

Representative MCGOVERN. Well, thank you, Mr. Chairman. And I join my colleagues in welcoming the witnesses today, and the public, to see CECC’s hearing on transnational repression. Transnational repression occurs when governments reach across borders to silence dissent among diasporas and exiles, including through assassinations, illegal deportations, abductions, digital threats, Interpol abuse, and family intimidation.

Our focus today is on the practices of the People’s Republic of China, but transnational repression can be carried out not just by unfriendly governments, but also by strategic allies. It can target people anywhere they or their families reside or visit, even in democracies like the United Kingdom, Canada, Germany, Australia, South Africa, and here in the United States. That’s why I worked with Senator Merkley during the 117th Congress as he led the development of the Transnational Repression Policy Act, and why I’m

proud to co-lead the same bill, H.R. 3654, in the House this Congress with Chairman Smith. It is critically important to make sure that the U.S. Government has the tools it needs to confront this global challenge, both domestically and internationally.

I turn now to China. Freedom House's database on transnational repression now includes information on 854 direct physical incidents committed by 38 governments in 91 countries around the world since 2014. China is an origin country for 253 of those recorded incidents, a stunning 30 percent. As we will hear today, the PRC targets abroad the same populations that it represses internally, especially Uyghurs, Hong Kongers, and Tibetans. State agents linked to the security and police forces have engaged in forced rendition of asylum seekers, street assaults, digital surveillance, online harassment, and the coercion and intimidation of family members and friends of dissidents.

We must be sure that we have the knowledge and the capacity to protect the people who are targets of these practices, especially those who are within U.S. jurisdiction. And we must do a better job of engaging with partner countries and strengthening multilateral strategies to counter the PRC's actions, which violate international human rights, among them the right to freedom of expression, association, asylum, and freedom of movement, and the prohibition on arbitrary detention. So I look forward to this hearing today. I thank the witnesses again. And I look forward to hearing their recommendations. And with that, I yield back my time.

Chair SMITH. Thank you very much.

It's my honor to—you know, this Commission, as I think all of you know, or most of you know, is not only bicameral and bipartisan, it also includes distinguished members of the executive branch. We are joined by one of those members, Under Secretary Uzra Zeya. And I yield the floor to her.

STATEMENT OF HON. UZRA ZEYA, UNDER SECRETARY OF STATE FOR CIVILIAN SECURITY, DEMOCRACY, AND HUMAN RIGHTS

Under Secretary ZEYA. Good morning and thank you, Chairman Smith, and Co-chair Merkley, and Ranking Member McGovern, and fellow commissioners. I'm honored to be with you all today for this important discussion on the increasingly pervasive and concerning use of transnational repression by PRC authorities. Transnational repression, or TNR, is a global phenomenon. But the PRC's efforts are especially pervasive, pronounced, and persistent. The PRC uses TNR to harass and threaten Uyghurs, Tibetans, members of other ethnic and religious minority groups, Hong Kongers, and PRC citizens, and non-PRC citizens living abroad who seek only to exercise their human rights and fundamental freedoms.

As we've heard from the co-chairs and ranking member, the PRC utilizes a wide variety of tactics, including online harassment, exit bans, or imprisonment of family members of targeted individuals, the misuse of international law enforcement systems such as Interpol, and pressure on other governments to forcibly return targeted individuals to the PRC. The sheer breadth and depth of their efforts cannot be ignored and should not be permitted to continue.

It is a direct affront to national sovereignty and impacts people all over the world, including U.S. citizens and individuals residing in the United States.

This is why, since 2021, the Biden-Harris administration has made combating transnational repression a global human rights priority. One way that we've sought to counter this scourge is through our diplomatic engagement and tools. We continue to engage the PRC directly, making clear in no uncertain terms that their conduct is unacceptable and must stop. We have not, and we will not, keep quiet in the face of these transgressions. We've used sanctions as an accountability tool as well. Specifically, in March 2022 we imposed visa restrictions on PRC officials responsible for or complicit in transnational repression.

This administration energized the interagency to combat TNR in the United States as well. U.S. Government agencies have increased their domestic engagement with domestic communities targeted by the PRC. This outreach helps to create improved two-way communication, which both enhances our understanding of the threat and helps those affected more quickly access government assistance when they are targeted or even before this occurs. We've also jump-started international cooperation to drive a global response, because it's not only Americans and U.S. residents who have suffered abuse. Specifically, we deployed interagency teams to meet with foreign counterparts to raise their awareness of this threat and to share our own lessons learned.

One example of this effort is the recent launch of a G7 Rapid Response Mechanism Working Group on TNR. This coalition will raise international awareness of the threat TNR poses to democratic values and deepen our shared commitment to countering it. The experiences and details presented by today's panelists will surely highlight the very real threat of the PRC's transnational repression activities, as well as the need for governments, legislators, activists, and others to continue to work even more closely together to counter it. Hearing your stories, and in some cases learning from what you have gone through personally, is vitally important as we advance our common cause.

The administration welcomes Congress's ongoing leadership on these issues, and we look forward to further deepening our collaboration. Thank you again for this opportunity to speak. And thank you all for coming together today to confront this challenge.

Chair SMITH. Madam Secretary, thank you very much for your leadership and for joining us at this hearing today.

It's now my honor to yield to Senator Sullivan, a new member of the Commission.

**STATEMENT OF HON. DAN SULLIVAN,
A SENATOR FROM ALASKA**

Senator SULLIVAN. Thank you, Mr. Chairman, for your outstanding leadership on this. It's great to see my colleague from the U.S. Senate and the Co-chair, Senator Merkley. This is such an important topic. The effort, often successful, of the Chinese Communist Party to reach far beyond its borders to target critics in the diaspora communities throughout the world, is outrageous. But let's face it, it's just one of many outrageous things Beijing is doing

across the board. As this committee has done an excellent job of doing, we need to continue to recognize and highlight the brutal nature of the Chinese Communist Party regime we are dealing with, especially under the dictatorial rule of Xi Jinping.

Look no further than the string of strange disappearances that we've seen in China in their government in the last couple of months. The Chinese foreign minister and former ambassador to the United States disappeared. This was Xi Jinping's right-hand man until recently. The commander and deputy commander of the PLA Rocket Force, gone. Now, apparently, the defense minister is gone. Who knows what's going on here? But to be clear, this is the sort of regime we're dealing with, a regime whose officials suddenly disappear without any explanation. They're probably somewhere in China, with bullets in their heads, in ditches. This is the way the CCP operates.

And now Xi Jinping is trying to export this. Just a couple of months ago, authorities in Hong Kong issued arrest warrants for activists and lawyers accused of violating the CCP-imposed National Security Law, specifically for people who no longer live in Hong Kong, or anywhere in China for that matter. Hong Kong has declared that it will pursue these people for life. And it's not unthinkable that they could one day make good on grabbing them. Of course, I'm not worried about the United States aiding in their return, or the U.K., or Australia, or Japan, or other places where they now reside. But life is long. They all travel. One day they could find themselves in the hands of a government all too eager to burnish its credentials with Beijing.

This is one of the reasons, Mr. Chairman, I'm working with Representative John Curtis on a bill to press the Biden administration to sanction the prosecutors, and judges, and other officials responsible for enforcing these unjust Hong Kong laws. The days of the independence of the Hong Kong judiciary system and the rule of law in Hong Kong are unfortunately long gone. Beijing has seen to that. Now we need to do what we can to try to even the scales up on behalf of the people of Hong Kong.

Mr. Chairman, there's one more issue that I want to just raise in my opening statement. These kinds of aggressive actions are also targeting Americans directly. And even, remarkably, during times of tragedy. I'd like to submit for the record this New York Times story that just broke last night entitled "China Sows Disinformation About Hawaii Fires Using New Techniques."

Chair SMITH. Without objection, so ordered.

Senator SULLIVAN. This story, that just broke at the New York Times, talks about how when wildfires swept across Maui last month, killing over 100 Americans, the CCP unleashed its information warriors. They said on the internet the disaster was not natural, in a flurry of false posts and lies that spread across the internet. They said the natural disaster was the result of a secret weather weapon being tested by the United States military and intel agencies. To bolster this lie, they posted photographs that were generated by artificial intelligence programs.

Mr. Chairman, as we all know, when countries around the world suffer natural disasters, even adversaries come together to help each other. Not under Xi Jinping's rule. The Chinese Communist

Party is now trying to sow discord among Americans as we sadly bury our own dead in Hawaii. This is outrageous. And I call on the Chinese ambassador to the United States to formally apologize to our country. But Mr. Chairman, he won't, because if he did, he'd disappear too. We all know that.

One final thing, Mr. Chairman. I just want to say how honored I am to join this Commission. It is such a great—it has such a great history, especially under your leadership. At a time when many people are raising questions about Congress's decisions in the past relating to China—for example, extending MFN 20 years ago—it is good to remind Americans that at the same time the Congress also established organizations like this one to keep a critical eye on human rights. I think there may be more Congress can do to live up to this Commission's mandate, perhaps even expand it. But as the new guy here, I'm eager to learn from my colleagues about how the Commission works. And I'm very honored to be part of that.

With that, Mr. Chairman, I, again, am very glad to be here and look forward to working with you and all the members of this distinguished Commission.

Chair SMITH. Thank you so very much, Commissioner, for your very eloquent remarks. And welcome to the Commission. We're so glad that you're here.

I'd like to now recognize Congresswoman and Commissioner Andrea Salinas.

**STATEMENT OF HON. ANDREA SALINAS,
A REPRESENTATIVE FROM OREGON**

Representative SALINAS. Thank you, Mr. Chairman. I can be brief. I just want to thank you, the co-chairs, for today's hearing, and Ranking Member McGovern; it is critically important. I want to thank the witnesses for coming here to testify. And like our newest member, I too am eager to continue to learn and really, hopefully figure out what some tools are to provide some accountability around this. This sounds like a global problem and something that is not just affecting human rights but also affects the way we do business around the world with trade. So I want to thank you all for conducting today's hearing.

Chair SMITH. Thank you so very much.

I'd now like to recognize Commissioner Ryan Zinke.

**STATEMENT OF HON. RYAN ZINKE,
A REPRESENTATIVE FROM MONTANA**

Representative ZINKE. Well, thank you, Mr. Chairman. I want to thank you and Senator Merkley for holding this hearing. And on this side of the aisle we have the Marine and Navy team. We'll try to do our best. But, Mr. Chairman, on June 24th, 2012, Dr. Shane Truman Todd, a young American engineer, was found hanging in his Singapore apartment a week before his scheduled return to the United States. Although Dr. Todd had repeatedly expressed fear about the work he was doing, from and to a Chinese company, authorities immediately ruled his death a suicide. His family initially didn't know what to believe. However, this started to change when

they arrived in Singapore and evidence seemed to suggest murder and not suicide.

The narrative changed when they discovered that what they had thought was a speaker was actually an external hard drive with thousands of backup files from Dr. Todd's computer. The data revealed by those files changed the narrative from a tragic suicide and loss of a son to an international story of deceit and cover-up. Mr. Chairman, I'd like to enter Chapter 11 of Mrs. Todd's book entitled "Hard Drive: A Family's Fight Against Three Countries," into the record.

Chair SMITH. Without objection, so ordered.

Representative ZINKE. And if any member would like hard copies, we will certainly make those available, and I look forward to hearing your testimony, Minister Chong. And thank you, again, for holding this hearing.

Chair SMITH. Thank you very much.

Before I introduce our very distinguished Member of Parliament, I just want to point out that a number of us met with the wife of Lu Siwei several weeks ago. He is in Laos, and it's not looking good. And my hope is that the Laotian government will rethink forcible repatriation of this amazing man back to China, where he faces a very, very terrible future. In meeting with his wife, and all the human rights organizations rallied behind him, there's total solidarity there, I'm happy to say. She couldn't have been more persuasive and loving towards her husband. And she made it so clear that if the West and all countries in democracies don't speak up, his future is so bleak. So our appeal would be to the Laotian government that they now cease and desist any kind of forcible repatriation.

This Commission is very honored to welcome the Honorable Michael Chong here today, as he will testify to the depths the Chinese Communist Party has gone to in its transnational repression campaign, going so far as to attempt to coerce foreign Members of Parliament in countries with strong democratic roots simply for speaking out against human rights atrocities. Mr. Chong was first elected to the Parliament of Canada in 2004 and represents the riding [electoral district] of Wellington-Halton Hills. He is currently the Shadow Minister for Foreign Affairs for the Official Opposition and Vice Chair of the special committee on the Canada People's Republic of China relationship. Mr. Chong has served in the Federal cabinet as President of the Queen's Privy Council, Minister of Intergovernmental Affairs, and Minister for Sport. Mr. Chong also served as chair of several House of Commons standing committees.

It is a true honor and a privilege for us to have Mr. Chong join us today, though it's unfortunately due to the unacceptable and outrageous overreach of the Chinese Communist Party. After calling the CCP's treatment of the Uyghurs what it is—genocide—Mr. Chong received threats personally, and members of his family living in Hong Kong have been targeted as a result. The Chinese Communist Party not only seeks to silence its critics at home, it has gone so far as to harass thousands of people abroad for speaking the truth about their totalitarian regime. My colleagues and I are appalled at the attempts to censor you and others who have

bravely spoken out. We welcome you, and please consume however much time you would like.

**STATEMENT OF HON. MICHAEL CHONG,
MEMBER OF CANADIAN PARLIAMENT**

Mr. CHONG. Well, thank you. Thank you, Chairman Smith. Thank you, Co-chairman Merkley, Ranking Member McGovern, Senator Sullivan, Representatives Salinas and Zinke. Thank you very much for having me in front of your Commission today. I understand that you're interested in my experience of Beijing's transnational repression, or what we also call foreign interference.

Like millions of Canadians and Americans, I'm the child of immigrants. My mother immigrated from the Netherlands and my father immigrated from Hong Kong. I have extended family in both the Netherlands and Hong Kong. I've been elected since 2004 to represent the district of Wellington-Halton Hills and have served in the federal Cabinet and chaired several parliamentary committees. In 2020, I was appointed the Official Opposition's Shadow Minister for Foreign Affairs. Since then, my criticisms of Beijing have increased in response to President Xi's increasing violations of the rules-based international order and its repression in the PRC and abroad.

In November 2020, I introduced a motion adopted by the House of Commons calling on the Canadian government to make a decision on Huawei's involvement in Canada's 5G network within 30 days and to develop a robust plan to combat China's growing foreign operations in Canada and its increasing intimidation of Canadians living in Canada. Several months later in February, I introduced another motion, which the House also adopted, recognizing Beijing's actions towards Uyghurs and other Turkic Muslims as genocide. In May this year, I learned that a PRC diplomat working out of the PRC consulate in Toronto had, since 2020, been gathering information to further target me and my family in Hong Kong.

Last month I learned I was the target of a disinformation campaign in May of this year on the Chinese language social media platform WeChat. The Canadian Department of Foreign Affairs concluded that Beijing's role in this disinformation operation was highly probable. But my experience is but one case of Beijing's interference in Canada. Many, many other cases go unreported and unnoticed, and the victims suffer in silence. This has serious implications for the approximately 4 percent of Canadians—1.7 million—of Chinese descent.

Beijing targets these diaspora groups using a variety of tactics. One tactic is to target the many Chinese international students in Canada, coaching them into participating in foreign interference threat activities on university campuses, such as targeting pro-Hong Kong democracy activists and Tibetan and Uyghur human rights campaigners. Other tactics include targeting Chinese language media and social media in Canada, the establishment of illegal police stations in Canada, the wrongful arrest and detention of Canadians, such as Michael Kovrig, Michael Spavor, and the currently detained Huseyin Celil, whose whereabouts are completely unknown. And another tactic includes coercing Canadians on Cana-

dian soil back to the People's Republic of China. Recently, the PRC has used a tactic of creating wanted lists and offering bounties for the arrest of those from Canada.

These various tactics are a serious and concerted effort to interfere with democratic activity in Canada and leave millions of Canadians at risk of being intimidated, coerced, silenced, and unable to enjoy the basic democratic rights and freedoms guaranteed in the Charter of Rights and Freedoms in our Constitution. These tactics cannot be tolerated in a free and sovereign country. Canada must work more closely with democratic allies, like the United States, in countering Beijing's efforts to interfere in our democratic life. Foreign interference is a serious national security threat to Canada. It threatens our economy, our long-term prosperity, social cohesion, our Parliament, and our elections. It requires a suite of measures to combat, including closer cooperation among allied democracies. Canada must work toward a stronger defense and security partnership with the United States and allies. We must look for every opportunity to strengthen this partnership to meet the challenge of rising authoritarianism and to preserve our fundamental freedoms, our democracy, and the rule of law. Thank you very much.

Chair SMITH. Thank you so very much, Mr. Chong, for your excellent testimony and for your leadership.

Just a couple of questions, then I'll yield to my colleagues for any questions they have. When you talked about closer cooperation, are you persuaded that we are cooperating now? Is it as robust as it should be? And what is being left undone and unaddressed?

Mr. CHONG. Well, thank you, Chairman Smith, for that question. I think there are a number of ways in which we can cooperate in a better way. So, for example, the United States has long had a Foreign Agents Registration Act, since 1938. Australia more recently introduced one I think in 2019. The U.K. just adopted one two months ago in July. The government of Canada has announced that it's taking a look at introducing one in Canada to give law enforcement a tool to prosecute Beijing's agents operating on our own soil. And so I think there could—one way in which we could better cooperate is to exchange information on legislative best models to see what works and what doesn't. We have similar judicial systems in our democracies. So that's one area of cooperation.

Another area, for example, is how we use sunlight and transparency to counter foreign interference threat activities. Our security agencies and services, our experts, have told us that often foreign interference, transnational repression, doesn't rise to the level of a criminal prosecution. And so one way to counter it is to make it public and to go public with the intelligence to tell members of the public, Members of Congress, Members of Parliament, here's what exactly is going on. To arm citizens and elected officials with the information they need to protect themselves. So best practices on how to do that during elections, in between elections. Those are just two examples of where I think we could more closely cooperate.

Chair SMITH. You know, I mentioned the list of things that they'd done to people who have been outspoken that I know of, that we know of as a Commission. I would point out that Anna Kwok, who is here today with us in the back, she has testified in the past here, this year, on behalf of Hong Kong. She has a bounty on her

head. I mean, there's no let-up on the repressive tactics employed by Xi Jinping. And even Chen Guangcheng, who I worked to help release years ago, they—he assumes it was the Chinese Communist Party—in order to send the message that they were watching went into his home when he and his wife and family were out and rearranged everything. They didn't destroy anything. They just re-arranged it, to let him know, We've been here. Rebiya Kadeer, the great Uyghur human rights activist, similarly has had one instance after another.

And I'm wondering, you know, looking at you—here you are, high profile, you know, Member of Parliament. And yet they're doing this against you. You know, I was put on the hit list by Global Times a couple of years ago. I was briefed by the FBI; it nowhere near comes to what you're going through, believe me. But they said, Watch out for social media. Watch out for other things that they may do. They refused to give me a visa. I've been trying to put together a trip there—we'll go to Xinjiang—since their foreign ministry said, We have nothing to hide—anybody wants to come, come. We sent a letter to the embassy and said: I want to come. Please approve it. And we have not heard back from them since. But we're going to keep trying.

I say this because, you know—the level of angst directed against you, and you have family members at risk, you know, we need to rally behind you and others like you who have family especially. They could do a lot here, but to people in Hong Kong or anywhere else in the PRC they can do a lot more. So that's why redoubling our efforts, passing this legislation, sharing best practices, is so important. You know, in reference to the PRC's disinformation campaign against you on WeChat, could you elaborate on what that looked like?

Mr. CHONG. Thank you, Chairman Smith. What happened with me is that in May of this year, while a big debate was going on in Canada about foreign interference, a number of narratives—false narratives about me popped up on Chinese-language social media, particularly on the WeChat platform. And these narratives persisted for about a week, and the Canadian Department of Foreign Affairs concluded that they emanated from Chinese Communist Party accounts. This is corrosive because WeChat in Canada has over a million users and some five million people globally—including many in Canada—saw that disinformation. They have weaponized Chinese-language social media, Chinese media such as CGTN, the state broadcaster. They're targeting radio stations and television stations.

I know that in the U.K., just a couple of years ago, Ofcom, their broadcast regulator, pulled CGTN off the air, off of television, because of human rights violations and disinformation that was being spread. So that's something I think democracies have to grapple with. Best practices on how to do that I think is critically important, because one of the things we need to do is balance our fundamental belief in free speech, free expression, free media, and freedom of communication with the need to counter this disinformation.

Chairman Smith, you also mentioned how the PRC is using money to corrupt our system. And I think that's another area for cooperation. Often transnational repression comes alongside corruption, alongside personal illicit gain, payments of monies or consideration, money laundering. And so I think countering that money laundering, countering the proceeds of illicit gain, I think is something democracies also need to work more closely on. And the United States, being the world's reserve currency and the U.S. dollar being the main means of transaction in our global economy, I think we can do a lot together to counter this repression that takes the form of financial corruption.

Chair SMITH. Before my time runs out, just two things. Is the Canadian government standing in solidarity with you and everyone else? Very briefly on that. And on the college campuses, what is the PRC doing vis-à-vis minority religions?

Mr. CHONG. Yes. Since the spring, the Canadian government has been standing up and supporting me. I think before that point in time, you know, there were issues that have popped up, but they are now, like many other democracies, reacting to the threat. You know, like I said, the U.K. just adopted a foreign agents registry two months ago, and the Canadian government has announced it will be introducing one. You know, democracies are often slow to react to the threat of authoritarian states, which can act much more quickly because it's one-person or a-few-people rule. So, yes, they have been supportive of me in recent months.

On university campuses, what is going on is that there are, I believe, over 100,000 Chinese international students at Canadian—Canada's leading research universities. Often these students are coached and coerced into participating in foreign interference threat activities on Canadian university campuses. For example, just a couple of years ago there was a Tibetan human rights activist at the University of Toronto Scarborough campus. She had campaigned for president of the student council. She had won the election. And she was immediately targeted by students through a coordinated effort by the PRC consulate. A similar thing happened at the McMaster University campus in Hamilton, Ontario, where a Uyghur human rights activist was similarly targeted by students through a coordinated action of the PRC consulate. So these are the kinds of coercive activities taking place on university campuses.

Chair SMITH. Thank you.

Co-chair Merkley.

Co-chair MERKLEY. Thank you, Mr. Chairman.

And following up on that impact on university campuses, in your testimony you note that international students were compelled to demonstrate against pro-Hong Kong rallies after threats were made "to withhold their government scholarships or harm their families back home." In your estimation, is this a—this is not just a one-off. This is a systemic strategy to use the Chinese students who are present to essentially create a pro-China force on campuses.

Mr. CHONG. Yes, I think it is a systemic, long-term effort to create fear on university campuses. I've just highlighted two examples of what has happened, but we've had many other—we've heard about many other cases on university campuses. And often the Chi-

nese international students who are conducting these activities are themselves being coerced into doing it. Not in all cases, but in many cases. And so, yes, it is a pervasive threat on university campuses.

Co-chair MERKLEY. And I've also read about the strategies that China is using in which they essentially recruit some of the Chinese students to spy on other Chinese students who might be participating in critiquing China's policies or participating in protests against Chinese activities in Hong Kong or against Uyghurs, and so forth. Is that something that you've observed in Canada as well?

Mr. CHONG. Yes, we have observed that. At our committee in the House of Commons, we heard testimony from witnesses who highlighted exactly that going on. That these students were being coerced into spying on other students, threatening other students from the PRC who weren't toeing the PRC line. And doing so under threat of having their scholarships withdrawn, or their family targeted back home.

Co-chair MERKLEY. Is there an effort to establish a channel through which students can report these strategies of coercion, so we can get a better grip on how widespread it is and ponder ways to address it?

Mr. CHONG. Well, there is a number, a center that Canadians can call to report foreign interference threat activities, but I don't think it's broadly made available to Chinese international students or promoted among that community. Again, it's an area where we could learn from each other on best practices on how to counter this threat, and where I think allied democracies can learn from each other on how to counter this.

Co-chair MERKLEY. I'll shift gears here from the campuses. And thank you for those insights. You note in your testimony that there's significant influence in Mandarin-language news outlets. And, you know, I would have thought that often those news outlets in our democracies would be a place that would be particularly interested in reporting on China's abuses. But they're being co-opted. What is the strategy being employed there? Why is it effective?

Mr. CHONG. Well, I think the strategy is multi-pronged. So, for example, there are state broadcasters from the PRC that are on the airwaves in democracies, such as CGTN, the PRC's state broadcaster. It often promotes propaganda right out of the Chinese Communist Party. And those broadcasts are seen by millions of people around the world. People close to the Chinese Communist Party leadership have often taken ownership of newspapers and radio stations. And we've noticed that there's been a shift in the editorial stance of those newspapers.

For example, Sing Tao Daily is the largest Chinese-language newspaper in Canada. Its former editor is Victor Ho and he has told us in testimony in front of our committee that the newspaper is largely now a vehicle for Chinese Communist Party propaganda and views, compared to when he was the editor, where it was truly an independent newspaper that operated free of any control from Beijing.

Co-chair MERKLEY. I think that's a really important point. But is it the Chinese government that is buying these outlets? Is it Chi-

nese corporations or affluent Chinese individuals? How are they securing ownership control?

Mr. CHONG. It's not directly owned by the state. These are assets that have been purchased by individuals that are close to the PRC. You know, for example, we've seen recently a couple of years ago that the South China Morning Post, the largest English-language newspaper in Hong Kong, changed ownership. And there are suggestions that its editorial stance has changed because of that.

Co-chair MERKLEY. Thank you. Thank you very much. And I just want to close with the question as to whether any of your family back in China have ever been threatened as a result of your conversations?

Mr. CHONG. Well, my experience is, I think, illustrative of what is happening to many Canadians, and Americans, and other citizens of other democracies. Out of an abundance of caution, I've cut off contact with my family in Hong Kong in order to ensure that they are somewhat insulated from the work that I'm doing here. And I know in talking to members of diaspora communities across Canada and in the United States, that many, many other people have done the same thing. And so this is the consequence, one of the consequences, of the PRC's transnational repression.

Co-chair MERKLEY. Thanks so much.

Chair SMITH. Senator Sullivan.

Senator SULLIVAN. Thank you, Mr. Chairman.

And, Minister, welcome. And thank you, again, for your courage in being here. What you're doing, even as we speak in terms of your testimony, takes an enormous amount of courage. And I just want to let you know how much we admire it and appreciate it, because it takes people like you to speak out even though you do so with threats and risks to your family. So we really appreciate that.

I want to just touch on a couple points that I raised in my opening statement. Your point about sticking together as democracies, can you expand on this a little bit more, particularly in light of the fact that we've seen that the Chinese Communist Party's strategy is often to try to isolate and single out certain democracies? You know, they were really, really pounding Lithuania from an economic standpoint. In Australia, they undertook this big coercive economic, essentially, blockade. And can you tell just a little bit more on how important it is for all of us, as democracies, to push back together, stick together, and that brings us power and strength? Particularly when they try to pick off smaller countries, which I know is part of their strategy.

Mr. CHONG. Well, thank you, Senator, for that question. I mentioned how we can work more closely together on translating intelligence into public disclosure. Our members of the public have talked a bit about working together to figure out how we counter disinformation during—targeting elected officials and our elections, while still upholding the fundamental freedom of speech. Foreign agent registry is another opportunity for cooperation. I talked a bit about how we can cooperate on transnational financial crimes, which often come alongside foreign interference, but another area for cooperation is combating repression within the People's Republic of China.

For example, we know that much of the cotton and many of the tomatoes produced in Xinjiang province in western China are being produced through the forced labor of Uyghurs. And we know that those products are being exported around the world. I think the United States has done an excellent job in enforcing bans on the importation of products, like tomatoes and cotton, that have been produced using that forced labor. As I understand it, some 2,500 shipments from the PRC in the last two or three years have been seized by U.S. border officials and prevented from coming into the United States.

In Canada, we've yet to seize one shipment. There was a single shipment that was seized, but later released. We have evidence that those products continue to flow into Canada. And I think that's an area where we should learn from U.S. best practices on stopping these products from coming into our country. We're part of the North American Free Trade Zone. We can't be the place where these products have a back door to come in. So that is another example of where I think we could work much more closely with a democracy like the United States to learn how to implement these sorts of bans.

Senator SULLIVAN. Thank you. Let me follow up on your points on transparency, working together. I also believe it's important, particularly for regimes like this that often only recognize power and threats to their own viability. As you know, the Chinese Communist Party's number-one goal is to stay in power, way above anything else. The welfare of their people, they couldn't care less, as long as they stay in power.

So here's another question I have for you. I also think it's important that we go on a little bit of offense. Covertly, overtly, collectively. A lot of the CCP leadership, we know, is corrupt. We know they steal from their own people. We know that they're very rich from their corruption. Don't you think it makes sense—the Chinese are trying to sow discord as people in Hawaii are literally burying our fellow Americans—just outrageous—that we should also go on offense? Let the Chinese people know how corrupt their leaders are, that they're all very rich because they steal from their people. Don't you think we should be going on offense covertly, overtly? You want to mess with us, Okay, we'll mess with you. And maybe we'll bring your leadership down. Don't you think we should be doing that?

Mr. CHONG. Well, I think that's a very good point you make, Senator. I think of past decades before the rise of the internet and modern communication technologies, where shortwave radio was often used as a way to ensure that people in authoritarian states were receiving news and information that wasn't the propaganda of the state. And I think in this day and age, we should be funding VPN technologies that will allow people behind great firewalls, like the one in the PRC, to access news and information from the outside world, so that they actually get the truth rather than propaganda.

Senator SULLIVAN. Well, I think it's also very true—and I'm sure you would agree—that Xi Jinping's biggest weakness is that he fears his own people. That's why he's killing all of his close associ-

ates, or at least disappearing them. I don't know where they are. They're probably dead.

Let me get back to this issue of the nature of the regime, because I think you understand it more than most. But it's often right in front of our faces, and we don't want to recognize it. Let me give you a broader example. You know, it's really interesting to me that you read Xi Jinping's speeches, you watch what he says publicly, you look at who he emulates. The guy emulates Mao Zedong. There's no doubt about it. He's trying to model himself on Mao Zedong. If you just do a little bit of reading of the history of Mao Zedong, he's one of the most brutal dictators in the history, maybe, of the world. "The Black Book of Communism" estimates that he killed probably 50 to 60 million of his own citizens. And the current leader of China emulates him. That would be like the chancellor of Germany emulating Hitler.

So what does it say about the nature of the regime that the current leader of China emulates one of the most brutal dictators in the history of the world? Shouldn't we be concerned about that? But shouldn't it also be a lesson for us?

Mr. CHONG. Yes, I think it should be of concern to us. I think the rising prosperity of authoritarian states, such as the People's Republic of China, over the last 20 years has given them the resources to export their model of authoritarianism around the world. Whether it's in the South China Sea, whether it's in the Indo-Pacific region, and I think we, as democracies, need to acknowledge that this is a very real threat. And I think we have slowly come to this realization over the last decade. You know, I think—beyond 10 years ago, I think we wrongly assumed that along with increasing prosperity in these authoritarian states that they would gradually improve their record on human rights, democracy, and the rule of law. But the opposite has happened. All they have done is taken this newfound wealth and reinforced this authoritarianism, using technology, using other methods to repress their people.

But going back to an earlier point you made about sunlight and transparency and disclosure, one of the things that we are based on is freedom of speech, freedom of expression, a belief in transparency and sunlight. That is not something authoritarian states are based on. They're based on the very opposite principles. So I think by naming and shaming bad actors, by using intelligence and making some of that public to name and shame bad actors, I think will go a long way in countering this threat.

Senator SULLIVAN. Thank you. Thanks again for your courage.

Mr. Chairman, thank you again, sir.

Chair SMITH. I'd now like to yield to the ranking member, Jim McGovern.

Representative MCGOVERN. Thank you. Thank you for your testimony. Thank you for being here.

You know, the concern is that it's not just about social media outlets that China can control or has a greater influence on. I mean, you know, I just plugged into Twitter, "Maui fire causes." And things come up, like from The Desert Review—whatever the hell that is, I have no idea—but basically it echoes the stuff that China's been putting out, in a number of posts, that somehow there's some mysterious causes to these fires. And it doesn't say

the Chinese government posted them. I mean, they obviously have sympathizers and people who promote conspiracy theories.

But we have a problem, again, as a country that believes in free speech and freedom of expression. I mean, we have a problem on our own social media platforms with disinformation being put out there. And in the case of Twitter, now X, all the review procedures that used to be in place are gone. I mean, we're reading about the attacks on the Anti-Defamation League, who were raising issues about antisemitic posts being placed online—the response that really tried to destroy the integrity of the ADL is really quite, you know, stunning.

And so how do you get these social media platform executives who oversee this to actually be more responsible? And it's not just about naming and shaming the Chinese government, which we ought to do because of what they're doing. But we have corporate leaders that tolerate this in countries like ours. I mean, how do you get—do we name and shame them a little bit more?

Mr. CHONG. Well, Representative McGovern, that's an excellent question. And this is where I think like-minded democracies could really learn from each other on best practices and different models. So, for example, the European Union has a model to counter disinformation. The European Commission has set up a unit within the EC to counter disinformation in real time that's springing up on social media platforms. On the other hand, a very different model is the Taiwanese model. Taiwan is ground zero for the PRC's disinformation operations. Both the PRC and Taiwan share a common language. And so they are ground zero for this disinformation and they've taken a very different approach.

I was recently part of a delegation to Taiwan where I met with Audrey Tang, who's the new inaugural minister of digital affairs. And she told me about their policy, which is a very different approach. It's grounded in resiliency. It's grounded in the education system, the primary and high school education system, and in civil society—empowering civil society groups to counter this disinformation. So this is where I think we can learn from each other on best practices, on what works, what doesn't. But at the end of the day we have to balance two competing things. That is to counter this disinformation while upholding freedom of the media and freedom of speech.

Representative MCGOVERN. The level of disinformation that is being peddled on various social media platforms really undercuts our democracy and the very freedoms that we all care about. And it's always frustrating to me that we can't seem to come to a consensus on what disinformation is. And so we don't want to be in the business of censorship, but there ought to be some mechanism that clearly calls out lies and disinformation and conspiracy theories, and attacks on individuals, even if they're very subtle, for what they are. And so this is a real challenge. Some of it, you know, is putting pressure on China. Some of it is putting pressure on the platforms that allow people to traffic these lies and threats.

As I said in the beginning, I'm worried about attacks against people on these various platforms. But I also, quite frankly, am very worried about the other forms of transnational repression, including assassinations, illegal deportations, abductions, family in-

timidation, and Interpol abuse. I mean, the potential for the abuse of Interpol is well known and long-standing. Do you have any specific recommendations for reform of the Interpol system to combat transnational repression?

Mr. CHONG. Well, I think we do need to take a look at reforming Interpol. In light of the bounties and the demand for the arrest of eight pro-Hong Kong democracy activists who are abroad, I think we've got to make sure that Interpol isn't used as a tool by the PRC to arrest and detain these individuals. I think of a Canadian, Huseyin Celil, who was wrongfully arrested outside of the PRC, I believe in Turkmenistan, a number of years ago, and then extradited to the PRC.

His whereabouts are completely unknown and the PRC won't tell the Canadian government where he is being detained, or even if he is alive. And his wife and children live in Burlington, Ontario, just a couple miles up from—north of the border, north of New York State. It's so corrosive, that kind of tactic, because it sends a message to the rest of the community in Canada, that if they dare to speak up, if they dare to stand up, they may be arrested abroad and taken to the PRC.

Representative MCGOVERN. Again, I think we need to do a better job of coordinating with other like-minded countries when another country has somebody who is seeking asylum, and yet China has a particular hold over the country where that person is seeking refuge and are thinking of deporting him or her back to China. I mean, we ought to be more coordinated in our efforts to try to provide a circle of protection around those individuals. This is an important topic.

The abuse of these various platforms to target people, to discredit people, to spread conspiracy theories, has proliferated in a way that I don't think any of us could have imagined when social media first came into being. And it's hard to figure out how to put the genie back in the bottle, but maybe what we need—you know, are more truth tellers trying to influence on social media. And maybe we need to try to establish a group of people to set the record straight.

But, again, I just thought it was interesting. When I googled "Maui fires," when I plugged it in on Twitter, two conspiracy theories appear—both are being peddled by the Chinese government. But I appreciate your courage and I appreciate your advocacy. And I look forward to working with you in the months ahead. I yield back.

Chair SMITH. Commissioner Zinke.

Representative ZINKE. Thank you, Mr. Chairman.

First of all, I'd like to thank you for being here. It's not easy to stand up for freedom. And it takes a lot of courage. And thanks. I'd like to ask your thoughts on Chinese capabilities and priorities, perhaps, on industrial espionage, in particular the high-tech sector.

Mr. CHONG. Well, thank you, Representative Zinke, for that question. It's a very serious area of foreign interference. Our security services have told us that the PRC is a threat in two ways in five areas. They are a threat to our national security and they are a threat to us in the form of the theft of intellectual property. And that is, in particular, in five sensitive areas of research and devel-

opment at our leading universities and in our leading Canadian companies.

Those five areas are: telecommunications—5G telecommunications, quantum computing, artificial intelligence, biopharma, and clean technologies. And so I think what we should be doing is banning any government funding of research in partnership with PRC entities in those five sensitive areas of research. And so whether it's the four Canadian granting councils, or in the United States here the National Institutes of Health and other granting councils, I think we need to make it clear that we won't fund research in those five areas that's in partnership with PRC entities. I think we also need to ban research in partnership with any entity affiliated with the People's Liberation Army.

Representative ZINKE. And let me follow up. A concern when you talk about green technologies is EV. It sounds so nice. And I'm all for cleaner is better, etc. But I'm concerned about the supply chain. Because in order to power EV, it takes batteries. And just a cursory look at the supply chain, when you look at what is required for a battery: Well, lithium, cobalt. So who controls the mining of lithium, cobalt, and those other materials? And then the chips. Who's making the chips that run it and the production? And it goes on and on.

And then, of course, the other side of it is, What do you do when the battery has ended its lifecycle? You know, in the U.S. 90 percent of the solar cells that are no longer useful because of the technology and different reasons, they're just thrown into a landfill someplace across the country. We have no plan on what the disposal of the toxic batteries and liability should be. So I'm concerned about the EV world because it seems like we're pushing an agenda without looking at the engine behind it, and the engine seems to be Chinese. Do you share that same concern?

Mr. CHONG. Yes, I share that concern. I think there's two ways in which Canada can be a stronger partner to the United States in that regard. I think, first off, we are a vast country with immense natural resources. We have critical minerals of our own that can be part of the North American automobile supply chain. And I think that's an area in which we can work more closely with the United States. I think the second area, though, is equally important. We're the fifth-largest natural gas producer in the world and we currently don't have an LNG export facility to get our natural gas to global markets. And if we can get those terminals built, if we can export natural gas to international markets, and more natural gas to the United States, we can accomplish two goals.

First, we can help reduce global emissions because a fifth of global emissions come from coal-fired electricity plants in places like the People's Republic of China. We can cut those emissions in half overnight by transitioning those plants to natural gas. And, secondly, we can help displace oil and gas from authoritarian states and replace it with oil and gas produced here from democracies. And I think particularly when it comes to Germany and Japan, who are currently buying vast amounts of gas from authoritarian states—they should be buying their gas from Canada instead, and from the United States. And so those are two ways in which I think we can help the United States. We've got critical minerals of

our own and we've got vast amounts of natural gas that we need to get to international markets.

Representative ZINKE. So it seems like on both sides we have hurdles for our natural gas exports. But you're actually right. I mean, no one does it cleaner, better than North America. And if you want to look at how not to produce energy, I'll take you on a tour of Russia or the Middle East.

The other point that I think is important, you look at dependency, and who is dependent on whom, and for what. On critical minerals, as you mentioned, there's some critical minerals that they have the entirety of the supply chain. And it's not a secret. And one of them happens to be germanium. And it turns out germanium is needed for lenses, especially high-definition lenses, that you might want to put on military hardware, thermal optics, as a matter of fact almost everything we use. But critical metals are locked up and we can't get to the resources.

We have germanium here, but the germanium permit is almost impossible to get. And while technology on the battlefield changes every two years, we're waiting 25 years for a permit. And I would agree absolutely that the TransCanada pipeline—which is about 18 inches—would both reduce overall emissions and help us shore up our energy needs. Natural gas pipelines. Do you see any success in your current government on this issue?

Mr. CHONG. Well, I think you're exactly right. We need regulatory reform in Canada to reduce the regulatory hurdles to approving natural resource projects. In fact, the government of Canada itself has acknowledged that. Finance Minister Freeland was actually here in Washington last year and said that Canada needs to expedite the approval of these natural resource projects to get our resources to market to help our allies. She was very explicit about that. I await the Canadian government's plans in that regard.

It can be done. I'll give you one example of how a democracy did it. Germany, after the war in Ukraine began, realized that it had complete reliance on Russian natural gas, and that those pipelines were being shut down. We know one of them was blown up in the Baltic Sea and the other one never came online. And so Germany had to scramble. Well, within days after last February's invasion, they approved six new LNG terminals in the Baltic and North Sea. One of them came online in a record roughly six months from approval to live operation in Wilhelmshaven, which is a port, I believe, in the North Sea. So democracies, like Canada, can expedite these projects. We just need the political will to do so. And I think it's critical that we do that.

Representative ZINKE. I look forward to working with you on that. Mr. Chairman, thank you.

Chair SMITH. Ms. Salinas.

Representative SALINAS. Thank you, Mr. Chairman.

Mr. Chong, we've been talking a little bit about science and technology. And I serve on the Science, Space, and Technology Committee, where we frequently discuss issues around research security, especially in the context of economic competition with China. International research collaboration does have significant benefits, but reports suggest that our efforts to crack down on bad actors

have actually caused many Chinese American researchers to leave positions at American universities. And I understand this. How can we balance protecting against real, legitimate, and dangerous threats from the Chinese government and their influence on college campuses and fostering a welcoming environment for students and researchers at North American universities, where we really want to make true advancements?

Mr. CHONG. Well, that's a great question. You know, we have to balance academic freedom with the need to protect national security in sensitive areas of research. And one critical element in doing that is being open and transparent about what research will be funded and what won't be funded. And I think that will clear the suspicion. I think, in the absence of clear policies about what the government will fund, and what it won't fund because it crosses a line, I think you clear a lot of the suspicion away.

And so my view is in the Canadian context we should be clear that we will not fund research partnerships and research that is done in collaboration with PRC entities in the five sensitive areas of research that I identified and secondly, in research partnerships with the People's Liberation Army. I don't think there's any research that the Canadian government should fund that's done in collaboration with the PRC's military.

So if we put those policies in place, and also then simply advise universities that we think that there are security risks—if they then on their own decide to fund those research partnerships, if they decide to do those partnerships in those five sensitive areas, then I think we empower our university community, our academics, to do the right thing. And I'm confident that they will, and that they'll know where the lines are. And I think that clears a lot of the suspicion about any research that's been conducted with researchers from the PRC.

Representative SALINAS. Thank you. I yield back.

Chair SMITH. Thank you so very much.

Mr. Chong, thank you for your testimony. Without objection, your full statement and any materials you would like to include in the record will be made a part of the record. But thank you for your clarity, for your boldness, for your courage. It is greatly appreciated, greatly respected south of the border—that is to say, the Canadian border.

Mr. CHONG. Well, thank you very much for having me. And we look forward to building a stronger defense and security partnership with the United States.

Chair SMITH. Yes. I appreciate it so much. Thank you. [Applause.]

I'd now like to introduce our second panel. And beginning—it is a very, very fantastic group of experts and leaders, including those who have unfortunately been victimized by China's transnational repression and those who have studied and witnessed it up close.

First, I'd like to welcome Dr. Yana Gorokhovskaia, the research director for strategy and design at Freedom House. Yana has a Ph.D. from the University of British Columbia and has been published in peer-reviewed journals and outlets such as Foreign Affairs, Politico, the Guardian, the Washington Post, and Just Security. At Freedom House, Yana oversees research that quantifies

trends toward and away from global freedom and democracy, as well as monitoring transnational repression. She has co-authored two reports on the topic in recent years, “Still Not Safe: Transnational Repression in 2022,” and “Defending Democracy in Exile: Policy Responses to Transnational Repression.”

Next, we will hear from Ms. Laura Harth, campaign director at Safeguard Defenders, a human rights NGO that protects human rights, promotes the rule of law, and works to enhance local civil society capacity in some of Asia’s most hostile environments. Focused on the PRC, it also works to counter growing transnational repression by the Chinese Communist Party around the world through its direct action, research, and advocacy efforts. Indeed, you may recognize the organization’s name from a groundbreaking investigation they released exactly a year ago, entitled “110 Overseas: Chinese Transnational Policing Gone Wild,” in which they expose the abhorrent lengths to which the CCP has gone to maintain control over people outside its borders, including the establishment of at least 54 police-run overseas police service centers across five continents to carry out Chinese police operations on foreign soil, including right here in the United States. Laura also covers external relations for the Inter-Parliamentary Alliance on China and acts as an advisor to Hong Kong Watch.

Then we will hear from Rushan Abbas, a Uyghur American activist who has dedicated her life to championing the rights of the Uyghur people, and a great friend of this Commission. Rushan began her advocacy at Xinjiang University, where she courageously led pro-democracy protests in 1985 and again in 1988. After relocating to the U.S. in ’89, she co-founded the Uyghur Overseas Student and Scholars Association, that was in 1993, and played a pivotal role in establishing the Uyghur American Association in 1998 and was elected as vice president for two terms. In response to Beijing’s escalating genocidal actions against the Uyghurs in 2017, Ms. Abbas cofounded the Campaign for Uyghurs, or CFU.

In 2020, CFU released its report “Genocide in East Turkistan,” meticulously detailing how the PRC’s atrocities make it subject to strictures of the Genocide Convention. Notably, CFU received a Nobel Peace Prize nomination in February of 2022 for its tireless advocacy. Indeed, for the record, it was former Commissioner Tom Suozzi and I who made the nomination. Tom and I also launched the Uyghur Caucus here in Congress, and now co-lead that with Jennifer Wexton. And we hope to re-launch that again very soon. Rushan has a personal story to relate as well. In 2018 her family members underwent the unthinkable. After her first public speech in September of 2018, the CCP abducted and detained her sister Gulshan in China, in retaliation for her activism. She remains in custody.

So I welcome our very, very distinguished witnesses. And now, Yana, I yield the floor to you.

**STATEMENT OF YANA GOROKHOVSKAIA,
RESEARCH DIRECTOR FOR STRATEGY AND DESIGN,
FREEDOM HOUSE**

Ms. GOROKHOVSKAIA. Thank you, Chairman Smith, Co-chairman Merkley, and distinguished members of the Commission for the opportunity to share information about the scope and scale of the global transnational repression campaign carried out by the People's Republic of China. Today, I'll use my time to describe how the PRC tries to silence people living abroad, as well as how this campaign has evolved. I'll conclude with some suggestions about the ways that democratic governments can better protect people who are targeted by the PRC.

I'll begin with this simple fact: The People's Republic of China today is one of the least-free countries in the world. It now ranks near the very bottom among 195 countries assessed in "Freedom in the World," which is our global survey of political rights and civil liberties. The domestic situation is important to understand because, like other authoritarian governments, the PRC exports oppression abroad as a way of maintaining the regime at home. Even though Chinese officials routinely reference the government's policy of noninterference, Beijing seeks to dictate, sometimes through the use of physical force, the terms of free speech, association, movement, assembly, and even religious expression of individuals who are thousands of miles away.

China is carrying out the world's most sophisticated and comprehensive campaign of transnational repression using a wide array of physical, digital, and psychological tactics to attempt to silence those views as a threat. According to a database that Freedom House maintains, the PRC is responsible for about 30 percent of all recorded physical incidents of transnational repression globally since 2014. It has conducted campaigns in at least 36 countries, including in democracies like the United States. As Chairman Smith and Co-chairman Merkley already noted, Beijing targets a very diverse array of people—pro-democracy activists, journalists, students, human rights defenders, artists, former insiders, civil society organizations, and whole ethnic and religious groups like the Uyghurs, Tibetans, and Falun Gong practitioners, as well as anyone else who is brave enough to criticize the Chinese Communist Party.

It uses many different tactics to try to silence people. One of the most harmful and hard-to-address tactics is the intimidation of family or coercion by proxy. Harassment of family members still living in China can be psychologically devastating for people seeking to promote human rights and advocate for freedom. Commission members already noted how the PRC seeks to manipulate mechanisms of international cooperation like Interpol and extradition agreements. And I want to pause to point out two important cases.

One is the case of Idris Hasan. Idris was detained in March of 2021 when he landed in an airport in Casablanca on a red notice that was issued by China. Two and a half years later, he's still in prison, despite the fact that the red notice was canceled shortly after his arrest. Idris is at risk of being deported to China every single day because Morocco and China have an extradition agree-

ment. And worryingly, China is actively pursuing the ratification of more extradition agreements, as our colleagues at Safeguard Defenders and Oxus Society have well documented. Lu Siwei also, in Laos, faces imminent deportation. And his situation is also very worrying.

The PRC's toolkit of repression is evolving in dangerous ways. For example, evidence has recently emerged that the PRC is co-opting former members of domestic law enforcement agencies to harass, coerce, stalk, and surveil people living both in the U.S. and in Canada. The Federal Bureau of Investigation and the Department of Justice, and their Canadian counterparts, have begun to examine these cases. However, I want to underline that the involvement of former law enforcement officials in transnational repression campaigns may amplify, rightfully, the fear that members of the diaspora feel—because it demonstrates that the PRC is able to deputize officials in democratic states to carry out its repressive schemes.

The PRC is the world's worst abuser of internet freedom domestically. It employs digital tactics of transnational repression as well. These tactics, which include mass trolling, smear campaigns, threats and intimidation, spoofing of accounts, and even doxing of personal information, are meant to, first, intimidate, drown out reports of human rights abuses, and apply psychological pressure. I also want to note that these tactics are gendered. Women face not only violent but sexualized threats online in response to their work or their activism that shines a critical light on the PRC. The PRC's campaign of transnational repression is a threat to sovereignty, democratic institutions, and human rights. Building resilience and imposing accountability are key.

I'd like to conclude today by sharing some of Freedom House's recommendations for how to better protect people. I'll start with one that I think many on this Commission are already working on—codifying a definition of transnational repression. This will facilitate the tracking of incidents, distinguish attacks from ordinary crime, and coordinate interagency action in addition to serving as a basis for any other laws that may be needed. The second is training for government officials, including law enforcement, who may encounter transnational repression, to make sure that officials are equipped with matching and sufficient information to protect those who are at risk.

The third is conducting strategic, consistent, and culturally sensitive outreach to communities that are at risk of experiencing transnational repression, in order to equip them with the resources they need to report these incidents. The fourth is using voice and vote to limit the ability of Interpol member states to misuse red alerts and other kinds of notices. And finally, deploying targeted sanctions against Chinese officials for the use of transnational repression, as well as screening Chinese diplomats for a history of harassing diaspora members while at their postings.

I should note that several pieces of legislation to address transnational repression have been introduced or will be introduced in the near future. And I want to say, again, thank you to Co-chairman Merkley and Chairman Smith for your introduction of the Transnational Repression Policy Act, which Freedom House supports. We look forward to working with you to see that it passes

into law. Addressing transnational repression committed by the government of the People's Republic of China is a matter of urgency. It is imperative that Congress, in a bipartisan fashion, come together with the executive branch and like-minded partners to protect those who are at risk and to defend democratic institutions. We appreciate the leadership of the Commission on this issue, and I look forward to your questions. Thank you.

Chair SMITH. Thank you so very much for your testimony and your recommendations.

Ms. Harth.

**STATEMENT OF LAURA HARTH,
CAMPAIGN DIRECTOR, SAFEGUARD DEFENDERS**

Ms. HARTH. Thank you so much, Chairman Smith, Co-chairman Merkley, distinguished members of the Commission. Good morning. It is truly an honor to testify before you today on behalf of Safeguard Defenders.

As was already said, most people will know us, if they know us, for the report released exactly one year ago today, which exposed the formal cooperation between public security authorities in China and United Front-linked groups around the world in the setting up and running of so-called overseas police service centers. Now, counter to what PRC authorities and their propaganda mouthpieces continue to say, even over the weekend and today, these stations are not just in open violation of the Vienna Convention on Consular Relations. Open-source evidence exclusively from Chinese authorities and state party media links such stations directly to so-called persuasion to return operations, including video evidence from such an operation taking place in Spain.

Now, as is often the case when yet another Chinese foreign interference story breaks—and we've obviously just heard from Canada with the Honorable Michael Chong—we're seeing the fallout over the weekend over an alleged spy in Westminster. The reports on police stations presented somewhat of a rude awakening for many democratic governments that have previously been very reluctant to engage on the issue of transnational repression coming from China. While overseas police stations definitely jump-started a growing series of conversations, these are clearly but the tip of the iceberg in what members of the dissident communities have long known, and what Freedom House rightly defines, as the world's most sophisticated, comprehensive, and far-reaching campaign of transnational repression.

Within this campaign, Safeguard Defenders focuses our direct action and documentation efforts on countering one of its most extreme iterations, that of involuntary returns. While these are not new, the scale on which PRC authorities are coercing individuals to return to China to face prosecution has exploded over the course of the past decade, with official, yet partial, numbers released annually under Operation Fox Hunt and Skynet claiming well over 10,000 returns from over 120 countries between 2014 and October 2022. And we will soon release additional evidence on such operations taking place around the world.

The often-clandestine methods for these returns have been set in stone by the CCP Central Commission for Discipline Inspection in

a written legal interpretation to the 2018 National Supervision Law that vastly expanded this non-judicial body's reach. Extradition, repatriation, off-side prosecution, persuasion, luring and entrapment, and even kidnapping are among the official policies used by PRC authorities. The so-called persuasion to return method is the one used most frequently—threats and harassment, or worse, against family members back home, or direct threats and harassment of individuals overseas by covert agents, individuals linked to PRC embassies or consulates, private investigators and security firms, co-opted private individuals, rabid nationalists, or even victims themselves.

The Chinese Communist Party has set up a true whole-of-society effort to exert control over diaspora communities worldwide and silence dissent. These efforts clearly undermine the most fundamental freedoms of targeted communities, severely infringe upon the rights and due process of individuals coerced into returning, and constitute a grave violation of the territorial and judicial sovereignty of other nations. The climate of suspicion and widespread fear further isolates targeted communities and individuals from their environments. They may also expose individuals that have been co-opted or coerced into doing the CCP's bidding, to criminal liability. As has often been said, to effectively counter such a massive undertaking, democracies need to respond with a similar whole-of-government approach that recognizes transnational repression for the domestic threat it is, one that is inextricably linked to the CCP's influence operations.

Now, speaking from a European perspective, we are really at the very beginning of such an endeavor and will need continued, concerted allied efforts to move beyond the stage of timid condemnation to effective and coordinated transnational counteraction to match the CCP's efforts. Working towards joint definitions, sharing of information and best practices, as well as the coherent application of set standards, are an essential step in this direction. It is, in our view, equally key to end the legitimization of the PRC's illegal practices through judicial and police cooperation agreements, at the bilateral but also at the multilateral level.

It is no coincidence that the PRC has been pushing the signing and ratifying of such agreements at an accelerated rate during the same timeframe in which its involuntary returns operations have exploded. Some may remember the example of the joint police patrols that seemed, at the very least, conducive to the pilot run of overseas police stations in Italy, something the Italian authorities have since recognized as being imprudent. But it doesn't end with such examples. Nor does it end with the examples of extradition agreements or Interpol abuse. In particular, I'd like to use this occasion to severely question the legitimacy of the U.N. Office on Drugs and Crime's MOU with the CCP's Central Commission for Discipline Inspection—that same body I mentioned before—as the Chinese focal point for all work under the Convention against Corruption.

Not only does PRC propaganda adopt these types of agreements as a demonstration of the international community's trust in its judicial system, it directly contributes to a heightened sense of fear within targeted communities, gravely subverts the international

rules-based order, and often acts as a gateway to similar agreements at the bilateral level, especially in the Global South. Ending such legitimization is a crucial part in rebuilding trust with the targeted communities that are key to understanding emerging threats and actors. Personally, I believe the biggest compliment we have received on our work is that of victims across Europe stating they finally found audiences eager for their stories and experiences.

To them. I want to say: We need more of your stories. Authorities need to hear more of your stories. The U.S. and Australia have already set up exemplary multilingual, dedicated hotlines to report transnational repression efforts, also anonymously. To encourage this best practice elsewhere, Safeguard Defenders has today released a pilot guide with reporting channels in a series of countries, which we will continue to update and hopefully grow with similarly dedicated hotlines. So if you or others have been the target of transnational repression, please report to the relevant authorities. Please report to the FBI if you're in this country. Only by coming together can we begin to effectively push back against the CCP's efforts. Thank you.

Chair SMITH. Thank you so very much.

Senator Merkley has a vote pending over on the Senate side and has to run to make it, so I yield whatever time he needs.

Co-chair MERKLEY. Thank you very much, Mr. Chairman. And I apologize to our third witness. Thank you so much for your advocacy.

As you know, I'm deeply engaged in efforts to highlight and address and create pressure regarding Chinese treatment of the Uyghur community and their enslavement practices, including stopping the export of products made, in order to create international pressure to change those tactics. Ms. Gorokhovskaia, I want to turn to your testimony, Freedom House, and I appreciate so much your organization's work. But I wanted to highlight one piece of your testimony about the use of retired police officers. Have you seen this as a significant, sustained strategy that is being employed by China?

Ms. GOROKHOVSKAIA. Thank you. We've seen a few instances of it. I think much of the issue is that people who retire from either law enforcement or even sometimes from the DHS have specific skills and networks of contacts that make them very valuable and employable as private investigators. And they take contracts which sometimes originate in China or Iran to collect information. And we've seen this. There were also prosecutions recently in New York. We've seen a case like this with the RCMP in Canada. And this is an extremely dangerous practice and probably speaks to the need for more regulation of private investigators and transparency about where that work is coming from and on behalf of whom they're collecting this information.

Co-chair MERKLEY. And let me also turn to your mention of red notices. We've had hearings and testimony on this before this committee before, trying to draw attention and diminishing China's ability to use red notices, reducing the ability of countries to cooperate with them. Are we having any impact? Is it becoming harder for China to use red notices to detain people and use extradition agreements to return people home?

Ms. GOROKHOVSKAIA. I think there's a great deal of attention to China's misuse of red notices, as well as misuse of red notices by other countries like Russia. However, as the case of Idris Hasan demonstrates, the problem is that even when the red notice is pulled back, when it's canceled, you can still be detained. The effect is that you are—you're still imprisoned. And then other mechanisms kick in, whether that's the police cooperation agreements, whether that's extradition agreements. And so the simple fact that this information is still shared and can be acted on is a serious problem. I hope that answers your question.

Co-chair MERKLEY. Thank you. And Ms. Harth, you talk about "110 Overseas." And I gather 110 is a reference to the emergency number that you would dial in China. Is that a name that all of you have given the Chinese tactic or is that one that China uses?

Ms. HARTH. I believe it was used by at least one of the authorities in the documentation we reviewed—"110 Overseas," a slogan to define these overseas services that they were offering. But it's not a consistent name used by all the public security authorities.

Co-chair MERKLEY. So they're, on one level, advertising services to the Chinese diaspora—legitimate services—but using these service stations to coordinate transnational repression.

Ms. HARTH. Yes, I believe there were two issues with these overseas stations. They were offering administrative or consular services on site, which in many cases may well have been in violation of the Vienna Convention on Consular Relations because obviously private individuals are not allowed to establish consular services or others at free will. On the other hand, we found concrete evidence—and I wish to highlight, exclusively on the basis of open-source evidence from PRC sources—that these stations had indeed been used for, we found evidence of, 84 persuasion to return operations. And that evidence in one case included video evidence of such an operation taking place between a station in Spain and the public security authorities in China.

Co-chair MERKLEY. And this is what you're referring to when you talk about China's patrol and persuade campaign, monitor what Chinese diaspora are doing and persuade them to stop or persuade them to perhaps report on others who are criticizing China?

Ms. HARTH. So in our case, we use "persuade" to refer to the persuasion to return operations, which is a term used by the PRC, their most preferred methodology to bring people back—to coerce people to go back to China. But the patrol obviously refers more generally to the potential control and harassment of people overseas.

Co-chair MERKLEY. And that persuasion to return home to China, the main instrument used is threats to their family members back home should they not return?

Ms. HARTH. Absolutely.

Co-chair MERKLEY. Threats to do what to the family members back home?

Ms. HARTH. Threats may include the detention of family members, interrogations, calling them into police stations, disappearing family members, taking away their jobs, taking away certain benefits, the threats or actually doing all those things, even prosecute family members instead of the target overseas.

Co-chair MERKLEY. And you refer to Operation Fox Hunt, 2014 through 2022. I think the stat you have in here is 10,000 returns in your testimony. Is that the Chinese government saying that they've persuaded 10,000 people to return home through this strategy?

Ms. HARTH. Official numbers released annually by the CCDI, Central Commission for Discipline Inspection, on Fox Hunt and Skynet lists close to 12,000 returns between 2014 and October 2022. And we're obviously waiting for the new data possibly at the end of October.

Co-chair MERKLEY. So 12,000, I mean, they're kind of bragging about having persuaded people to return home, which sends a huge message. If the intimidation is that successful, threatening family members back home—I mean, this is not encouraging university students to return to use their education back home. This is encouraging people to return back home who have criticized China abroad?

Ms. HARTH. Who exactly they're going after under these campaigns is not always clear, especially when it comes to Fox Hunt and Skynet. These are people typically accused of corruption, financial crimes. Now, whether those accusations are correct, it is obviously very hard to say, knowing the Chinese system.

Co-chair MERKLEY. Do we have any sense of that number? I think you corrected me that it's 12,000. Do they report on the distribution between countries of those numbers? No? Okay. Now, Operation Fox Hunt, that's the Chinese name for this operation, is that correct?

Ms. HARTH. Yes.

Co-chair MERKLEY. Well, we have a lot of work to do to address this expanding strategy. And I appreciate, from Freedom House, the five recommendations that you mentioned. I did want to ask you, Ms. Harth, you mentioned that the United States has an exemplary dedicated hotline. We've been asking for a dedicated hotline from the FBI, but they keep telling us they want to keep using their general tip line. Are we unaware of something that has been established here in the United States?

Ms. HARTH. I was referring to the multilingual guides that they have put out describing transnational repression, making sure that when instances are reported that it is centralized, that it is looked at, that people that receive those calls or messages know what they're talking about. And coming from overseas, I can tell you that is exemplary, indeed.

Co-chair MERKLEY. Okay. Well, it may be that in the international comparison we're doing well, but we are pushing for there to be a dedicated way for people to report transnational repression, including linguists appropriate to the countries that are the major offenders. But I don't think we're quite there yet. But I appreciate that at some level we're making some impact. But we're not where we want to get to. Thank you so much, all three of you, for bringing

your expertise to bear on this really big issue that concerns the ability to have the freedom of speech and assembly that we cherish so much, yet is so directly threatened by these tactics. Thank you.

Thank you, Mr. Chairman.

Chair SMITH. I hope you make your vote.

Ms. Rushan Abbas.

**STATEMENT OF RUSHAN ABBAS, FOUNDER AND
EXECUTIVE DIRECTOR, CAMPAIGN FOR UYGHURS**

Ms. ABBAS. Thank you, Chairman Smith, Chairman Merkley, members of the Commission, and all the staff at the Commission. Thank you for giving us the opportunity to speak today. The Commission is well aware of the CCP's endless list of genocidal crimes being carried out against the Uyghurs and the other Turkic groups in East Turkestan, also known as Xinjiang. Today, I will speak about the Chinese regime's use of transnational repression to stifle defiance and hide their crimes. Beijing's tactics of intimidation and hostage taking to silence Uyghurs have global effect. Through these measures, the CCP violates the First Amendment rights of American citizens residing on U.S. soil.

The totalitarian rule from China extends beyond its borders, oppressing U.S. citizens. In 2018, we received the news that 24 family members of my husband, Abdulhakim Idris, were missing and likely detained in the camps. On September 5th, 2018, I spoke about the growing mass detention and exposed the CCP's genocidal policies at the Hudson Institute here in Washington. Six days later, my sister, Gulshan Abbas, was unjustly detained by the regime in retaliation for my activism and my free speech as a U.S. citizen.

Yesterday marks the fifth anniversary of her being taken from our lives. The Chinese regime has maintained silence about her situation, while their mouthpiece, Global Times Network, spread misinformation, accusing me of fabricating my claims about her disappearance. Later, the Chinese Ministry of Foreign Affairs confirmed her false imprisonment, all based on fabricated charges. My sister, Gulshan, has no political history and is a retired medical doctor, a mother, and a grandma who continues to suffer in a Chinese prison. For five long years, my niece, Zieba, has put her life on hold, relentlessly fighting for her mother's freedom. Witnessing her journey is incredibly painful as she navigates working and raising her 5-year-old daughter, while grappling with the overwhelming loss and the trauma of having her mother held hostage because of me.

Recently, we just learned that my father-in-law, Abdulkarim Zikrullah Idris, passed away in January of this year. My husband lost contact with his family in April 2017. After over six years, all we know is that his father passed away seven months ago. The exact date and the circumstances surrounding his death are unknown. My mother-in-law, Habibehan Idris, is said to be outside the camps, but she's in poor health, alone, and has no one to take care of her because her four children and all her grandchildren are still missing and likely detained. The plight of my sister and my in-laws are one of many.

Uyghurs in the United States are facing the most significant crisis of our lives. But many of us are afraid to speak out because of

what might happen to our lives back in our homeland. Our efforts to raise awareness and advocate for change are targeted and undermined. Remember when we used to have this sort of hearing on the Hill before? A room full of Uyghurs used to join you, holding pictures of their missing family members. But today, you don't see many. They are afraid of coming to public events like this as a direct result of TNR. I face daily online attacks with hate and misinformation spread through the CCP bot accounts. Uyghur activists, including myself, are subject to libel and harassment, fostering mistrust and hatred. Platforms like Twitter, Facebook, and YouTube offer no protection.

Today I urge you to protect Uyghur American citizens. This call is reinforced through my written testimony and policy recommendations. I returned from Almaty, Kazakhstan last night. We were there for a film festival featuring the documentary, "In Search of My Sister," which highlights my story and my sister's detention. When we arrived there, the venue canceled the event. The supposed reasons for the cancellation vary. Some cite a visit by two Chinese diplomats to the venue the day before. Others point to the Kazakh government. Nonetheless, it's clear that the CCP is ultimately responsible for suppressing this event.

The CCP is an evident threat to freedom and democracy in the world. China's international policing intimidation and harassment tactics extend to everyone, as highlighted by the Honorable Mr. Chong and the experts here. I am, as a female activist, personally experiencing everything that Yana described earlier. China's economic and technological power gives the government significant sway, causing self-censorship and silence in various American industries. The CCP influence undermines American values and global freedom. And as long as our families are detained in prison, concentration camps, forced into slavery with forced labor, forced into marriage, facing forced sterilization and forced abortion and kidnapping, all Uyghurs worldwide are direct victims of this genocide.

Urgent action is necessary to protect not just my sister, my in-laws, and the millions of Uyghurs, but the entire world. Only through collective efforts can we safeguard Americans from China's infiltration and the normalization of TNR here at home. I ask that we work together to preserve democracy and freedom and human rights. If we do not stand to hold the CCP accountable today, we will most certainly lose the privilege tomorrow. Thank you.

Chair SMITH. Thank you very, very much for your testimony, for your incredible courage for speaking out, and for sharing about the agony you have suffered personally for your sister. I remember when Tom Suozzi did the showing of your documentary—which you showed again—I believe it's the same one, yesterday. You know, it's very moving. And I think we ought to do it again here on Capitol Hill with the Speaker and others, so they can see just how barbaric and cruel the Chinese Communist Party really is in taking hostages of family members and friends of people who speak out, as you have done so bravely.

So I would offer that to you. I thank you for traveling 25 hours on a plane to get here to testify. That is a personal sacrifice on behalf of your sister and all Uyghurs. And again, if we don't, as a country, and if the West and the democracies do not begin aggres-

sively calling out the abuses of Xi Jinping, the abuses will only multiply. And so the idea behind this hearing, behind our legislation on transnational crimes that are being committed by so-called police and others on behalf of the Chinese Communist Party here and elsewhere, it's time to put a tourniquet on it all. It just has to happen, because it's only going to get worse. So I thank you.

I do have a few questions, but I want to point out that I mentioned Lu Siwei earlier, who we're all concerned about in Laos. You know, yesterday, 164 Chinese nationals were renditioned from Laos to China. And there's fear that, of course, Lu Siwei may be part of a forcible return. You know, the whole idea of calling it "persuasion to return" or anything like that—these governments unwittingly or wittingly cooperate with a violation of refugee law, where you know people are going to be sent back and have a well-founded fear of persecution. And that's where they're going back to.

So I would hope that all of us would reach out to the administration, ask Michelle Outlaw, who's our chargé in Laos, to raise the issue of Lu Siwei. And perhaps some of you might want to make mention of that now. And some of the questions I have, you know, you, Laura Harth, mentioned the U.N. Office on Drugs and Crime and the MOU with the CCP's Central Commission for Discipline Inspection, and what a farce it is. Such legitimization, as you point out, is a crucial part of—it legitimizes the illegitimate. And I'm not sure if you could speak about that—has our Department of State spoken out on that MOU? Have we done it effectively? Because we can't look the other way when agreements are entered into by governments like this. So maybe you want to speak about that a little bit—or elaborate on that very poor MOU.

Ms. HARTH. Yes, maybe specifically on that agreement. That memorandum of understanding was signed shortly after the 2018 reform of the National Supervision Law, which created a state front for this internal CCP police—I think that is the best way to describe the Central Commission for Discipline Inspection. Now, that state front is not independent in any way. It does not have independent employees. It does not report independently. It sits in the same offices and all its representatives are the exact same people. So it is not a different body.

As soon as that was set up—their body's powers were vastly expanded, both within China through the formalization of a system called Liuzhi, which is effectively an extrajudicial system for enforced disappearances, torture, and so on. They call it a special investigative mechanism. It has been denounced by U.N. human rights bodies. At the same time, the CCDI bodies have been in charge of overseeing all international, let's say, police repatriation efforts. So clearly a very worrying body. And as I said before, it does not surprise us that they also started pushing this body for all international law enforcement and judicial cooperation.

Now, that included, famously, an agreement—the first one, I think—with the Australian Federal Police, which was signed only a couple of weeks after this reform. Luckily, the AFP has now a couple of months back recognized that that was a mistake that will not be made again. So that will not be renewed. In Denmark, a similar agreement existed that has also not been renewed. But a lot of agreements exist around the world, including this MOU. I

think the most important thing that worries us is the fact that it has been appointed as a focal point. And one of the issues there is obviously that also it's not just Interpol; under this mechanism there are police cooperation mechanisms.

So far as I know, there has not been any public statements by countries on the UNODC mechanism. We'll definitely be raising that issue more. I can tell you that the UNODC has been unwilling to release the contents of that MOU or to provide civil society organizations, such as us, with any further information. Thank you.

Chair SMITH. Now, is that something that Secretary Blinken and the U.S. Department of State should be raising? Have they done so in any fora that you know of?

Ms. HARTH. I don't know what—publicly, I haven't seen that happen. I don't know if that has happened privately. I definitely hope this would be something that allied countries in general—democratic nations in general—would be looking into more as they try to tackle the issue of transnational repression and the issue of the illegitimacy of what the CCP is trying to do here in really overturning the international rules-based order. Thank you.

Chair SMITH. It is something that we, as a Commission, will undertake further. We already have, but will do more. Perhaps this calls for a letter from commissioners, if they would be so inclined to sign, to our administration asking that this be raised. I mean, even the euphemism “persuasion to return,” you know, with broken bodies and broken hearts, especially of family members in order to effectuate that forcible return. I mean, it flies in the face of the Refugee Convention and all parts thereof—and China is a signatory to it. I know it doesn't really apply here, but it's that concept of coercing people to involuntarily repatriate. So if you could provide us any additional information you would think would be helpful. And we will ask Secretary Blinken to raise it. And I thank you for really bringing a spotlight to it today.

I'd like to ask Rushan, in what ways should the U.S. Government be more helpful to the diaspora, like yourself, who are suffering so much? Is there outreach? Is there—I mean, does the FBI talk to you at all, and to others? You know, do we have enough resources deployed? Obviously, there's always the concern, Do you have enough people at the FBI and other agencies to do the work? Is the need not being staffed sufficiently? Or is there a lack of, you know, actual guidance coming from the administration?

Ms. ABBAS. Yes. We have been talking to the FBI and the State Department and the other law enforcement. And it seems like they are on it, paying attention. But it seems like there is not much they can do for people like us, seeing all this libel, harassment, intimidation, and the blackmail online especially; they are protected under the freedom of speech. It's interesting how these platforms are not open to the general public in China. The regular, ordinary Chinese people cannot use YouTube, or Twitter, or Facebook, and other social media platforms. Yet the Chinese officials, or Chinese state media, or those Chinese troll accounts, are constantly attacking us, harassing us. But when we reach out to the FBI and the others, they are in touch with us, and they are constantly communicating with us. But we don't see any tangible help.

We are already facing so much agony. Our family members are suffering. Every day everything we do is at the cost of our family members' freedom. And I wake up every day with my sister's face and I go to bed with her face. And since her detention, my life completely changed. I quit my full-time job as a business development director. And every—you know, the dream or the ambition I had professionally for my life all evaporated overnight. I became a full-time activist. I doubled down on my efforts. Therefore, when I see those kinds of attacks, which is daily, I take these as the impact of my work. We are speaking to the power, and we have the truth, and the Chinese Communist regime is afraid of the truth.

But at the same time, it frustrates me when I see absolutely nothing is being provided, other than just the interviews, or talks, or saying that they are doing something. But it seems like it's extremely slow. We have been talking to the FBI for over a year now. I don't see any kind of tangible action being provided.

Chair SMITH. Yana or Laura, do you have any sense as to how many Chinese operatives, police and others, are here in the United States? And how many they've deployed throughout the world to harass and intimidate?

Ms. HARTH. You know, I think it would be very hard to have a number on that. As I said before, the issue is that the number of actors is so wide, between those that are, you know, official agents that may have been deployed from China to come to other countries, those that may be stationed in embassies and consulates, and then, you know, the whole host of private actors, semi-private actors, that are being engaged. I think it's very hard to calculate. And I do want to make, if I may, a small note of caution, because, as I said, some of these people may be victims themselves. Now that does not necessarily excuse what they are doing, but it is important to keep it in mind that a lot of these people may not have a choice themselves. And again, I think that just demonstrates how evil this regime is because they do not care if those people will then go and face criminal charges, or anything else. Thank you.

Chair SMITH. Yana.

Ms. GOROKHOVSKAIA. I would agree with that. I think it's very hard to estimate. I think we see transnational repression and foreign influence play out in lots of different ways. There was discussion of what happens on university campuses. I think that's especially also something to watch. We saw a lot of students, Chinese students, taking up their own white paper protests last year in response to what was happening domestically in China. And frustratingly, a lot of those people were then—first of all, didn't get support from their universities, but also then faced reprisals, either threats on campus or threats to their families.

And so I think the important thing is that every time we see pro-democracy, pro-human rights, pro-freedom activism by people outside of China, we see a very harsh and very immediate response. And although there is action to support people, like the FBI and other actions, there's still—many people who are facing this don't feel like they have anywhere to turn, and they don't understand necessarily that there is solidarity, that they can reach out, and that people in the U.S. Government and other democratic governments understand that this is a problem.

Chair SMITH. Has there been a better understanding? Several years ago, I did a series of hearings on Confucius Institutes and the malign influence that they're having on the student body, especially Chinese students that they surveil. And of course, the one-sided political tirades that come from those people that implement it, it's all the party apparatus. I mean, don't talk about the Dalai Lama. Don't talk about the Uyghurs. And many of our universities, our colleges—bought into it. Now, are you finding that this is part of that apparatus to this day, that they're becoming even more repressive using Confucius Institutes or like-minded entities?

Ms. GOROKHOVSKAIA. I think, while the influence of Confucius Institutes has waned, we've seen other facets of this be expressed. And I do think that one thing to caution against—this sometimes gets wrapped into a language of anti-Asian hate—is that this is sort of harassment or racial profiling. And that is—that's also to the PRC's advantage, because it pits people against each other, and it delegitimizes the voices of people who are speaking out for freedom. So I think that Confucius Institutes have become less of a problem, but I don't think that the influence has disappeared as a result of that.

Chair SMITH. Good point. Now on the red notices, those of us who have read Bill Browder's book—you know, he's testified many times before us. He's done an amazing job, especially with the Magnitsky Act and Global Magnitsky. I was the House sponsor of Global Magnitsky. It's just a tremendous tool for the administration. But concerning the abuse of red notices—what does Interpol do to mitigate that abuse, especially when it comes out of China, or Russia, or some other totalitarian country?

Ms. GOROKHOVSKAIA. Well, one thing that can be done is to be more transparent about the number and the origin of notices. We don't know where the notices are coming from. Often people don't know that they have a notice against them until they get arrested somewhere on a border. And that's something that Interpol can do. They do make some notices public. They can be more transparent, so that people have an opportunity to look it up—look up whether or not they are subject to a notice, and actually appeal for that notice to be rescinded or canceled, if there's grounds to do that. So that's one very concrete thing that Interpol can do.

Chair SMITH. Laura, could you just tell us how many countries—do you have any sense of how many countries have unwittingly signed agreements which allow for these illicit extraditions?

Ms. HARTH. I'd have to come back to you on that. But there's definitely a huge number of—it's not just extradition agreements—police, judicial cooperation agreements, it doesn't stop—but I'll get back to you on that.

Chair SMITH. Okay. Anything else you would like to add before we conclude the hearing? And Rushan, know that your sister will remain a high priority for this Commission, and you, and others who are in that similar situation. I do thank you especially, we all do, for your courage in coming forward. You know, injustice need not be forever. And, you know, the heroes of democracy and human rights are you and your sister, and others who are fighting so tenaciously, and paying for it with the loss of their freedom. So thank you for that sacrifice. I can't tell you how in awe I am, and my col-

leagues are, of what you have suffered and how you persevere to continue to bring the message to the world about what is happening under Xi Jinping. So thank you.

Thank you so much. The hearing is adjourned.

[Whereupon, at 12:12 p.m., the hearing ended.]

A P P E N D I X

PREPARED STATEMENTS

STATEMENT OF HON. MICHAEL CHONG

MY EXPERIENCE WITH THE PEOPLE'S REPUBLIC OF CHINA

I was first elected to Parliament in 2004 and represent the electoral district of Wellington-Halton Hills in Ontario, Canada, where I was raised. Like millions of Canadians and Americans, my parents were immigrants. My mother immigrated from the Netherlands in the 1960s. My father immigrated from Hong Kong in 1952, and I have extended family living in both the Netherlands and Hong Kong. Today, tens of millions of North Americans have family living abroad and who are at risk of being targeted by authoritarian states.

The ties between Canada and Hong Kong are longstanding and deep. During the Second World War, some two thousand Canadian soldiers of the Royal Rifles of Canada and the Winnipeg Grenadiers defended Hong Kongers against a vicious, surprise attack that took place simultaneously with the attack on Pearl Harbor in December 1941; half the Canadian soldiers were casualties of the ensuing battle. Hong Kong is “Canada’s Pearl Harbor”. Today, some 300,000 Canadian citizens live in Hong Kong.

During my time in Parliament, I have served in the federal cabinet as President of the Queen’s Privy Council, Minister of Intergovernmental Affairs, and Minister for Sport, and have chaired several House of Commons Standing Committees. In September 2020, I was appointed Shadow Minister for Foreign Affairs for the Official Opposition and have served in this role since. In our Westminster system of government, my mandate is to hold the Canadian government accountable on foreign policy and to serve as part of a “government-in-waiting”.

Several years after Xi Jinping became President of the People’s Republic of China (PRC), it became clear the PRC was increasingly violating a number of international norms, laws, and treaties. This included violations of the Sino-British Joint Declaration (which guaranteed Hong Kongers liberties and freedoms for fifty years from 1997), its detention of Western journalists, and its increased military belligerence in the South China Sea. At the time, I voiced my criticism of the PRC, which usually resulted in the PRC embassy requesting a meeting with me to exchange views.

After my appointment as Shadow Minister, my criticisms of the government of the People’s Republic of China (PRC) increased in response to President Xi’s increasing violations of the rules-based international order and repression in the PRC and abroad, including the wrongful detention of Canadians Michael Kovrig and Michael Spavor, increasing evidence of a Uyghur genocide, threats to national security, and theft of intellectual property. These criticisms were amplified following my September 2020 appointment because my position meant I was speaking and acting on behalf of my parliamentary party.

On November 18, 2020, the House of Commons adopted a motion I introduced (Opposition Motion (Foreign policy towards China)), which called on the Canadian government to “make a decision on Huawei’s involvement in Canada’s 5G network within 30 days” and “develop a robust plan, as Australia has done, to combat China’s growing foreign operations here in Canada and its increasing intimidation of Canadians living in Canada.”¹ On February 22, 2021, the House of Commons adopted another motion I introduced (Opposition Motion (Religious minorities in China)), which recognized the PRC’s actions towards Uyghurs and other Turkic Muslims as

¹ House of Commons, *Vote Detail-23—Members of Parliament—House of Commons of Canada* (ourcommons.ca), 18 November 2020.

a genocide.² Both motions received support from members of every parliamentary party. In response to the second motion, and in coordination with the United States and United Kingdom, the Canadian government imposed sanctions “in response to human rights violations in Xinjiang” on March 22, 2023.³

In response, on March 27, 2021, the PRC sanctioned me for the Canadian government’s imposition of sanctions on March 22, 2023, along with the Chair of the United States Commission on International Religious Freedom (USCIRF), Gayle Manchin and Vice Chair of the USCIRF, Tony Perkins.⁴

Subsequently, I concluded the PRC’s sanctions on me and others were proof of our effectiveness and continued to speak up in defense of democracy, freedom, and the rules-based international order.

On May 1st of this year, I learned through a report in a newspaper, *The Globe and Mail*, that a PRC diplomat working out of the consulate in Toronto had, since 2020, been gathering information to further target me and my family in Hong Kong.⁵ The source for the *Globe* report was an internal July 2021 Canadian Security Intelligence Service (CSIS) assessment shared with the newspaper by an undisclosed source. The Canadian government subsequently confirmed the existence of the CSIS assessment.⁶ In response to the public release of this information, the Canadian government declared the diplomat, Mr. Zhao Wei, “persona non grata” on May 8, 2023.⁷

On August 9, 2023, the Department of Foreign Affairs, Trade and Development (Global Affairs Canada) informed me, and publicly revealed, that I was a target of a disinformation campaign on the Chinese social media platform WeChat between May 4 and 13, 2023. According to the Department’s findings, large volumes of false and misleading narratives about me were shared, including on my “background, political stances, and family’s heritage” and that the PRC’s role in the information operation is “highly probable.”⁸

These are the reported instances of the PRC’s targeting of me to date.

TRANSNATIONAL REPRESSION VS. FOREIGN INTERFERENCE

Transnational repression and foreign interference are terms that are often interchangeable. Generally, transnational repression is defined as authoritarian governments’ extraterritorial efforts to silence, deter, undermine, and threaten dissidents and activists who oppose them. Foreign interference is defined in Canadian law as foreign state “activities within or relating to Canada that are detrimental to the interests of Canada and are clandestine or deceptive or involve a threat to any person.”⁹

PRC’S FOREIGN INTERFERENCE THREAT ACTIVITIES IN CANADA

My experience is but one case of PRC foreign interference in Canada. Many other cases go unreported and unnoticed, and the victims often suffer in silence.

CSIS continues to observe PRC foreign interference threat activities in Canada. CSIS has assessed that foreign interference “poses one of the greatest strategic threats to Canada’s national security.”¹⁰ CSIS has stated that the PRC’s foreign interference in Canada is a “significant threat to the integrity of our political system and democratic institutions, social cohesion, economy and long-term prosperity, and fundamental rights and freedoms.”¹¹

²House of Commons, *Vote Detail-56—Members of Parliament—House of Commons of Canada* (ourcommons.ca), 22 February 2021.

³Global Affairs Canada, *Canada joins international partners in imposing new sanctions in response to human rights violations in Xinjiang*, 22 March 2021.

⁴Ministry of Foreign Affairs of the People’s Republic of China, *Foreign Ministry Spokesperson Announces Sanctions on Relevant US and Canadian Individuals and Entity* (fmprc.gov.cn), 27 March 2021.

⁵*The Globe and Mail*, *China views Canada as a ‘high priority’ for interference: CSIS report—The Globe and Mail*, 1 May 2023.

⁶*The Globe and Mail*, *‘No one person’ responsible for Ottawa failing to warn Michael Chong he was being targeted, national-security adviser says—The Globe and Mail*, 1 June 2023.

⁷Global Affairs Canada, *Canada declares Zhao Wei persona non grata—Canada.ca*, 8 May 2023.

⁸Global Affairs Canada, *Rapid Response Mechanism Canada detects information operation targeting member of Parliament—Canada.ca*, 9 August 2023.

⁹CSIS, *Foreign Interference and You*, 2021.

¹⁰Public Safety Canada, *Countering Foreign Interference*, March 10, 2023.

¹¹CSIS, *Briefing to the Prime Minister on Foreign Interference—Revised Speaking Notes*, p. 2, February 9, 2021.

Canada continues to be a target of the PRC, which is “seeking to advance their political, economic and security interests to the detriment of Canada’s,” and the threat is a “growing concern.”¹² This has direct implications for the approximate 1.7 million Canadians of Chinese descent living in Canada (4.7 per cent of the country’s population).¹³

PRC foreign interference activities target a variety of diaspora groups in Canada using various tactics. Some of these activities are documented in a report of the House of Commons Special Committee on the Canada-People’s Republic of China Relationship titled *A Threat to Canadian Sovereignty: National Security Dimensions of the Canada-People’s Republic of China Relationship*.

One tactic used by the PRC is to target Canadian university campuses. The Special Committee heard testimony from Chemi Lhamo, who was targeted by the PRC after she spoke up about Tibetan human rights and ran for the 2019 student elections at the University of Toronto’s Scarborough campus. She told the Special Committee she “received thousands of harassing comments on social media, including rape and death threats, because of her Tibetan identity” and that they continued after being elected student president.¹⁴ Ms. Lhamo stated her threats were connected to the PRC’s mission in Canada and that the Communist Party of China (CCP) “coerces Chinese international students into following CCP party lines and protesting initiatives that are seen as threatening PRC interests.”¹⁵

Rukiye Turdush’s experience is another example of the PRC’s foreign interference on Canadian university campuses. Ms. Turdush is the Research Director of the Uyghur Research Institute. She testified at the Special Committee about the harassment she faced following her talk about the plight of Uyghurs at McMaster University’s Muslim Students’ Association in 2019. She stated that “the McMaster Chinese Students’ Association reported the event to the PRC embassy and published a statement condemning the presentation [. . . and] that the PRC embassy in Ottawa later praised students who had protested her talk for their patriotism.”¹⁶

Many Chinese international students are coerced by the PRC into participating in the PRC’s foreign interference activities on university campuses. Cheuk Kwan, past chair of the Toronto Association for Democracy in China, testified at the Special Committee, “about Chinese international students who were ‘compelled’ to ‘demonstrate against pro-Hong Kong rallies’” after threats had been made “to withhold their government scholarships or harm their families back home if they [did not] comply.”¹⁷

Other foreign interference tactics used by the PRC include targeting Chinese language media and social media in Canada, as well as the establishment of illegal PRC “police service centres” in Canada.

CSIS has assessed that Chinese language media in Canada, including newspapers, radio and television broadcasters, are targeted by the PRC. In a 2021 briefing note to the Canadian Prime Minister, CSIS explained that “Chinese-language media outlets operating in Canada and members of the Chinese-Canadian community are primary targets of PRC-directed foreign influenced activities.”¹⁸

The Special Committee’s report on Hong Kong highlighted testimony from Guy Saint-Jacques, former Canadian Ambassador to the PRC, who was “struck by the extent to which Canadian media publishing in Mandarin reflected the views expressed in Beijing during the Meng Wanzhou affair.”¹⁹

The report also highlighted the testimony of Victor Ho, former editor of Sing Tao Daily (Canada’s largest Chinese language newspaper):

[Mr. Ho] provided the example of a half-hour “radio speech” by China’s Consul General in Vancouver on 23 July 2020. According to Mr. Ho, during the speech, which was “programmed in newscast airtime,” the Consul General asked Chinese Canadians to support the National Security Law while also suggesting that there were “very few people in Canada trying to slander”

¹²Public Safety Canada, *Foreign Interference and Hostile Activities of State Actors* (publicsafety.gc.ca), 20 August 2021.

¹³Statistics Canada, *The Daily—The Canadian census: A rich portrait of the country’s religious and ethnocultural diversity* (statcan.gc.ca), 26 October 2022.

¹⁴CACN, *A Threat to Canadian Sovereignty: National Security Dimensions of the Canada-People’s Republic of China Relationship* (ourcommons.ca), May 2023, 19–20.

¹⁵*Ibid.*, 19–20.

¹⁶*Ibid.*, 20.

¹⁷CACN, *The Breach of Hong Kong’s High Degree of Autonomy: A Situation of International Concern* (ourcommons.ca), February 2021, 41.

¹⁸CSIS, *Briefing to the Prime Minister on Foreign Interference—Revised Speaking Notes*, p. 9, February 9, 2021.

¹⁹CACN, *A Threat to Canadian Sovereignty: National Security Dimensions of the Canada-People’s Republic of China Relationship* (ourcommons.ca), May 2023, 47.

the law and “attempting to cause trouble overseas as well.” In Mr. Ho’s view, the Consul General “treats Chinese Canadians as Chinese nationals, when of course they are not.”²⁰

Chinese language social media is another medium for foreign interference. CSIS has observed “social media being leveraged to spread disinformation or run foreign influenced campaigns designed to confuse or divide public opinion or interfere in healthy public debate.”²¹ The Special Committee’s national security report concluded that:

Disinformation and influence campaigns designed to divide public opinion and interfere with public debate are increasingly being spread through social media. WeChat and other social media applications monitored by the PRC provide a powerful tool for the PRC to censor information, manipulate public sentiment, and to monitor and intimidate diaspora.²²

After assessing recent activity on WeChat in May of this year, the Department of Foreign Affairs, Trade and Development concluded that it is “highly probable” that the PRC played a role in the information operation that was spreading disinformation about me.²³ It is estimated that WeChat has over one million users in Canada and that the disinformation regarding me was viewed by between two and five million WeChat users globally.²⁴ Clearly, the PRC is using social media channels like WeChat as a tool for foreign interference.

As in the United States, the PRC has been documented to have established illegal “police service centres” in Canada, most notably, in Toronto, Montreal, and Vancouver. The PRC describes them as “service stations” that were established during the pandemic to help Chinese nationals with administrative matters, such as driver’s licenses and other documents, and that they are run by volunteers.²⁵ These stations have been assessed by human rights groups as a tool to “threaten and monitor Chinese nationals abroad.”²⁶ This includes coercing persons in Canada back to the PRC. For example, a U.S. indictment unsealed in federal court in Brooklyn, New York on October 22, 2023, revealed that an individual in Canada was coerced back to the PRC.²⁷

The PRC foreign interference threat activities also target Canada’s general elections. In the 2021 election, Kenny Chiu (former Member of Parliament for Steveston-Richmond East, British Columbia) was targeted and was the subject of disinformation. The G7 Rapid Response Mechanism (RRM) in the Department of Foreign Affairs, Trade and Development observed Chinese Communist Party media accounts spreading a hostile narrative about Kenny Chiu and the Conservative Party of Canada’s election platform, saying inaccurately that anyone with ties to China would be “considered a spokesperson for the Chinese government”²⁸ and that “all individuals or groups with ties to China would be required to register.”²⁹

The PRC foreign threat activities have also targeted the fundamental right to peacefully protest in Canada. In response to a peaceful rally organized in August 2019 in Vancouver backing Hong Kong’s anti-extradition protests, pro-PRC counter-protesters allegedly organized through the PRC consulate in Vancouver threatened those at the rally. Threats were made through social media and in person by pro-PRC counter-protestors.³⁰ Co-founder Cherie Wong of the Pro-Hong Kong group “Alliance Canada Hong Kong” and other pro-Hong Kong activists received threats, including rape and murder.³¹

²⁰ Ibid, 41.

²¹ CSIS, *Foreign Interference Threats to Canada’s Democratic Process*, July 2021, 6.

²² CACN, *A Threat to Canadian Sovereignty: National Security Dimensions of the Canada-People’s Republic of China Relationship*, May 2023.

²³ Global Affairs Canada, *WeChat account activity targeting Canadian parliamentarian suggests likely foreign state involvement (international.gc.ca)*, 9 August 2023.

²⁴ Ibid.

²⁵ Reuters, *Canada police probe alleged Chinese ‘police stations’ in Montreal*, Reuters, 9 March 2023.

²⁶ BBC, *Canadian police investigate Chinese ‘police stations’ in Quebec—BBC News*, 9 March 2023.

²⁷ DOJ, *Six Individuals Charged with Conspiring to Act as Illegal Agents of the People’s Republic of China*, October 20, 2022.

²⁸ Unclassified, *G7 RRM Canada*. p. 1, Monday, October 18, 2021.

²⁹ Ibid.

³⁰ Ibid.

³¹ CBC News, “We know where your parents live”: Hong Kong activists say Canadian police helpless against online threats, September 10, 2020.

There have also been suggestions that the PRC paid protesters to support the daughter of Huawei founder Ren Zhengfei, Meng Wanzhou, at her extradition hearing that took place in Vancouver.³²

Recently, the PRC is utilizing a new foreign interference tactic by creating “wanted lists” and offering bounties for the arrest of those living overseas. Last year, the government of the Hong Kong Special Administrative Region placed Victor Ho on a “wanted list,” allegedly for violations of Hong Kong’s National Security Law, but in fact for his speaking up in Canada in favor of Hong Kong’s democracy and human rights. This year, the government of the Hong Kong Special Administrative Region offered HK\$1 million (USD\$128,000) bounties for the arrest of eight democracy activists based overseas, all of whom are believed to be living in Canada, the United States, Britain and Australia. Out of the eight, at least two have ties to Canada (Dennis Kwok and Elmer Yuen).

RESPONDING TO PRC FOREIGN INTERFERENCE THREAT ACTIVITIES

Foreign interference is a complex national security threat to Canada³³ and requires a suite of measures to combat. CSIS has stated that foreign interference can be countered through investigating and monitoring, utilizing threat reduction measures, reducing PRC access to critical economic sectors, conducting stakeholder engagement, publicly “calling out” foreign state actors and prosecuting individuals and entities.³⁴

Foreign interference also requires cooperation among allied democracies. The 2023 report from the Canadian government’s National Security and Intelligence Committee of Parliamentarians emphasized the need for “cooperation with allies on foreign interference.”³⁵

One area for cooperation should include the sharing of best practices among the Five Eyes intelligence alliance about when to release information to the public about the PRC’s foreign interference threat activities. Often intelligence gathered about foreign interference does not meet the evidentiary standard required to commence a prosecution, yet still constitutes a serious threat that needs to be countered. In those cases, Five Eyes intelligence agencies have advised governments that sunlight and transparency is a tool that can be used. In 2021, CSIS provided a briefing to the Canadian Prime Minister on foreign interference stating, “Canada can make use of a policy that is grounded in transparency and sunlight in order to highlight the point that FI [foreign interference] should be exposed to the public.”³⁶

For example, in 2022 the U.K.’s MI5 went public about a PRC agent in the U.K. Parliament, Christine Lee. MI5 informed the Speaker about the security threat this individual presented, and in turn, the Speaker emailed all members of the U.K. House of Commons, identifying this individual as a security threat.³⁷ Members took appropriate action, cut off contact with this individual, and the integrity of the U.K. Parliament was protected. Sunlight and transparency worked, and the integrity of U.K.’s democracy was ensured.

Transparency in party nominations (primaries) and general elections, including the disclosure of information regarding foreign interference, is particularly sensitive because of the impact these disclosures can have on party nominations and elections; the timely release of information about foreign interference while maintaining the confidence of all political parties and candidates are equally important if we are to protect democracies against foreign interference in the electoral process. Exchanging best practices in this area is another area in which democracies can learn from each other.

Another area for cooperation is exchanging information on effective legislative measures that can be implemented to prosecute PRC agents carrying out foreign interference activities. A foreign agent registry can be a useful tool to combat foreign interference. Recently, the U.S. foreign agent registry was used to shut down a PRC

³² CBC News, *The strange tale of the paid protesters supporting Meng Wanzhou at her extradition hearing*, January 21, 2020.

³³ CSIS, *Foreign Interference and You (canada.ca)*, 2021, 2.

³⁴ CSIS, *Briefing to the Prime Minister on Foreign Interference—Revised Speaking Notes*, p. 11, February 9, 2021.

³⁵ NSICOP, *2022 Annual Report*, p. 17, July 19, 2023.

³⁶ CSIS, *Briefing to the Prime Minister on Foreign Interference—Revised Speaking Notes*, 9 February 2021.

³⁷ The Independent, *Christine Lee: Security warning to MPs over Chinese spying threat*, The Independent, 13 January 2022.

“police station” in lower Manhattan and two individuals were arrested for acting as PRC agents.³⁸

The U.S. has had a foreign agent registry (*Foreign Agent Registry Act*) since 1938,³⁹ while Australia adopted the *Foreign Influence Transparency Scheme Act 2018* in 2019.⁴⁰ This past summer, the U.K. adopted the *National Security Act 2023*, which establishes a registry.⁴¹ The Canadian government has announced it will introduce legislation for a registry but has yet to introduce one.

If the threshold for a registry is too high, then it will not capture the activity needed to be countered. On the other hand, if the threshold for a registry is too low, then it will capture much activity unrelated to foreign interference. Exchanging information on effective legislative models for a registry is an area where democracies can learn from each other.

Translating intelligence into evidence is often difficult but essential if individuals engaged in foreign interference are to be successfully prosecuted. A clear definition of what constitutes foreign interference and establishing clear evidentiary standards that are accepted by the intelligence community and law enforcement alike are critical if those engaged in foreign interference are to be successfully prosecuted.

Foreign interference often takes place alongside corruption, including money laundering and covert enrichment. Enhancing financial transparency through a beneficial ownership registry covering corporations, trusts and real estate is critical to combatting the corruption that often accompanies foreign interference. In addition, freezing and seizing the assets of individuals engaged in foreign interference would serve as a deterrent and remove the profit motive. Best practices and coordination on financial transparency, asset freezes, and forfeiture should be shared among allied democracies.

Foreign interference often takes place through the deliberate spreading of disinformation. Democracies should share best practices on how to combat this disinformation while upholding our cherished freedoms of thought, belief, opinion, and expression, including freedom of the press and other media of communication. Recently, I was part of a parliamentary delegation to the Republic of China (Taiwan), where we met with Audrey Tang Feng, the Minister of Digital Affairs. Taiwan is ground zero for the PRC’s disinformation campaigns, and Taiwan has a well-developed multi-faceted policy grounded in building resilience among Taiwanese society while protecting fundamental freedoms.

Repression with the PRC can also be better countered through better coordination and cooperation among allied democracies. The North American and European Union free trade areas collectively comprise about 43 per cent of global GDP.⁴² This immense purchasing power should be used to counter repression and uphold human rights. Furthermore, Canada is a signatory, along with the U.S. and Mexico, of the Canada-United States-Mexico Agreement (CUSMA). Article 23.6 of the Agreement requires signatories to ban the import of products produced using forced labor.

There is evidence that the PRC is forcing the Uyghur minority in Xinjiang province to harvest cotton and tomatoes. Since CUSMA has come into effect, the U.S. has interdicted and seized thousands of shipments from Xinjiang from entering the United States. Canada, conversely, only stopped one shipment of cotton products from the PRC at the border, and these products were later released.⁴³ The Canadian government can learn from best practices in the U.S. to counter repression within the PRC while upholding the rules-based international order.

Canada must work toward a stronger defense and security partnership with the United States, our Euro-Atlantic allies, and democratic partners in the Indo-Pacific region. Canada must look for every opportunity to strengthen these partnerships to ensure we meet the challenge of rising authoritarianism and preserve our fundamental freedoms, democratic institutions, and the rules-based international order.

³⁸ DOJ, *U.S. Attorney Announces Charges Against Co-Director of Think Tank for Acting as an Unregistered Foreign Agent, Trafficking in Arms, Violating U.S. Sanctions Against Iran, and Making False Statements to Federal Agents*, July 10, 2023.

³⁹ Foreign Agents Registration Act, *Foreign Agents Registration Act*, *Foreign Agents Registration Act* ([justice.gov](https://www.justice.gov)), retrieved 30 August 2023.

⁴⁰ Australian Government, *Foreign Influence Transparency Scheme Act 2018*, April 11, 2019.

⁴¹ U.K. Public General Acts, *National Security Act 2023*, July 11, 2023.

⁴² World Bank, *GDP*, 2023.

⁴³ The Globe and Mail, *Only shipment Canada has seized on suspicion of forced labour was released after challenge from importer*, *The Globe and Mail*, 27 May 2022.

STATEMENT OF YANA GOROKHOVSKAIA

 TRANSNATIONAL REPRESSION COMMITTED BY THE PEOPLE’S REPUBLIC OF CHINA—
 EVIDENCE FROM FREEDOM HOUSE

Thank you, Chairman Smith, Co-chairman Merkley, and distinguished members of the commission, for the opportunity to share information about the scope and scale of the global transnational repression campaign carried out by the People’s Republic of China (PRC). I will use my time to first describe the ways in which the PRC intimidates, harasses, harms, and otherwise tries to silence critics, diaspora members, and exiles living beyond its borders and second, to explain how this campaign has evolved to threaten people in new ways. I’ll conclude with suggestions for policies that can be adopted by democratic governments, including by the United States, to better protect people targeted by the PRC.

The People’s Republic of China is one of the least free countries in the world. Freedoms there have deteriorated rapidly over the last decade, and especially since 2017, under the leadership of Xi Jinping. The country now ranks near the very bottom among the 195 countries assessed every year in *Freedom in the World*, our global survey of political rights and civil liberties.¹ Like other authoritarian governments, the PRC also exports oppression abroad as a way of maintaining its regime at home.

Even though Chinese officials routinely reference the government’s policy of non-interference, Beijing seeks to dictate, sometimes through use of physical force, the terms of free speech, association, movement, assembly, and even religious expression of individuals thousands of miles away. Today, China is carrying out the world’s most sophisticated and comprehensive campaign of transnational repression, using a wide array of physical, digital, and psychological tactics to attempt to silence those it views as threats to the regime.

Freedom House has compiled a database of direct physical incidents of transnational repression—including assassinations, abductions, assaults, detentions, and unlawful deportations—that spans 2014 to 2022 inclusive.² After our last update, the database now includes 854 cases. This is a conservative estimate based only on public, verified cases of direct attacks which excludes incidents that are harder to confirm, such as the intimidation of family, digital surveillance, and online harassment. Even so, a clear picture of the PRC’s role in this global phenomenon has emerged. China is responsible for 30 percent of the coded cases—nearly twice as many as Turkey, the second most prolific perpetrator in the database.

This statistic tells only one part of the story. The PRC has targeted people in at least 36 countries, including those living in democracies. Among the victims are pro-democracy activists, journalists, students, human rights defenders, artists, former insiders, civil society organizations, as well as whole ethnic and religious groups like the Uyghurs, Tibetans, and Falun Gong practitioners, and others who simply criticize the Chinese Communist Party.

Beijing’s transnational repression toolkit is diverse. It continues to rely on well-practiced tactics of intimidation such as forcing family members to call their relatives abroad in order to urge them to stop engaging in activities like protest or human rights activism, objectionable to the PRC.³ Members of the diaspora are sometimes recruited or coerced into informing on each other.⁴

It also continues to abuse established mechanisms of international cooperation, like Interpol’s notifications system and extradition agreements, which allow it to co-opt agencies of foreign states in order to repress. Idris Hasan, a Uyghur activist,

¹Freedom House, “Freedom in the World 2023: China,” <https://freedomhouse.org/country/china/freedom-world/2023>.

²Yana Gorokhovskaia, Nate Schenkkan, and Grady Vaughan, *Still Not Safe: Transnational Repression in 2022*, Freedom House, April 2022, https://freedomhouse.org/sites/default/files/2023-04/FH_TransnationalRepression2023_0.pdf.

³Sam Judah, “China Using Families as ‘Hostages’ to Quash Uyghur Dissent Abroad,” BBC, July 31, 2023, <https://www.bbc.com/news/world-66337328>.

⁴Gulchehra Hoja, “With Threats and Intimidation, China Coerces Uyghurs in Turkey to Spy on Each Other,” RFA, February 5, 2023, <https://www.rfa.org/english/news/uyghur/uyghur-turkey-02052023210957.html>.

was detained on a Red Notice requested by China after he landed at the airport in Casablanca in March 2021.⁵ He has been in prison for more than two years. Despite the fact that the Red Notice was cancelled shortly after his arrest, Idris is in danger every day of being deported because Morocco and China have an extradition agreement.

The PRC menaces people living in democracies. In addition to the problem of overseas police stations that my colleague from Safeguard Defenders has described, China has sent police officers into foreign countries to surveil and intimidate targeted individuals, sometimes in cooperation with the government⁶ and sometimes clandestinely.⁷ Signaling a dangerous evolution of this tactic, evidence has emerged over the last year that the PRC is co-opting former members of domestic law enforcement agencies to harass, coerce, stalk, and surveil people living in the U.S. and Canada.⁸ The Federal Bureau of Investigation and the Department of Justice, as well as their Canadian counterparts, have begun to pursue these cases. There has been at least one successful criminal prosecution in New York state to date. However, it is worth underlining that the employment of former law enforcement officials by the PRC to act as proxies in the transnational repression campaign may amplify the fear that members of the diaspora feel, demonstrating that the PRC is able to co-opt officials in democratic states to carry out its repressive schemes.

The PRC's toolkit of repression is growing, with each new tactic exploiting a previously undetected vulnerability and adapting to the responses of democratic countries. Wang Jingyu was a teenager when he fled China in 2019 after posting comments online critical of the CCP and supportive of pro-democracy protests. In 2021, he was detained in Dubai while on a layover on his way to the U.S. He was held in detention for weeks and the UAE authorities allowed Chinese embassy officials to interrogate the teen.⁹ His release was secured as a result of media attention and international pressure. But Wang continues to be targeted. Beginning last year, bomb threats were made in his name, and in the names of other activists and journalists, against Chinese embassies in the Netherlands and Norway.¹⁰ These threats predictably activated the security and public safety responses of European law enforcement, resulting in police investigations, questioning, and even the brief detention of some of the targeted individuals. Like the co-opting of former law enforcement agents working in democracies, "swatting," or harassment carried out by alerting police or emergency services through false reporting, is meant to cause psychological stress and demonstrate the reach of the PRC.

⁵Nicholas Muller, "The Continued Imprisonment of Idris Hasan," *The Diplomat*, July 1, 2023, <https://thediplomat.com/2023/06/the-continued-imprisonment-of-idris-hasan/>; <https://menarights.org/en/articles/2-years-detention-uyghur-activist-idris-hasan-must-be-released>.

⁶Michael E. Miller and Matthew Abbott, "China Hoped Fiji Would Be a Template for the Pacific. Its Plan Backfired," *The Washington Post*, August 21, 2023, <https://www.washingtonpost.com/world/interactive/2023/china-fiji-police-mou-pacific-islands/>.

⁷Sebastian Rotella and Kirsten Berg, "Operation Fox Hunt: How China Exports Repression Using a Network of Spies Hidden in Plain Sight," *ProPublica*, July 22, 2021, <https://www.propublica.org/article/operation-fox-hunt-how-china-exports-repression-using-a-network-of-spies-hidden-in-plain-sight>.

⁸U.S. Department of Justice, "Federal Jury Convicts Three Defendants of Interstate Stalking of Chinese Nationals in the U.S. and Two of Those Defendants for Acting or Conspiring to Act on Behalf of the People's Republic of China," U.S. Attorney's Office, Eastern District of New York, June 20, 2023, <https://www.justice.gov/usao-edny/pr/federal-jury-convicts-three-defendants-interstate-stalking-chinese-nationals-us-and>; Robert Fife and Steven Chase, "Former Mountie Targeted B.C. Real Estate Tycoon for China, RCMP Allege," *The Globe and Mail*, August 21, 2023, <https://www.theglobeandmail.com/politics/article-rcmp-officer-charged-bc-entrepreneur/>.

⁹Voice of America, "Teen, Fiancee Flee to Netherlands to Avoid Extradition Back to China," July 21, 2021, <https://www.voanews.com/a/east-asia-pacific-teen-fiancee-flee-netherlands-avoid-extradition-back-china/6208514.html>.

¹⁰Bethany Allen-Ebrahimian and Alison Snyder, "Fake Bomb Threats Used to Harass China Critics," *Axios*, April 2, 2023, <https://www.axios.com/2023/03/29/chinese-activists-false-bomb-threats>; Jemimah Steinfeld, "Critics of Beijing Face Increasing Impersonation Attacks," *New Lines Magazine*, August 21, 2023, <https://newlinesmag.com/reportage/critics-of-beijing-face-increasing-impersonation-attacks/>.

The PRC is the world's worst abuser of internet freedom domestically;¹¹ it also employs tactics of digital authoritarianism in its transnational repression campaign. These tactics, which include mass trolling, smear campaigns,¹² threats and intimidation, spoofing accounts, and even doxing of personal information, are meant to intimidate critics and journalists, drown out reports of human rights abuses, and apply psychological pressure on the targets. These tactics are also often gendered; women face not only violent but sexualized digital threats in response to work that shines a critical light on the PRC.¹³

The CCP's campaign of transnational repression is a threat not only to the targeted individuals and groups but also to state sovereignty, democratic institutions, and the exercise of fundamental rights. Building resilience and imposing accountability are key to curbing the CCP's campaign of transnational repression. Steps to better protect against the CCP's campaign of transnational repression, both in the United States and abroad, include:

1. Codifying a definition of transnational repression, which will facilitate the tracking of incidents at home and abroad, distinguish attacks from ordinary crime, and coordinate inter-agency action, in addition to serving as a basis for any other laws that may be needed.
2. Training for government officials, including law enforcement, who may encounter transnational repression. Several agencies, including the FBI, Department of State, and Department of Homeland Security, have begun instituting trainings, but they vary in consistency and content. Coordinated, mandated requirements across agencies could help ensure that officials are equipped with matching and sufficient information to help protect those at risk and to not unwittingly become a player in an authoritarian regime's campaign of transnational repression. The Federal Bureau of Investigation has begun this effort.
3. Conducting strategic, consistent, and culturally sensitive outreach to communities that are at risk of experiencing transnational repression in order to equip them with the resources to report these activities.
4. Using voice and vote within international institutions to limit the ability of Interpol member states to target individuals through the misuse of Red Notices and other alerts.
5. Deploying targeted sanctions against Chinese officials for the use of transnational repression and screening Chinese diplomats for a history of harassing diaspora members in their postings.

More details about these recommendations, and additional recommendations, are available in our reports.¹⁴

I should note that several pieces of legislation to address transnational repression have been introduced or will be introduced in the near future. Thank you, Co-chairman Merkley and Chairman Smith for your introduction of the Transnational Repression Policy Act, which Freedom House supports. We look forward to working with you and your staff to see this passed into law.

Addressing transnational repression committed by the government of the People's Republic of China is a matter of urgency. It is imperative that Congress, in a bipartisan fashion, come together with the executive branch and like-minded partners to protect those at risk and defend democratic institutions and fundamental rights. We appreciate the leadership of the Commission on this issue, and I look forward to your questions.

¹¹ Freedom House, "Freedom on the Net 2022: China," <https://freedomhouse.org/country/china/freedom-net/2022>.

¹² Wang Gang and Liam Scott, "Trolling of Female Asian Journalists on Rise as Beijing Seeks to Discredit Media," Voice of America, January 2, 2023, <https://www.voanews.com/a/trolling-of-female-asian-journalists-on-rise-as-beijing-seeks-to-discredit-media/6898789.html>.

¹³ Albert Zhang and Danielle Cave, "Smart Asian Women Are the New Targets of CCP Global Online Repression," Australian Strategic Policy Institute, June 3, 2022, <https://www.aspistrategist.org.au/smart-asian-women-are-the-new-targets-of-ccp-global-online-repression/>.

¹⁴ Freedom House, "Policy Recommendations: Transnational Repression," <https://freedomhouse.org/policy-recommendations/transnational-repression#US>.

STATEMENT OF LAURA HARTH

Chairman Smith, Chairman Merkley, distinguished members of the Commission, it is an honor testifying before you today on behalf of Safeguard Defenders.

Most people will know us for the report released exactly one year ago today, which exposed the formal cooperation between public security authorities in China and united front-linked groups around the world in the setting up and running of over 100 so-called “overseas police service centers” in more than 50 countries around the world. On the exclusive basis of open-source evidence from Chinese authorities and State/Party media, we were able to link at least three of these stations to “persuasion to return” operations that took place in Spain, Serbia and France.

While the revelations of 110 Overseas and its follow-up Patrol and Persuade contributed to jumpstarting a conversation on the PRC’s transnational repression in countries where that was not previously the case, in particular in Europe, we have and will continue to highlight how these are but the tip of the iceberg in what Freedom House rightly defines as “*the world’s most sophisticated, comprehensive, and far-reaching campaign of transnational repression.*”

Within this campaign, Safeguard Defenders has focused its documentation as well as its direct-action efforts on countering one of its most extreme iterations: *involuntary returns*. While not new, the scale on which PRC authorities are coercing individuals to return to China to face prosecution has exploded over the course of the past decade, with official—yet partial—numbers released annually claiming well over ten thousand returns from over 120 countries in the world between the start of Operation Fox Hunt in 2014 and October 2022. We will soon release additional evidence on such operations in targeted countries.

The often-clandestine methods for these returns have been set in stone by the CCP’s Central Commission for Discipline Inspection in a written legal interpretation to the 2018 National Supervision Law that vastly expanded the non-judicial body’s reach: “extradition,” “repatriation,” “off-site prosecution,” “persuasion,” “luring and entrapment,” and “kidnapping.”

The so-called “persuasion to return” method is the one used most frequently. Threats and harassment—or worse—against family members back home or direct threats and harassment of individuals overseas by covert PRC agents, individuals linked to its embassies or consulates, private investigators and security firms, co-opted private individuals, rabid nationalists or even victims themselves: the Chinese Communist Party has set up a true *whole of society* effort to exert control over diaspora communities worldwide and silence dissent.

These efforts clearly undermine the most fundamental freedoms of targeted communities, severely infringe the rights and due process of individuals coerced into returning and constitute a grave violation of the territorial and judicial sovereignty of other nations. The climate of suspicion and widespread fear further isolate targeted communities and individuals from their environment, and may expose individuals that have been co-opted or coerced into doing the CCP’s bidding to criminal liability.

To effectively counter such a massive undertaking, democracies need to respond with a similar *whole of government* approach that recognizes transnational repression for the domestic threat it is, one that is inextricably linked to the CCP’s influence operations. Speaking from a European experience, we are but at the very beginning of such an endeavor and will need continued concerted allied efforts to move beyond the stage of timid condemnation to effective and coordinated transnational counteraction to match the CCP’s efforts. Working towards joint definitions, sharing of information and best practices is an essential step in this direction. It is in our view equally key to end the legitimization of the PRC’s illegal practices through judicial and police cooperation agreements, at the bilateral but also at the multilateral level. It is no coincidence the PRC has been pushing the signing and ratifying of such agreements at an accelerated rate during the same timeframe in which its involuntary returns operations have exploded.

These agreements were often pushed through within economic and cultural cooperation packages, but the signing of similar agreements in particular by Western countries has equally acted as a most effective “gateway” for other countries to sign on, as we discovered firsthand during court extradition proceedings in a European country. As awareness on the overall human rights situation in the PRC grows, democratic nations are increasingly becoming aware of the intrinsic risks of these agreements. However, we continue seeing remarkable efforts by PRC authorities to expand their cooperation footprint in these fields in the *Global South*.

In this regard I’d like in particular to severely question the legitimacy of the UN Office on Drugs and Crime’s MoU with the CCP’s Central Commission for Discipline Inspection—and its State front the National Commission of Supervision—and its ac-

ceptance of this body—that cannot be described but as the internal police force of the Chinese Communist Party—as the Chinese focal point for all work under the Convention Against Corruption.

While PRC propaganda dubs these types of agreements as a “demonstration of the international community’s trust in its judicial system,” they directly contribute to a heightened sense of fear within targeted communities and subvert the international rules-based order.

Ending such legitimization is a crucial part in rebuilding trust with targeted communities. And allow me to conclude with an appeal to them. The question we receive time and time again from democratic governments willing to engage on the issue is: “we need the victims to come forward.”

The U.S. and Australia have already set up exemplary multilingual dedicated hotlines to report transnational repression efforts, also anonymously. To encourage this best practice elsewhere, Safeguard Defenders has today released a pilot guide with reporting channels in a series of countries, which we will continue to update and hopefully grow with similarly dedicated hotlines.

While we understand the personal toll for victims to come forward and the mistrust that may exist towards local authorities who, often and for too long, have maintained preferential channels of interlocution with those seeking to exert control at the behest of the CCP, the time to come forward and thus contribute to build a democratic *whole of society* effort to counter transnational repression is now. Please do so.

* * *

A report by Safeguard Defenders entitled *Involuntary Returns—China’s Covert Operation to Force Fugitives’ Overseas Back Home*, appears under Submissions for the Record.

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证词

Laura Harth, 保护卫士（Safeguard Defenders）

美国国会暨行政当局中国委员会（Congressional Executive Commission on China）

2023年9月12日

史密斯主席、默克利主席、尊敬的委员会成员，今天我很荣幸代表保护卫士组织在你们面前作证。

我们于一年前的今天发布报告《海外110》，揭露了中国公安机关与世界各地的统战团体合作，在全球 50 多个国家设立并运行 100 多个所谓的“海外警务站”。根据来自中国政府以及官方媒体的公开证据，我们得以将其中在西班牙、塞尔维亚和法国的至少三个站点与中国的“劝返”行动相关联。

虽然《海外110》及其跟进报告“Patrol and Persuade”的披露有助于在以前对跨国镇压少有关注的国家（尤其是欧洲）掀起一场相关的讨论，但我们将不断强调这些只是其本身规模的冰山一角。诚如自由之家组织所定义的，它是“世界上最复杂、最全面、影响最深远的跨国镇压运动”。

在针对反跨国镇压的倡议中，保护卫士将书面记录和直接行动工作的重点放在应对中共最极端的表现形式之一：非自愿遣返。从2014年“猎狐行动”启动到2022年10月，每年官方公布的数据（但不完全）显示，从世界120多个国家被劝返中国的人数远远超过一万人。我们将很快公布在目标国家开展此类行动的更多证据。

中共中央纪律检查委员会在 2018 年《国家监察法》的书面法律解释中明确规定了通常秘密进行的使人非自愿回国的方式，极大地扩大了非司法机构的执法范围，它们包括：“引渡”、“遣返”、“劝返”、“诱捕”、“绑架”。

所谓的“劝返”是最常用的方法。往往通过威胁、骚扰或更糟糕的手段，针对目标在国内的家人，或者由中共秘密特工、与大使馆有联系的个人、私人侦探、被收买的个人、狂热的民族主义者等等对身在海外的目标进行威胁和骚扰。中共已经建立了360度全方位的努力，以对全球侨民社区实施控制并压制异议。

这些努力明显破坏了海外被针对群体最基本的自由，严重侵犯了被胁迫回国个人的权利和正当遣返程序，并严重侵犯了其他国家的领土和司法主权。疑虑和广泛的恐惧进一步将被针对群体和个人与其环境隔离开来，并可能使那些被拉拢或强迫听从中共命令的个人承担刑事责任。

为了有效应对如此大规模的行动，民主国家需要采取类似的全方位应对措施，将跨国镇压视为一种国内威胁，一种与中共的影响力行动密不可分的威胁。从欧洲的经验来看，我们的这一努力才刚刚开始，还需要继续共同努力，才能不止于谨慎的谴责阶段，采取有效的协调一致的跨国镇压反制行动来应对中共的努力。努力实现这一认同并分享最佳做法是朝着这一方向迈出的重要一步。

我们认为，同样关键的是，结束认定中国通过双边和多边的司法和警务合作协议进行非法行为的合法性。请允许我特别对联合国毒品和犯罪问题办公室接受中共中央纪律检查委员会（即国家监察委员会）作为《反腐败公约》下所有工作中国协调中心的合法性提出严厉质疑。

虽然中国在其宣传中将此类协议称为“国际社会对其司法系统的信任”，但它们直接加剧了海外被针对群体的恐惧感，颠覆了基于规则的国际秩序。

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结束这种合法性是与海外被针对群体重建信任的关键部分。最后，请允许我向他们发出呼吁。愿意参与解决这一问题的民主政府一再向我们提出的问题是：“我们需要受害者站出来”

美国和澳大利亚已经设立了堪称典范的多语种专用热线，用于匿名举报跨国镇压行为。为了鼓励其他国家效仿这种最佳做法，保护卫士组织今天发布了一份试验性指南，介绍一系列国家的举报渠道，我们将继续更新该指南，并希望能增加类似的专用热线。

我们理解受害者挺身而出所付出的个人代价，也理解他们对地方当局可能存在的不信任，因为长期以来，地方当局往往与那些在中共授意下试图实施控制的人保持着优先对话渠道，但现在挺身而出，为建立一个民主的全方位努力来对抗跨国镇压做出贡献的时候了。请行动起来吧。

STATEMENT OF RUSHAN ABBAS

My name is Rushan Abbas. I am an Uyghur-American, a mother and a Uyghur rights activist. I am the founder and Executive Director of Campaign For Uyghurs (CFU). I currently live in Falls Church, Virginia but I was born in Urumqi, the capital city of the so-called 'Xinjiang Uyghur Autonomous Region.' Xinjiang is a name that has been designated by the Chinese government and means the "New Frontier." However, it is important to note that historically and geographically, this area has been known as East Turkistan. This name pays respect to the Uyghur and other Turkic groups who have inhabited the region for centuries.

My activism is focused on the human rights and freedoms of the Uyghur people. The situation in East Turkistan has raised global concerns, as there have been multiple determinations by U.S. NGOs and other government entities of systemic discrimination against Uyghurs by the Chinese government amounting to crimes against humanity and genocide. By raising awareness and speaking out against these injustices, I hope to counter Chinese propaganda and contribute to the international dialogue and efforts to safeguard the rights and dignity of Uyghurs.

INTRODUCTION TO TRANSNATIONAL REPRESSION (TNR)

Thank you for giving me the platform to testify about China's transnational repression and long-arm policing of Uyghurs in the diaspora. It is essential to shed light on the various tactics employed by the Chinese government to intimidate and silence Uyghurs who live on American soil. Surveillance is an ever-present reality that we face collectively as Uyghurs in the region, and as diaspora members. The feeling of being constantly watched weighs heavily on my mind. There have been occasions where I have suspected the presence of Chinese agents within our communities, keeping a tight watch on our activities and reporting back to their superiors.

The presence of online surveillance, including hacking attempts and strange online activities, as well as systematic hate speech dissemination through bot accounts, and libel targeted at myself and other Uyghur individuals, jeopardize the safety of Uyghur individuals by creating online echo chambers of hate and disinformation.

However, it is the targeting of our families that has caused immense distress and anguish within the Uyghur diaspora. The Chinese government's ruthless approach extends to our loved ones who still reside in East Turkistan. We hear stories of harassment, arbitrary detention, and forced disappearance, all meant to exert pressure on us and to deter any attempts to expose the truth about the atrocities being committed against the Uyghurs.

These threats and intimidation tactics have created a suffocating atmosphere of fear, making it challenging for Uyghur diaspora members to speak out, testify in public, or participate in interviews. We are torn between our moral obligation to fight for the survival of our people, who are being systematically erased in the region, and our familial obligation of minimizing potential risk to vulnerable relatives.

It is essential for the international community to understand the gravity of the threats faced by the Uyghur diaspora and to support and amplify the courageous voices that speak out. By standing in solidarity with us, you send a powerful message to the CCP that we are not alone and at the very least, the United States stands for its constituents' safety. Together, we can shed light on the Chinese government's transnational repression and work towards bringing about justice and accountability for the countless victims of these heinous human rights abuses.

PERSONAL STORY

My family's personal experience serves as a harrowing testament to the grave repercussions faced by Uyghur activists and their loved ones who dare to use their freedom of speech to advocate for human rights. In 2018, we received news that 24 of my husband's family members had gone missing and were likely detained. I spoke up about the unjust arrests and highlighted the Uyghur genocide and crimes against humanity being committed by the Chinese government, on September 5, 2018. On September 11th, exactly five years ago, the authorities arbitrarily detained my sister, Dr. Gulshan Abbas, who, to this day, remains a victim of their unjust actions. It was only in December 2020 that we received indirect information through a third party, confirming her unfair sentencing on fabricated charges of 'terrorism' and 'social disruption.' The spokesperson for China's Ministry of Foreign Affairs later verified these distressing revelations during a press conference.

My sister is an apolitical person and the circumstances surrounding her abduction are direct retribution imposed upon my own activism, highlighting the Chinese Communist Party's utilization of transnational kin punishment and repression. This

excruciatingly painful situation unveils the extent to which Chinese authorities resort to arbitrary detention, persecution, and a flagrant disregard for justice to quash dissent and promote their own political agenda.

I also stand before you today to share a deeply distressing story that reveals another dark reality of China's transnational repression. In January 2023, my father-in-law, Abdulkarim Zikrullah Idris, tragically left this world at the age of 81. What is truly heartbreaking is that our family learned of his passing on August 15th, seven months after it occurred. The exact date and circumstances surrounding his death remain shrouded in uncertainty, leaving us in a state of anguish and longing for closure.

In the era of instant communication, internet and advanced technologies like AI, Uyghurs encounter radio silence when seeking updates on the well-being of their loved ones. The last time my husband was able to communicate with his father was on April 25, 2017, and for the past 6 and a half years, we have been uninformed about his location and health, until recently. I must also add that my husband has not been able to see his father for more than twenty years, preventing him from bidding a final farewell or participating in a proper burial.

My mother-in-law, Habibehan Idris, has been reported to be outside of the camps, while her children, Turanisahan Idris, Bu'Aisha Idris, Bu'Hadiqa Idris, and Abdurahim Idris, are missing and reportedly detained, and their spouses and children are also missing. She currently battles illness, which is made all the more challenging by the absence of the caregiving support that her children would have provided because they too have also been imprisoned by the Chinese government.

The absence of closure and being forced to live in the unknown about the fate of our family members is a blatant violation of basic human rights by the Chinese regime, and underscores the ongoing suffering endured by the Uyghurs.

CFU Program Director Arslan Hidayat's in-laws, his father-in-law Abdurashid Tohti, mother-in-law Tajigul Qadir, and two brothers-in-law Ametjan Abdurashid and Mohamed Ali Abdurashid have been missing since mid-2017. The Chinese government refused to provide any information about these detained individuals. The only information they have is that they have been given long-term prison sentences for fabricated charges of "disturbing social order" and "preparing to commit terrorist activities."

The Chinese government claims to be operating in accordance with the "rule of law" and commits to protecting "the public's right to information" in court rulings in our homeland. However, none of these assertions seem to hold true in the cases involving Uyghurs.

CHINA'S INTIMIDATION TACTICS

As mentioned before, due to China's transnational repression and intimidation tactics, Uyghurs are hesitant to speak out, testify, or participate in interviews. This reluctance stems from the threats issued by the Chinese government, which have created an atmosphere of fear and suppression. Consequently, Uyghurs refrain from sharing their experiences and knowledge, depriving the world of valuable insights and hindering efforts to shed light on the situation.

Amnesty International's research, captured in the study "Nowhere Feels Safe," involved interviews with individuals from Uyghur, Kazakh, Uzbek, and other ethnic backgrounds residing in 22 countries. An important revelation emerged: approximately two-thirds hesitated to link their names to the study, driven by concerns over potential consequences for themselves or their families stemming from Chinese authorities.

The report "We Know You Better Than You Know Yourself: China's Transnational Repression of the Uyghur Diaspora" revealed that around two-thirds of Uyghurs surveyed have been directly threatened and experienced threats to their family while living in the U.K. and about 4 in 5 Uyghurs report being directly threatened or having their families threatened by Chinese authorities while living in Turkey.

The Chinese government employs various methods, such as phone calls, emails, or social media messages, to intimidate Uyghur diaspora members. These tactics involve harassment, threats, or warnings that aim to instill fear and dissuade individuals from persisting in their activism or advocacy efforts. This direct form of communication can evoke intense intimidation, leaving Uyghur diaspora members feeling vulnerable and anxious.

Instances in the United States exemplify these tactics. Uyghurs in the U.S. have reported receiving phone calls from Chinese authorities or even family members in the region, warning them that their online activities or activism could lead to the detention of or harm to their relatives. An illustrative case involves an Uyghur

American who carried a photograph of his detained sister as a symbol of his advocacy against the CCP's abuses. When his parents contacted him, they delivered a distressing ultimatum: to ensure his sister's safety, he was pressured to suspend his activism. This situation underscores the extent of pressure and coercion exerted on Uyghur diaspora members to silence their voices.

Safeguard Defenders' recent report "Targeted in Türkiye, China's Transnational Repression Against Uyghurs" further exposed China's tactics of threatening the Uyghur community into stopping activism work; producing pro-China propaganda; and/or spying on other Uyghurs. The report identifies how the CCP's patterns of harassment are organized by local Chinese police and state agents that are operating in collaboration with employees within Chinese embassies. They have formulated networks in East Turkistan that are structured around specific Uyghur neighborhoods or districts in China. Their networks involve cooperation among Chinese police, "Neighborhood Working Groups," and Chinese police operatives. The Chinese police exploit intelligence gathered through these transnational networks, and information known by family members in the region, to exert control over Uyghurs in the diaspora. Although the report is on Uyghurs in Turkey, most of the tactics in the report being used by Chinese police are also being used against Uyghurs in China and share stark similarities to those used against Uyghur Americans.

The specific repression tactics include threatening to harm their family in East Turkistan, using coercion to compel the Uyghur community into collaboration by refraining from processing their passport renewal requests, offering financial incentives, and even luring them with what they yearn for the most: reconnecting with their families. Uyghurs in the diaspora are coerced to become informants, remain silent about human rights violations in the Uyghur region, or take part in pro-CCP propaganda. The report "We Know You Better Than Yourself: China's Transnational Repression of the Uyghur Diaspora" (2023) also indicates a significant shift in the Chinese Communist Party's (CCP) approach since 2017, with a heightened emphasis on deploying Uyghur informants, employing intimidation tactics to silence open discourse among Uyghurs, and enlisting them to contribute to the creation of favorable depictions of China.

I have been a target of attacks and harassment by Uyghurs in the diaspora whose family members are in detention back home. They have used tactics such as hate speech, libel, and blackmail to discredit my advocacy and reinforce disinformation and propaganda by the CCP. They are being reported to the FBI.

Uyghurs in exile are monitored closely, both physically and digitally. This surveillance can range from monitoring online activities and social media presence to physical surveillance, including tracking movements, infiltrating community organizations, and attending public events where Uyghur diaspora members gather. Chinese security agents or informants may be present within these communities, keeping a watchful eye on their activities and reporting back to authorities. The objective of conducting such surveillance is to keep tabs on Uyghur activists, advocates, and community members, instill a sense of constant scrutiny, and create a climate of fear.

Furthermore, Uyghurs abroad frequently experience calls from family members or law enforcement personnel, pressuring them to disclose details about their current location, educational institution, and information concerning other Uyghurs hailing from the same hometown as the inquiring official, thus falling under their surveillance "jurisdiction." It's essential to note that the Chinese Communist Party has no rightful claim to personal and identifiable information of Uyghurs living outside China; however, these individuals are compelled to provide information under duress.

The Chinese government makes a point of using tactics that put immense pressure on diaspora members, instilling fear of potential consequences for their loved ones who remain in East Turkistan. This involves using family members as leverage to pressure, coerce, or silence Uyghurs abroad. Families experience harassment, arbitrary detention, and even forced disappearance, leaving Uyghur diaspora members torn between raising awareness about the atrocities and protecting their vulnerable relatives.

By using these tactics, the Chinese government aims to suppress dissent, maintain control over the diaspora community, and discourage Uyghurs from advocating for the rights of their fellow Uyghurs. These actions create a climate of fear and vulnerability, making it difficult for Uyghur diaspora members to openly express their concerns, share information about human rights abuses, or support international efforts to hold China accountable for its actions. As such, it has become increasingly crucial to support and amplify the voices of the diaspora community, empowering them to share their experiences while ensuring their safety and protection.

LEGISLATIVE AND POLICY RECOMMENDATIONS

In addressing China's transnational repression and supporting Uyghurs in the diaspora, there are several policy suggestions and legislative steps that can be considered.

We recommend the United States introduce and pass legislation that explicitly condemns China's transnational repression tactics, focusing on the protection of Uyghur activists, advocates, and their families. The legislation can provide legal remedies for cases of harassment, intimidation, or threats faced by Uyghur community members, enabling them to seek justice and hold perpetrators accountable. It can also establish mechanisms for individuals to report incidents and receive support.

The introduction of the Transnational Repression Policy Act (TRPA) on March 16th, 2023, by Senator Jeff Merkley, Senator Marco Rubio, Senator Ben Cardin, and Senator Bill Hagerty—members of the Senate Foreign Relations Committee, is a good start. The TRPA, if enacted, would greatly assist Uyghurs facing transnational repression by China. This commitment from the United States would strengthen efforts to advocate for Uyghur rights and work towards a more secure and just global environment for all individuals affected by transnational repression.

The U.S. Government should consider implementing targeted sanctions on Chinese officials and entities involved in transnational repression and human rights abuses against the Uyghur community. These sanctions could include freezing assets, restricting access to financial systems, and imposing travel bans. By targeting those responsible for human rights violations, the U.S. sends a strong message that such actions will have consequences and discourages other countries from engaging in similar behavior.

The United States can engage in diplomatic efforts to mobilize international support in addressing the issue of transnational repression carried out by China. This could involve championing resolutions or joint statements at the United Nations and other international forums, urging countries to explicitly condemn China's actions and take a firm stance against transnational repression. Collaborating with like-minded countries, the U.S. could also establish multilateral initiatives aimed at investigating and countering China's repressive actions.

The U.S. should work closely with its allies and partners to strengthen intelligence sharing related to transnational repression activities carried out by China. Enhanced collaboration allows for the identification of networks and individuals involved in such activities and helps build a comprehensive understanding of China's methods. The intelligence gathered could be used to expose tactics, support legal action, and strengthen advocacy efforts.

The United States can take steps to raise awareness about China's transnational repression and the threats faced by the Uyghur diaspora. This could involve supporting media campaigns, hosting public events, and sponsoring educational initiatives that inform the public about the situation. Additionally, the U.S. Government can work with human rights organizations, media outlets, and Uyghur community representatives to create safe platforms for Uyghurs to share their testimonies, ensuring their voices are heard and their stories are documented.

In an era of extensive surveillance, protection of digital rights is crucial. The U.S. could introduce policies and initiatives to strengthen online privacy, encryption standards, and cybersecurity practices, specifically focused on the Uyghur diaspora. These efforts could involve providing resources, training, and guidance on secure digital practices, while also advocating for international agreements and norms that condemn state-sponsored hacking and cyber espionage activities.

By implementing these policy suggestions, the United States Government can take a proactive approach in addressing China's transnational repression, supporting the Uyghur diaspora, and fostering international collaboration to seek justice and accountability for Uyghurs.

CONCLUSION

It is crucial that we shed light on the plight of countless families torn apart by China's reprehensible tactics. By denying basic human rights and resorting to arbitrary detention, the Chinese government seeks to silence those who speak up for justice and challenge their oppressive regime. The agony faced by my family is not unique; it is a testament to the suffering endured by many others who fall victim to the same repressive tactics. As we remember my family members, my relatives, my loved ones, let us also advocate for the rights of those unjustly imprisoned, offer support to their loved ones left behind, and strive for a world where transparency, empathy, and justice prevail. Only through consistent and unwavering efforts can

we hope to make a difference in the lives of those affected by transnational repression and bring an end to this cycle of suffering.

STATEMENT OF HON. CHRIS SMITH

Today's hearing, "Countering China's Global Transnational Repression Campaign," will come to order.

In June 2021, on the 32nd anniversary of the 1989 Student Democracy Protests which, as we all know, ended in the horrific Tiananmen Square Massacre, I visited Liberty Sculpture Park in Yermo, California, to witness the unveiling of a sculpture made by the artist Chen Weiming. It was a 20-foot-tall statue that morphed Xi Jinping's skull with a coronavirus molecule, and Chen named it "CCP Virus." It was a bold work of art, rightfully assigning blame to the CCP and Xi Jinping for the horrific pandemic that shook our world.

I was honored to attend, to see Chen's work, and to join him and other heroes of Chinese democracy in speaking out against the atrocities committed by the CCP.

Less than two months later, the sculpture was gone. It was vandalized and then burned to the ground, likely by a band of CCP agents targeting Chen and other Chinese democracy activists here in the U.S. to punish and scare them into silence. Unfortunately, Chen's is not a rare case.

With us that day in Yermo was Wei Jingsheng, perhaps the greatest advocate for Chinese human rights and democracy of our time. Very few people know this, but in May 2022, while driving right here in Washington, DC, a car swerved in front of Wei's car and suddenly braked in front of him while another rammed him from behind. Both cars quickly fled the scene. Wei believes, and I also believe, that this was an attempt on his life.

This, incidentally, is the same tactic that I have heard used against another Chinese individual who ran afoul of the CCP.

And the list goes on.

Major Xiong Yan, who served in the U.S. Army and who ran for Congress in New York City, was stalked and harassed by Chinese agents here in the U.S.

Pastor Bob Fu, a leading advocate on behalf of Christians and human rights defenders trying to escape China, was threatened with a bomb at his home in Texas.

The brave 8 Hong Kongers who had bounties placed on their heads just this past summer, solely for speaking out against the atrocities happening in their beloved Hong Kong, and whose families were harassed. Indeed, I note, this group includes a number of individuals whose outspokenness led them to testify here at the China Commission, so this is really personal.

It also becomes personal when I hear about a fellow legislator from a sister democracy who has been harassed for speaking out about human rights in China. MP Michael Chong of Canada was harassed for what Senator Merkley and I have repeatedly done, calling the Chinese Communist Party's treatment of Uyghurs what it is: a genocide. And though Michael has been harassed, he is not intimidated, and he will be joining us here today to tell us his story.

My friends, the CCP has waged a pervasive coercive campaign around the world against anyone who does not agree with the Party. They target Uyghurs, Hong Kongers, Tibetans, dissidents, activists, students, journalists, or anyone who dares to state their "unapproved" opinions about the PRC.

The CCP uses modern technology to digitally harass and surveil individuals around the globe. They abuse the Interpol system to punish and force the return of those who exercise their freedom of speech while abroad. They detain and harass dissidents' families and friends back in China to unjustly attempt to coerce silence—like the sister of Rushan Abbas; Rushan will join us here this morning. And they even use direct physical assaults beyond their borders to control what is said about their country and its wrongdoings.

Recently we've seen them go so far as to set up shop right here in the United States, establishing illegal "police stations" in New York City to surveil and harass Chinese emigrants on our soil.

The CCP's strategy of trying to rewrite global norms has succeeded in too many cases. This has led to self-censorship and curtailment of basic freedoms even here in the U.S.

Students, scared to speak out. Journalists, scared to write. Free citizens, scared to attend gatherings.

All of this is happening beyond China's borders, and within ours. Indeed, as Michael Chong's testimony illustrates, and as underscored in news just this past weekend from Great Britain, where an alleged spy worked at Parliament, it is also happening within our legislatures.

We cannot and will not let the Chinese Communist Party scare us into submission through these tactics.

Today we will hear from experts and victims alike, who have seen these stories up close. We must work to protect the freedoms of speech, assembly, and opinion—both here in the U.S. and elsewhere.

STATEMENT OF HON. JEFF MERKLEY

Thank you very much, Chairman Smith. Transnational repression is central to the Chinese Communist Party's strategy of silencing critics of Chinese policy around the world. It affects so many of the Uyghurs, Hong Kongers, Tibetans, human rights advocates, journalists, and others this Commission works with on a daily basis. This hearing gives us a chance to give a platform to some of the victims and experts from across the globe who have been most engaged in trying to identify ways we can address this vexing challenge.

We know from past testimony that it isn't easy, as the Chinese Communist Party's sophisticated tactics seem to know no bounds and bring the power of a ruthless state against individual dissidents, members of the Chinese diaspora, and, insidiously, their family members in China.

That's why it's so critical that we redouble the effort to wrap our minds around the dimensions of this threat, to raise awareness globally, to identify ways to build common cause with those who have been targeted—religious groups, activists, journalists, politicians—as well as governments sick and tired of the brazen violation of sovereignty that transnational repression represents.

Last year I chaired another hearing on this topic to hear about what the Biden Administration is doing about it, and I am proud that one of the officials at the forefront of that work, Under Secretary Uzra Zeya, is now one of our commissioners. The State Department is dedicated and is continuing to apply significant time and attention to developing a more comprehensive strategy to counter, deter, and mitigate these threats. We have also seen the Department of Justice make important strides in pursuing criminal charges against groups and individuals accused of engaging in transnational repression.

But despite these efforts, this Commission's reporting shows how far we have to go. We continue to track a disturbing number of cases of transnational repression both here in the United States and abroad, with the knowledge that countless others are taking place and likely not being reported on. I imagine that for every case we hear about, there's another ten we don't know about. We have seen egregious harassment campaigns, even against legislators around the world including the Honorable Michael Chong who is here, a member of the Canadian House of Commons. We have seen relentless targeting of young activists who have spoken out bravely against the increasingly repressive conditions in Hong Kong. And we have seen the unrelenting pressure that continues to be directed at Uyghurs around the world.

We know that this is, as Freedom House calls it, "the most sophisticated, global, and comprehensive" campaign of transnational repression in the world. It relies on surveillance technology, spyware, threats to individuals through phone calls or face-to-face intimidation, and even harassment of family members and friends still in China. As Safeguard Defenders revealed in an eye-opening report earlier this year, the PRC is also responsible for establishing at least 102 "overseas service stations" in at least 53 countries, breaching national sovereignty and coercing Chinese diaspora members to return to the PRC for criminal investigation.

All of this requires that the United States and as many other governments as possible—and we do need international cooperation to make this effective—make it a priority to address this, difficult as it will be. That's why earlier this year I introduced the Transnational Repression Policy Act, joined on a bipartisan basis by my colleagues Senator Rubio, Senator Cardin, and Senator Hagerty in the Senate, to hold foreign governments and individuals accountable when they stalk, intimidate, or assault people across borders. I appreciate Chairman Smith's work to lead the House companion to this legislation. If enacted, the Transnational Repression Policy Act would mandate additional U.S. Government reporting on the issue, require training for U.S. diplomatic and law enforcement personnel, bolster intelligence community efforts to track and share information on these incidents, and develop a more effective tip line for victims and witnesses. I'm working to get this bill passed, I think it's essential that we do, and I look forward to hearing from our witnesses today who are bringing their experience, their stories, to bear on this very important issue.

STATEMENT OF HON. JAMES P. MCGOVERN

Good morning. I join my colleagues in welcoming our witnesses and the public to today's CECC hearing on transnational repression.

Transnational repression occurs when governments reach across borders to silence dissent among diasporas and exiles, through assassinations, illegal deportations, abductions, digital threats, Interpol abuse, and family intimidation.

Our focus today is on the practices of the People's Republic of China, but transnational repression can be carried out not just by unfriendly governments but also strategic allies. It can target people anywhere they or their families reside or visit, even in democracies like the United Kingdom, Canada, Germany, Australia, South Africa, and here in the United States.

That is why I worked with Senator Merkley during the 117th Congress as he led the development of the Transnational Repression Policy Act, and why I am proud to co-lead that same bill (H.R. 3654) in the House this Congress with Chairman Smith. It is critically important to make sure that the U.S. Government has the tools it needs to confront this global challenge both domestically and internationally.

I turn now to China. Freedom House's database on transnational repression now includes information on 854 direct physical incidents committed by 38 governments in 91 countries around the world since 2014. China is an origin country for 253 of those recorded incidents, a stunning 30 percent.

As we will hear today, the PRC targets abroad the same populations it represses internally, especially Uyghurs, Hong Kongers, and Tibetans. State agents linked to the security and police forces have engaged in forced rendition of asylum seekers, street assaults, digital surveillance, online harassment, and the coercion and intimidation of family members and friends of dissidents.

We must be sure that we have the knowledge and capacity to protect the people who are the targets of these practices, especially those who are within U.S. jurisdiction. And we must do a better job of engaging with partner countries and strengthening multilateral strategies to counter the PRC's actions, which violate international human rights—among them the right to freedom of expression, association, asylum, and freedom of movement, and the prohibition on arbitrary detention. I look forward to hearing the witnesses' testimonies and their recommendations.

STATEMENT OF HON. DAN SULLIVAN

Thank you, Mr. Chairman, for your outstanding leadership on this. It is great to see my colleague from the U.S. Senate and Co-chair Senator Merkley. This is such an important topic. The effort—often successful—of the Chinese Communist Party to reach far beyond its borders to target critics in the diaspora communities throughout the world is outrageous.

But let's face it, it's just one of many outrageous things Beijing is doing across the board. We need to continue to recognize and highlight, as this Commission has been doing, the brutal nature of the Chinese Communist Party regime we are dealing with, especially under the dictatorial rule of Xi Jinping. Look no further than the string of strange disappearances that we've seen in China in their government in the last couple of months. The Chinese foreign minister and former ambassador to the United States disappeared. This was Xi Jinping's right-hand man until recently. The commander and deputy commander of the PLA rocket forces—gone. And now, apparently the defense minister is gone. Who knows what's going on here. But to be clear, this is the sort of regime we're dealing with—a regime whose officials suddenly disappear without any explanation. They're probably somewhere in China with bullets in their heads in ditches.

This is the way the CCP operates. And now Xi Jinping is trying to export this.

Just a couple of months ago, authorities in Hong Kong issued arrest warrants for activists and lawyers accused of violating the CCP-imposed national security law, specifically for people who no longer live in Hong Kong, or anywhere in China, for that matter.

Hong Kong has declared that it will pursue these people for life. And it's not unthinkable that they could one day make good on grabbing them. Of course, I'm not worried about the United States aiding in their return, or the UK, or Australia, or Japan, or other places where they now reside. But life is long. They all travel. One day, they could find themselves in the hands of a government all too eager to burnish their credentials with Beijing.

This is one of the reasons, Mr. Chairman, I'm working with Representative John Curtis on a bill to press the Biden administration to sanction the prosecutors and judges and other officials responsible for enforcing these unjust Hong Kong laws.

The days of the independence of the Hong Kong judiciary system and the rule of law in Hong Kong are unfortunately long gone.

Beijing has seen to that. Now we need to do what we can to try to even up the scales on behalf of the people of Hong Kong.

Mr. Chairman, there is one more issue that I want to just raise in my opening statement. These kinds of aggressive actions are also targeting Americans directly, and even, remarkably, during times of tragedy. I'd like to submit for the record this New York Times story that just broke last night entitled, "China Sows Disinformation About Hawaii Fires Using New Techniques." This story that just broke in the New York Times talks about how, when wildfires swept across Maui last month killing over 100 Americans, the CCP unleashed its information warriors. They said on the internet that the disaster was not natural. In a flurry of false posts and lies that spread across the internet, they said the natural disaster was the result of a secret weather weapon being tested by the United States military and intel agencies. To bolster this lie, they posted photographs that were generated by artificial intelligence programs.

Mr. Chairman, as we all know, when countries suffer natural disasters, even adversaries come together to help each other. Not under Xi Jinping's rule. The Chinese Communist Party is now trying to sow discord among Americans as we sadly bury our own dead in Hawaii. This is outrageous and I call on the Chinese ambassador to the United States to formally apologize to our country. But Mr. Chairman, he won't, because if he did, he'd disappear too. We all know that.

One final thing, Mr. Chairman. I just want to say how honored I am to join this Commission. It has such a great history, especially under your leadership. At a time when many people are raising questions about Congress's decisions in the past relating to China, for example extending MFN 20 years ago, it is good to remind Americans that, at the same time, Congress also established organizations like this one to keep a critical eye on human rights. I think there may be more Congress can do to live up to this Commission's mandate, perhaps even expand it. But as the new guy here, I'm eager to learn from my colleagues about how the Commission works and I'm very honored to be a part of that. With that, Mr. Chairman, I again am very glad to be here and look forward to working with you and all of the members of this distinguished Commission.

STATEMENT OF HON. UZRA ZEYA

Good morning. Thank you, Chairman Smith and Co-chair Merkley, Ranking Member McGovern, and fellow commissioners. I am honored to be with you all today for this important discussion on the increasingly pervasive and concerning use of transnational repression by PRC authorities.

Transnational repression—or TNR—is a global phenomenon, but the PRC's efforts are especially pervasive, pronounced, and persistent. The PRC uses TNR to harass and threaten Uyghurs, Tibetans, members of other ethnic and religious minority groups, Hong Kongers, and PRC citizens and non-PRC citizens living abroad, who seek only to exercise their human rights and fundamental freedoms.

As we've heard from the Co-chairmen and Ranking Member, the PRC utilizes a wide variety of tactics, including online harassment, exit bans on or imprisonment of family members of targeted individuals, the misuse of international law enforcement systems such as INTERPOL, and pressure on other governments to forcibly return targeted individuals to the PRC.

The sheer breadth and depth of their efforts cannot be ignored and should not be permitted to continue. It is a direct affront to national sovereignty and impacts people all over the world, including U.S. citizens and individuals residing in the United States. This is why, since 2021, the Biden-Harris Administration has made combating transnational repression a global human rights priority.

One way we have sought to counter this scourge is through our diplomatic engagement and tools. We continue to engage the PRC directly, making clear in no uncertain terms that their conduct is unacceptable and must stop. We have not and we will not keep quiet in the face of these transgressions. We have used sanctions as an accountability tool as well. Specifically, in March 2022, we imposed visa restrictions on PRC officials responsible for, or complicit in, transnational repression.

This Administration energized the interagency to combat TNR in the United States, as well. U.S. Government agencies have increased their domestic engagement with communities targeted by the PRC. This outreach helps to create improved two-way communication, which both enhances our understanding of the threat and helps those affected more quickly access government assistance when they are targeted—or even before this occurs.

We have also jumpstarted international cooperation to drive a global response because it is not only Americans and U.S. residents who have suffered abuses. Specifically, we deployed interagency teams to meet with foreign counterparts to raise their awareness of this threat and to share our own lessons learned.

One example of this effort is the recent launch of a G7 Rapid Response Mechanism Working Group on TNR. This coalition will raise international awareness of the threat TNR poses to democratic values and deepen our shared commitment to countering it.

The experiences and details presented by today's panelists will surely highlight the very real threat of the PRC's transnational repression activities, as well as the need for governments, legislators, activists, and others to continue to work even more closely together to counter it. Hearing your stories, and in some cases learning from what you have gone through personally, are vitally important as we advance our common cause.

The Administration welcomes Congress's ongoing leadership on these issues and we look forward to deepening our collaboration.

Thank you for this opportunity to speak and thank you all for coming together today to confront this challenge.

SUBMISSIONS FOR THE RECORD

[Reprinted from the New York Times, September 11, 2023]

CHINA SOWS DISINFORMATION ABOUT HAWAII FIRES USING NEW TECHNIQUES

By David E. Sanger and Steven Lee Myers

When wildfires swept across Maui last month with destructive fury, China's increasingly resourceful information warriors pounced.

The disaster was not natural, they said in a flurry of false posts that spread across the internet, but was the result of a secret "weather weapon" being tested by the United States. To bolster the plausibility, the posts carried photographs that appeared to have been generated by artificial intelligence programs, making them among the first to use these new tools to bolster the aura of authenticity of a disinformation campaign.

For China—which largely stood on the sidelines of the 2016 and 2020 U.S. presidential elections while Russia ran hacking operations and disinformation campaigns—the effort to cast the wildfires as a deliberate act by American intelligence agencies and the military was a rapid change of tactics.

Until now, China's influence campaigns have been focused on amplifying propaganda defending its policies on Taiwan and other subjects. The most recent effort, revealed by researchers from Microsoft and a range of other organizations, suggests that Beijing is making more direct attempts to sow discord in the United States.

The move also comes as the Biden administration and Congress are grappling with how to push back on China without tipping the two countries into open conflict, and with how to reduce the risk that A.I. is used to magnify disinformation.

The impact of the Chinese campaign—identified by researchers from Microsoft, Recorded Future, the RAND Corporation, NewsGuard and the University of Maryland—is difficult to measure, though early indications suggest that few social media users engaged with the most outlandish of the conspiracy theories.

Brad Smith, the vice chairman and president of Microsoft, whose researchers analyzed the covert campaign, sharply criticized China for exploiting a natural disaster for political gain.

"I just don't think that's worthy of any country, much less any country that aspires to be a great country," Mr. Smith said in an interview on Monday.

China was not the only country to make political use of the Maui fires. Russia did as well, spreading posts that emphasized how much money the United States was spending on the war in Ukraine and that suggested the cash would be better spent at home for disaster relief.

The researchers suggested that China was building a network of accounts that could be put to use in future information operations, including the next U.S. presidential election. That is the pattern that Russia set in the year or so leading up to the 2016 election.

"This is going into a new direction, which is sort of amplifying conspiracy theories that are not directly related to some of their interests, like Taiwan," said Brian Liston, a researcher at Recorded Future, a cybersecurity company based in Massachusetts.

If China does engage in influence operations for the election next year, U.S. intelligence officials have assessed in recent months, it is likely to try to diminish President Biden and raise the profile of former President Donald J. Trump. While that may seem counterintuitive to Americans who remember Mr. Trump's effort to blame Beijing for what he called the "China virus," the intelligence officials have concluded that Chinese leaders prefer Mr. Trump. He has called for pulling Americans out of Japan, South Korea and other parts of Asia, while Mr. Biden has cut off China's access to the most advanced chips and the equipment made to produce them.

China's promotion of a conspiracy theory about the fires comes after Mr. Biden vented in Bali last fall to Xi Jinping, China's president, about Beijing's role in the spread of such disinformation. According to administration officials, Mr. Biden angrily criticized Mr. Xi for the spread of false accusations that the United States operated biological weapons laboratories in Ukraine.

There is no indication that Russia and China are working together on information operations, according to the researchers and administration officials, but they often echo each other's messages, particularly when it comes to criticizing U.S. policies. Their combined efforts suggest a new phase of the disinformation wars is about to begin, one bolstered by the use of A.I. tools.

"We don't have direct evidence of coordination between China and Russia in these campaigns, but we're certainly finding alignment and a sort of synchronization," said William Marcellino, a researcher at RAND and an author of a new report warning that artificial intelligence will enable a "critical jump forward" in global influence operations.

The wildfires in Hawaii—like many natural disasters these days—spawned numerous rumors, false reports and conspiracy theories almost from the start.

Caroline Amy Orr Bueno, a researcher at the University of Maryland's Applied Research Lab for Intelligence and Security, reported that a coordinated Russian campaign began on Twitter, the social media platform now known as X, on Aug. 9, a day after the fires started.

It spread the phrase, "Hawaii, not Ukraine," from one obscure account with few followers through a series of conservative or right-wing accounts like Breitbart and ultimately Russian state media, reaching thousands of users with a message intended to undercut U.S. military assistance to Ukraine.

China's state media apparatus often echoes Russian themes, especially animosity toward the United States. But in this case, it also pursued a distinct disinformation campaign.

Recorded Future first reported that the Chinese government mounted a covert campaign to blame a "weather weapon" for the fires, identifying numerous posts in mid-August falsely claiming that MI6, the British foreign intelligence service, had revealed "the amazing truth behind the wildfire." Posts with the exact language appeared on social media sites across the internet, including Pinterest, Tumblr, Medium and Pixiv, a Japanese site used by artists.

Other inauthentic accounts spread similar content, often accompanied with mislabeled videos, including one from a popular TikTok account, The Paranormal Chic, that showed a transformer explosion in Chile. According to Recorded Future, the Chinese content often echoed—and amplified—posts by conspiracy theorists and extremists in the United States, including white supremacists.

The Chinese campaign operated across many of the major social media platforms—and in many languages, suggesting it was aimed at reaching a global audience. Microsoft's Threat Analysis Center identified inauthentic posts in 31 languages, including French, German and Italian, but also in less prominent ones like Igbo, Odia and Guarani.

The artificially generated images of the Hawaii wildfires identified by Microsoft's researchers appeared on multiple platforms, including a Reddit post in Dutch. "These specific A.I.-generated images appear to be exclusively used" by Chinese accounts used in this campaign, Microsoft said in a report. "They do not appear to be present elsewhere online."

Clint Watts, the general manager of Microsoft's Threat Analysis Center, said that China appeared to have adopted Russia's playbook for influence operations, laying the groundwork to influence politics in the United States and other countries.

"This would be Russia 2015," he said, referring to the bots and inauthentic accounts Russia created before its extensive online influence operation during the 2016 election. "If we look at how other actors have done this, they are building capacity. Now they're building accounts that are covert."

Natural disasters have often been the focus of disinformation campaigns, allowing bad actors to exploit emotions to accuse governments of shortcomings, either in preparation or in response. The goal can be to undermine trust in specific policies, like U.S. support for Ukraine, or more generally to sow internal discord. By suggesting the United States was testing or using secret weapons against its own citizens, China's effort also seemed intended to depict the country as a reckless, militaristic power.

“We’ve always been able to come together in the wake of humanitarian disasters and provide relief in the wake of earthquakes or hurricanes or fires,” said Mr. Smith, who is presenting some of Microsoft’s findings to Congress on Tuesday. “And to see this kind of pursuit instead is both, I think, deeply disturbing and something that the global community should draw a red line around and put off-limits.”

* * *

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HARD DRIVE

*A Family's Fight
Against Three Countries*

**MARY TODD AND
CHRISTINA VILLEGAS**



NEW YORK

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*Chapter 11***A LAW FIRM ON EVERY CORNER**

Shortly after the *Financial Times* (FT) published “Death in Singapore,” Rick and I received a phone call from Virginia Congressman Frank Wolf, inviting us to Washington D.C. to meet with him and several high-ranking FBI officials. We recognized that this invitation was a huge step forward for our case. Congressman Wolf serves on the powerful House Appropriations Committee and is the chairman of the Commerce-Justice-Science Subcommittee that funds the Commerce Department and the Justice Department (which includes the FBI).

Additionally, Congressman Wolf had a special interest in our case. In 2006, his office computers were targeted in a cyber-attack by Chinese operatives that resulted in the theft of valuable information. Since that time, Congressman Wolf has worked diligently to protect our country from cyber espionage and has been instrumental in funding efforts to combat cyber-attacks from state-owned or government associated Chinese telecom equipment manufacturers, such as Huawei.

The timing of Wolf's call couldn't have been better as "48 Hours" producer Ryan Smith was currently in Montana filming us. Ryan asked if he could accompany us to Washington, and when we enthusiastically agreed, he arranged for an entire film crew to meet us there. In the meantime, Rick and I were able to contact and make appointments with our two Montana senators, Max Baucus and Jon Tester, and our state representative, Steve Daines. We invited our boys to join us, but John was the only one who could clear his schedule; Chet was running the family bed and breakfast, and Dylan was attending classes at the University of Montana.

On Thursday, February 28, 2013, our first morning in Washington, the "48 Hours" crew met Rick and me in front of our hotel with two black SUVs. We piled into the first SUV with the producer Ryan Smith, the correspondent Peter Van Sant, and two camera men. The rest of the crew followed. As we drove to the Capitol Building, Van Sant asked us a series of questions such as: "What are you feeling now that your story is finally gaining national recognition?" "What do you hope to accomplish today?" "What has brought you to this point?" As we answered the questions, we were constantly reminded to "look natural," "look out the window," "point your finger at that building," and "talk to each other." The whole experience was surreal—it was hard to "act natural" when we knew that we were being recorded for broadcast to a national audience.

Our first meeting of the day was with Senator Jon Tester and his chief of staff, Tom Lopach. Senator Tester was the quintessential Montana cowboy, self-assured and sturdy looking, sporting cowboy boots. Upon our arrival, Tester proudly showed off his office, which was filled with pictures of his Montana ranch. We spent about half-an-hour with the senator, who opened the meeting by talking at length about his love for Montana. When we were given the opportunity to share, Tester listened, but his chief of staff was the one who took notes and asked questions. The senator ended the meeting by assuring us that he would see what he could do. Although the meeting was pleasant, it did not engender great confidence that it would achieve any results.

Our next meeting was with Congressman Daines, who was newly elected to office. He looked stunned, as we told him about the death of our son. It was obvious he did not know much about the background related to our situation and why we were seeking an audience with him and had no clue as to what he should do in response. Our only firm conclusion from that meeting was that Daines was so new to Congress, that he did not, at that time, know how to help us.

After a fairly unproductive day, we headed to the hotel restaurant to unwind and enjoy dinner with the “48 Hours” crew. Our son John flew in that evening and joined us for dinner. My heart weld up with pride when he came strolling across the dining room, dressed in his pilot uniform, smiling engagingly. We sat in the restaurant for hours, enjoying one another’s company and discussing the important day ahead.

The next morning, we awoke to the FT headline “Senator Takes Todd Death to White House.”¹³ The article, written by FT reporter Richard McGregor and correspondent Ray Bonner, announced that “Max Baucus, a Democratic Montana senator, and Frank Wolf, a Republican member of the House of Representatives from Virginia, are both due to meet the Todd family in Washington.” The article also stated that Senator Baucus had discussed the case with the White House and several Singaporean officials and quoted him saying, “As a father my heart is broken for Shane’s parents and I will do everything in my power to help them get the answers they deserve.” Our day was certainly starting off on a promising note!

With the “48 Hours” crew still filming our every move, Rick, John, and I headed to our first meeting with Congressman Wolf. We were met by Wolf’s legislative director, Thomas Culligan, who ushered us into an impressive office and introduced us to the congressman, a distinguished looking gentleman, with a full head of white hair. I was immediately encouraged by Wolf’s serious demeanor, which seemed appropriate considering the matter we had come to

¹³ Richard McGregor and Raymond Bonner, “Senator Takes Todd Death to White House,” *Financial Times*, February 28, 2013.

discuss. Wolf informed us that we would first hold a private meeting and then representatives from the FBI would join us.

As Rick and I prepared to present the evidence we had compiled, we were taken aback, but pleased, when Congressman Wolf informed us that he was already familiar with our story and that he believed us. He emphasized that what he really wanted to know was how he could be of help to us.

We responded to Wolf's generous gesture by telling him that we were seeking a congressional investigation into the death of our son. Wolf looked at us intently and grimly responded, "You are doing the right thing to press for a congressional investigation, but you are not going to get anywhere."

Shocked and bewildered, I asked, "Why not?"

I will never forget Wolf's blunt reply: "Huawei has a law firm on every corner in Washington D.C. and has helped elect several current members of Congress."

Even though I heard Wolf's words, I could not believe what he was claiming: "*Does China really have that much influence over our country's political decisions?*" At that moment, I realized that Congressman Wolf was warning us that our quest for truth would be a battle, not only against Singapore, but also against the ubiquitous influence of China and its sway over members of our own government.

Shortly after Wolf's disturbing revelation, he ushered in a group of FBI agents and introduced each one by name and position. The agents had all been briefed on Shane's story, and they assured us that they would do what they could to investigate his death. They did caution, however, that we probably would not hear much from them about the case because they would need to keep information confidential during the open investigation. One agent said, "In fact, you may never hear or know what the FBI is doing in your son's case."

Our final order of business was to hand over Shane's external Seagate hard drive to the FBI for analysis. We signed the papers documenting the handover procedure and included explicit instructions that the FBI not share the hard drive with the SPF unless they were invited to fully engage in the investigation.

Following our meeting with Congressman Wolf and the FBI, a staff member from Senator Baucus' office met us and accompanied us to the Capitol Building for a conference with ABC News. She then introduced us to Laura Rauch, Military Legislative Assistant to Senator Baucus, and a few other

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staff members. Baucus' staff kindly invited us to join them for lunch before an interview with Megyn Kelly from Fox News and our afternoon meeting with Senator Baucus.

Senator Baucus greeted us in his folksy, ranch-style reception room with a compassionate smile and warm handshake. After a few moments of small talk and a quick interview with "48 Hours," Baucus led us to a conference room, where we were joined by his executive assistant, his chief of finance, his press agent, and Laura Rauch. They all knew about Shane's death and offered sincere condolences.

Senator Baucus told us to call him "Max," and after beckoning everyone to take a seat, explained that he had read the FT article and was horrified over what had happened. He announced, "I smell something rotten in this whole affair, and I will do everything in my power to get to the bottom of this." He then encouraged us to tell the full story from our perspective, to which he listened intently.

After we related our saga, Baucus asked what he could do to help. We told him that we were seeking a congressional investigation and that we had prepared a list of documents we wanted from the FBI:

- A copy of the International in Arms Regulations (ITAR) document that Shane would have signed with Veeco before training on the MOCVD machine
- A report detailing how much access the FBI was given by the SPF to Shane's two computers, cell phone, and diary, and the bureau's findings on such
- A report detailing which operating system was connected to Shane's external Seagate hard drive after his death

We also asked Senator Baucus to solicit from the FBI an independent pathology report, and a forensic analysis of Shane's writing style in comparison to the alleged suicide notes. Baucus agreed to co-author a letter with Senator Tester to the FBI requesting that they respond to us.

Baucus ended the meeting by giving us his personal contact information and encouraging us to call him directly if there were anything more he could do. He also invited us to return to Washington D.C. the following week to meet with Singapore's Minister for Foreign Affairs and Minister for Law, K. Shanmugam. Referring to Minister Shanmugam, Baucus stated, "I want him to see the face of the parents whose son was killed in his country."

Rick and I were encouraged by the meeting and touched when the senator personally escorted us down the halls of the Capitol and through the Hart Building to the underground train station to bid us farewell.

A couple days later, Rick and I returned to Washington D.C. to meet with Minister Shanmugam. Throughout the entire meeting, Shanmugam assured us that the SPF was one of the finest police forces in the world and that they were working hard to thoroughly investigate the death of our son. He promised that Singapore would carry out an open and transparent investigation and would share any relevant evidence with the FBI, but he was totally disinterested in discussing or viewing the evidence we had compiled. Shanmugam was clearly more concerned with pacifying us than with acquiring the truth.

A week and a half after we returned to Montana, we discovered through various media sources that Minister Shanmugam was still in Washington D.C. and was scheduled to meet with Senator Baucus, Secretary of State John Kerry, Attorney General Eric Holder, and various other government officials, including Arizona Senator John McCain.

Prior to these meetings, *USA Today* cited Senator Baucus, emphasizing that the SPF and Singaporean government "have been less than forthcoming" in the Shane Todd case and that evidence he had seen so far raised "very, very strong questions" and "deep concerns about national security."¹⁴

In a press conference, directly following his March 12 meeting with Senator Baucus, Minister Shanmugam emphatically claimed that IME had not engaged in any unauthorized or illegal technology transfers and that the company was subject to rigorous government audits. Shanmugam also pledged that the SPF

14 Oren Dorrell, "Senator, Parents Press Singapore in Son's Death," *USA Today*, March 12, 2013.

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would share the evidence in their possession with the FBI and highlighted that “a public and fully transparent Corner’s Inquiry will be held in which the Todd family could participate and pose questions.”¹⁵

Later that same day, Senator Baucus called me personally to report on his meeting with Minister Shanmugam. Baucus told me that, during the meeting, Shanmugam claimed that IO Khal had never given us that initial false description of how Shane allegedly hanged himself. Shanmugam also stated that two U.S. pathologists had concluded that Shane’s death was a typical case of suicide by hanging. Baucus asked me to send him a timeline of the events that led up to Shane’s death and what had transpired since then. I responded with the following email:

Dear Senator Baucus,

Thank you for your call today. It is disconcerting, yet not surprising, that the Foreign Affairs Minister to Singapore lied about the SPF description of how Shane hanged himself, and about the two separate U.S. pathologist reports. Attached is one of the many timelines that I sent to the U.S. Embassy in Singapore, and the pathologist report.

You will never know, this side of heaven, how much your help means to us and to our country.

Thank you,
Mary Todd

Senator Baucus replied with a simple, “Thanks, Mary. This helps a lot. We’ll get to the bottom of this. Many more leads to pursue.”

A couple days later, *USA Today* reported that Senators Baucus and Tester had introduced an amendment to a Senate budget resolution that would withhold a \$500,000 Department of Defense research grant to Shane’s former employer, IME, until the SPF gave the FBI full access to evidence relevant to Shane Todd’s

¹⁵ Singapore Ministry of Foreign Affairs Press Statement: “Visit by Minister for Foreign Affairs and Minister for Law K Shanmugam to the United States of America: Meetings with US Secretary of State John Kerry and Attorney-General Eric Holder and Other Personalities, 12 to 13 March 2013.”

death.¹⁶ Senator Baucus reported, “Singapore’s promise to share all evidence with the FBI is a significant step forward, and I appreciate the minister’s time and attention to Shane’s case. Now we have to keep the pressure on to ensure that commitment is fulfilled.” Senator Tester additionally stated that the amendment “is a way to hold Singapore accountable and let them know we’re serious [about getting answers for the Todd family].”

In response to this measure, a spokesman for Singapore’s Ministry of Foreign Affairs (MFA) issued a press release stating:

We are deeply disappointed by the Senators' actions and statements. The Senators had requested the FBI to be given “full access” to all the evidence in the investigation conducted by the Singapore Police Force (SPF) over the case, based on the version of the facts provided by the family alone. The SPF so far has refrained from publicizing the information they have gathered because investigations are ongoing, after which there will be a public Coroner’s Inquiry where all the facts will be laid out to determine the cause of Mr Todd’s death...

The issue of applying “pressure” should not arise between countries, which have had a long, open and cooperative relationship with each other based on mutual respect. Singapore has made every effort to be open and transparent in both the investigation of Mr Todd’s death and the IME’s projects. We will let the outcome of the investigation and Coroner’s Inquiry speak for themselves.¹⁷

Following this high profile week, investigative reporter Ray Bonner observed, “Well, you certainly have the world’s attention now.” And, for the remainder of March, we continued to attract significant media interest. We were interviewed on either radio or television almost every day, and several film crews flew to

¹⁶ Oren Dorell, “Senators: Block Singapore Funds for Shane Todd Evidence,” *USA Today*, March 14, 2013.

¹⁷ Singapore Ministry of Foreign Affairs Press Statement: “MFA Spokesman’s Comments in Response to Media Queries on US Senators’ Introduction of an Amendment to Block US Funding the Institute of Microelectronics,” March 17, 2013.

Montana to document our story, including Miguel Marquez from CNN's "Erin Burnett Out Front."

In the midst of all the media attention, we also experienced some disturbing computer problems. Around mid-March, I noticed strange occurrences on my computer. By coincidence, I discovered that every email I sent had an attachment of Shane's psychological evaluation from the doctor in Singapore. I could not remove the attachment, so I called a local FBI agent, Steve Liss, and asked him what I should do. That evening, Steve came to our apartment with a computer specialist. After examining my computer, the specialist confirmed it had been hacked. Since that time, my computer and cell phone have continued to operate in a peculiar manner—for example: when I answer my phone there is often a delayed response, sometimes I don't receive voicemail messages for a couple of days, and I frequently do not receive emails related to the case until hours after they are sent—which makes me wonder if my email and conversations are being monitored.

Another curious move was that the Coroner's Inquiry was changed from two days in March to eleven days in May. In mid-January, IO Khal had emailed us stating that "the Coroner's Inquiry has been fixed on 4th & 5th March 2013 (tentative) commencing at 9.30 am daily." Shortly after publication of the FT article, however, we received an email from Craig Bryant, U.S. Consul in Singapore, informing us that the inquiry had been rescheduled to May 13-27. In this email, Craig encouraged us to hire a lawyer to represent our case in court. I remember feeling bewildered: "If the Coroner's Inquiry is supposed to be a transparent fact-finding inquiry into the death of our son, with the goal of all concerned parties to uncover the truth, why on earth would we need a lawyer?"

/INVOLUNTARY RETURNS

**China's covert operation to force
'fugitives' overseas back home**



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About Safeguard Defenders

[Safeguard Defenders](#) is a human rights NGO founded in late 2016. It undertakes and supports local field activities that contribute to the protection of basic rights, promote the rule of law and enhance the ability of local civil society and human rights defenders in some of the most hostile environments in Asia.

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DEFENDERS



EXECUTIVE SUMMARY

When China launched its much-touted Operation Fox Hunt (猎狐) in 2014, a programme to forcibly return fugitives overseas accused of corruption back home, the government had already claimed that some 18,000 officials had fled abroad.¹ Fox Hunt, which seeks to extend the reach of China's transnational repression, is intricately linked to General Secretary Xi Jinping's domestic "anti-corruption" drive (反腐败斗争), a campaign that is seen as key to the CCP's survival. With the Chinese diaspora growing at an ever faster rate as more people seek to leave China, and with the CCP keen to keep control of them also, Beijing has never been more motivated to expand the powers of its security forces overseas.

**Almost all of the claimed
~10,000 people returned
to China since Operation
Fox Hunt began have
been through non-judicial
procedures, including illegal
operations on foreign soil.**

Even before Xi Jinping took power in 2012, China faced resistance in securing foreign governments' cooperation in repatriating its citizens. Many countries were hesitant to enter into extradition agreements with China, and even when deals were struck, the agreements often limited the kinds of people it covered to specific target groups, and even then, extradition requests were sometimes denied.

Against this backdrop, China launched multiple campaigns, some using alternative means, to force the return of target individuals. The scale of these operations, even according to official statistics, has been growing, and there is little to indicate that this will change.

This report exposes **three methods** China employs, outside of bilateral agreements (extradition and deportations), to forcibly secure the return of Chinese fugitives and other targets abroad. This report calls these "**involuntary returns**" in contrast to the CCP's portrayal of these as "voluntary returns." We have found that the vast majority of the 10,000 cases are handled in one of these three ways.

A combination of persuasion, intimidation and harassment is used, either via the target's family, relatives and loved ones still in China (type 1) or by agents approaching the target overseas (type 2). Threats centre on warnings that family members will be arrested or worse, unless the fugitive returns. For type 2, agents may include Chinese police officers working illegally in the target country, as well as locally hired individuals. China describes both types as "persuasion"

Involuntary returns:

The use of non-traditional, often illegal, means of forcing someone to return to China against their will, most often to face certain imprisonment. Methods range from threatening family back in China, sending agents to intimidate target in host country, to direct kidnappings.

(劝返) or “negotiated returns”. Type 3 is the use of state-sanctioned kidnapping, called “irregular methods”(非常规措施) in Chinese, which also includes covert cooperation with host country forces to trick the target into heading to a third country where they can be extradited or simply handed over to Chinese agents for deportation without due process.

This report goes into detail to explain how each type is carried out, along with extensive data and case studies. We also include an analysis of the legal framework created by China as late as 2018 to legalise and regulate repatriations including involuntary returns that have been carried out in over 120 countries². **This includes an official legal interpretation outlining the use of kidnapping.** Type 2 and type 3 cases undermine the judicial sovereignty of target countries, and are clear violations of international rules, and customary State-to-State behaviour. In some cases, China uses involuntary returns first. If this fails, it then moves on to legal methods – extradition or deportation under immigration law. But the reverse order has also been observed; efforts to extradite or deport the individual have failed, thus *in*voluntary return is attempted. *In*voluntary returns are a cornerstone in the expansion of China transnational repression, yet the phenomenon is little known in the West.

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ABBREVIATIONS

CCDI	Central Commission for Discipline Inspection
CCP	Chinese Communist Party
CL	Criminal Law
CPL	Criminal Procedure Law
NSC	National Supervision Commission
NSL	National Supervision Law
MPS	Ministry of Public Security (police)
MSS	Ministry of State Security
IR	<i>in</i> voluntary returns
SD	Safeguard Defenders

INTRODUCTION

Family members of a Chinese national living abroad are visited by their local police at home. Soon thereafter, the relative abruptly returns to China, praises the Party, and goes on trial.

Chinese police enter another country on tourist visas and visit a Chinese national living there, who then reappears back in China, with State media reporting him having returned to face justice.

A Chinese national abroad disappears. Rumors say they've been drugged and kidnapped. Later they reappear back in China, but no immigration record of them leaving exists. Trial follows.

This report examines China's practice of **in**voluntary returns (IR) – the forced return of Chinese nationals (or non-Chinese nationals born in China) located overseas using one of three methods – threats to family back in China; targeting individual overseas; or kidnapping. Official data from China shows that these operations are growing more widespread. This report exposes how China is employing these methods in addition to more traditional approaches, such as extradition and deportation, which are carried out through open and legal channels of cooperation with the host country. There has never been a more urgent need to understand these covert operations, as one recent report on transnational repression put it bluntly; *“China conducts the most sophisticated, global, and comprehensive campaign of transnational repression in the world.”*³

Chinese political cartoonist Jiang Yefei (姜野飞) was likely not expecting to be handed over to Chinese agents in 2015 when he was released from Bangkok immigration detention because he had already been granted official refugee status by the United Nations Human Rights Commission. Yet, that's exactly what Thai officers did. Jiang was then smuggled back to China. He remains in prison.⁴ Two years later in 2017, tycoon Xiao Jianhua (肖建华), who is a Canadian citizen, was abducted by Chinese agents from his suite in the luxurious Four Seasons Hotel in Hong Kong. CCTV cameras show him being pushed out of the hotel in a wheelchair, head covered by a blanket, by a dozen people also dragging a huge suitcase.⁵ He has never been seen since, although there are reports that he was spirited back to the mainland to help with police investigations.⁶ Up until 2018 almost 10 similar suspected kidnappings in Australia have taken place according to one source; one victim was reportedly beaten, drugged and taken back to China by sea.⁷

Involuntary returns:

The use of non-traditional, often illegal, means of forcing someone to return to China against their will, most often to face certain imprisonment. Methods range from threatening family back in China, sending agents to intimidate target in host country, to direct kidnappings.



These cases of extraordinary measures may be the most eye-catching. Most victims however are targeted by coercing their loved ones back in China to persuade them to return or harassed by one of the roving squads of agents, across Australia, Canada and the US, but also occasionally in Europe.

Data in this report, from State and Party bodies, show that China is extending its reach overseas and ensuring that efforts to force returns are more effective so that targets can be sentenced back in China. One way China is doing this is by building a legal framework to legitimise these operations [see page 18]. The catalyst for these changes was Xi Jinping's "anti-corruption" campaign launched as he took power in 2012.⁹

Despite aggressively pursuing extradition treaties⁹ and pursuing immigration law-based deportations, the vast majority of targets who return are coerced via these non-legal channels. In addition, many IR are carried out in such a way as to directly undermine the judicial sovereignty of host countries. What is most surprising is that China is now no longer hiding this covert practice, it has officially "broadcast" the necessity of sometimes employing practices that classify as IR [see page 17].

This report uses case studies to illustrate each of the three involuntary return methods and presents what data there is available to show how the scope of these returns has expanded, particularly since Xi Jinping came to power.

Three types of IR are analysed in this report; those whose return is sought by threatening retaliation against family members or loved ones still in China (type 1); those whose return is sought through threats delivered by having agents in the country of their location (type 2); and those that are kidnapped and brought back to China (type 3).

TYPE 1: Threats to family in China

After Xie Weidong (谢卫东), a former judge on China's Supreme Court, moved to Canada he publicly criticised China's criminal justice system. Chinese authorities accused him of corruption and then attempted to get him to return "voluntarily". When he refused, police detained his sister and then his son back in China. Police also reached out to his ex-wife, a former long-time business

partner and others, such as the lawyer who was representing his sister, all with the aim to persuade him to return. Having been a judge, Xie knew very well what was in store for him should he return and he continued to refuse despite the retaliation against his family members and others. China even sent a lawyer to Canada to persuade him in person in vain.¹⁰

These methods are not exhaustive. Sometimes Chinese nationals abroad are forced to return because the Embassy refuses their request to renew their passports, others are targeted via cyber-attacks and harassment¹¹, while others are harassed through the misuse of Interpol red notices.¹²



China's transnational repression does not end with forced returns. Chinese nationals detained under immigration law have been known to have been visited by Chinese officials and given an ultimatum: accept deportation to China or stay in the host country in exchange for spying on the Diaspora.¹³ Others are harassed using the methods of types 1 and 2, not to have them returned, but to silence them. Sometimes, the threats are delivered as a warning that China 'can get you' if they want. A dramatic example is the use of fleets of fake Chinese police cars cruising through towns in California with large Chinese populations and the same in Australia.¹⁴ Activists from Uyghur and Tibetan communities and also Falun Gong practitioners are even sometimes issued with death threats in order to force them to be silent or return to China.¹⁵ This report will not go into these types of transnational repression, but is merely stated to highlight that IR as a form of transnational repression does not exist in a vacuum.

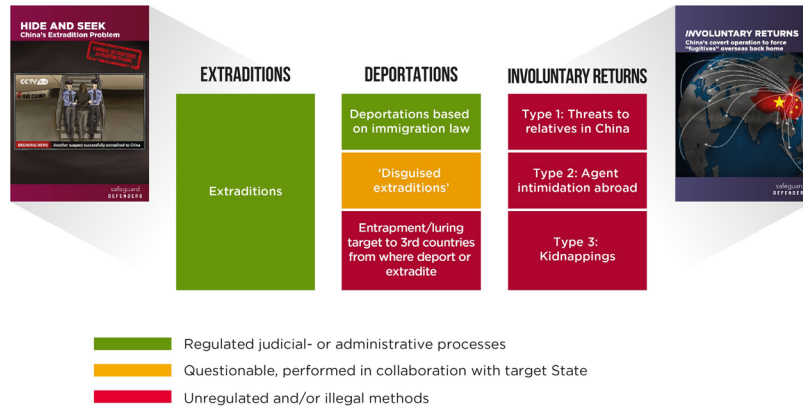
TYPE 2: Targeting victim in foreign country

The first known case of Chinese agents operating undercover in Australia to forcibly return someone is that of Dong Feng (董峰) in late 2014, just months after Xi launched the international arm of his anti-corruption campaign (Fox Hunt). Dong, who had obtained Australian citizenship was a tour group operator and bus driver. He was also a Falun Gong practitioner. Undercover Chinese police officers approached Dong

in Melbourne to persuade him to return and face "justice". He initially agreed to communicate with them because of threats to his family back in China, but in the end, he refused to return and stayed in Australia. However, the news that Chinese police were working undercover in Australia leaked out, causing a diplomatic spat between Canberra and Beijing.

Involuntary returns: China's covert operation to force 'fugitives' overseas back home complements our sister report, *Hide and Seek: China's Extradition Problem*, released concurrently on February 28, 2022, that covers China's expanded use of extraditions to force the return of 'fugitives.' Safeguard Defenders (SD) is also investigating the use of immigration law to have targets deported back, and separately, has released two reports on the misuse of INTERPOL red notices and diffusions.^{16,17} From our research, we conclude that these legal methods – extradition, deportation and INTERPOL mechanisms – are used on only a fraction of those people who are targeted by covert means (IR).

CHINESE LONG-ARM POLICING VS FOCUS OF THIS REPORT



Official data claims that China had successfully returned nearly 10,000 people since the launch of Fox Hunt mid-2014. However, almost none of these were legally processed. The figure of ~10,000 is also likely just the tip of the iceberg. Those targeted but who refuse have clear reason to keep a low profile, to avoid escalation, while those that are returned are unlikely to speak out. Very little data is made public on these returns and what little is published is almost always on those sought for "economic crimes" or Party members or State functionaries. The real number of returns and the real number of people targeted but who do not return is entirely unknown.

TYPE 3: Kidnappings abroad

Chinese human rights defender Dong Guangping (董广平) had already served three years in prison in China on charges of inciting subversion of state power in the early 2000s and had been disappeared for another eight months in incommunicado detention in 2014. To escape further persecution, he slipped into Thailand in 2015, where he was granted official refugee status by the UNHCR (like his

friend, Jiang Yefei, see page 50). As he awaited resettlement to Canada in a Bangkok immigration detention centre, Chinese police walked in, handcuffed him in front of Thai officers, and led him out. Dong later resurfaced in detention in China (there is no official record of his having left Thailand) where was sentenced to three years in prison. He was freed in 2019 after serving his sentence.¹⁸

The expansion of the CCP's reach overseas is instrumental to Xi Jinping's "anti-corruption" campaign. With IR, the CCP's message is that nowhere is safe; fleeing overseas will not save you, there is no escape.

It is not surprising that a party like the CCP, that has always viewed opposition as an existential threat, is investing considerable resources into expanding its reach overseas faced with a growing and often critical Chinese diaspora. The tools used, operations like Fox Hunt and Sky Net (天网); China's new National Supervision Commission (NSC); and its police and security ministries, will be analysed in detail in this report.

For this report, SD presents information on 80 cases of involuntary return actions, on 62 targets (of which 36 were returned), in 18 countries¹⁹. It has identified a further 46 cases in 10 countries²⁰, but for which not enough data could be collected to be included in the report.

There is also information on similar methods being employed on a considerable number of Uyghurs from China's Xinjiang region. The Uyghur Human Rights Project's Transnational Repression of Uyghurs Dataset²¹ contains at least 395 Uyghurs repatriated – a broad term that can include extraditions (very rare), deportations (common) and involuntary return (unknown). This issue however is not the focus of this report.

Expanding the long arm of Chinese repression is key to Xi Jinping's politically-based "anti-corruption".

FOX HUNT VS SKY NET

Operation Fox Hunt (猎狐) was launched by the Ministry of Public Security (MPS), China's police, on 22 July 2014 to arrest and bring back fugitives of economic crimes including corruption and specifically those identified in Xi Jinping's "anti-corruption" campaign.²² A central task force of roughly 20 staff was established to lead the repatriation work,²³ members of which have been glorified in official media as "hunters" (猎人).²⁴

The MPS-led task force's mission was to identify and track down those who had fled; build case files on them and establish solutions for how to apprehend them, including using existing laws or security cooperation mechanisms. In addition, they were also tasked with urging the fugitives to return voluntarily; this specifically included to involving the fugitive's relatives.²⁵ It worked with the Procuratorate as well as the Party-organ Central Commission for Discipline Inspection (CCDI).²⁶ Fox Hunt continues to this day.

Operation Sky Net (天网), often confused with Fox Hunt, was launched a year later in April 2015,²⁷ under the leadership of the Supreme Procuratorate. The MPS, China's Central Bank, the Central Organization Department of the Chinese Communist Party, and the CCDI were also involved.²⁸

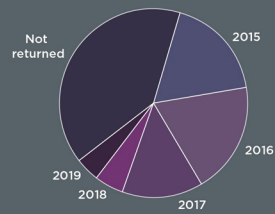
With the launch of Sky Net, Fox Hunt was folded into Sky Net as one of its many programmes. Sky Net is thus a much larger programme, containing numerous operations, of which Fox Hunt is one. In the years since its launch, Sky Net has added additional task forces, a special operations team led by MPS and Bank of China to crack down on money laundering; another led by MPS and the Central Organization Department to crack down on fake passports²⁹; and one led by the Supreme Court, the Supreme Procuratorate and MPS focused on the confiscation of illegal income from those who have fled the country.³⁰ Between 2015 and 2017, Sky Net released an annual Top 100 (百名红通人员) list of wanted persons for which China has applied for INTERPOL Red Notices,³¹ however in 2017, China stopped publicising the list.³²

In April 2018, **Sky Net's leadership was taken over by the newly inaugurated National Supervision Commission (NSC)**,³³ meaning that Operation Sky Net is now led, just like its general international judicial cooperation, by a *non-judicial* organ. The number of people involved with Sky Net or with its special operations are unknown.

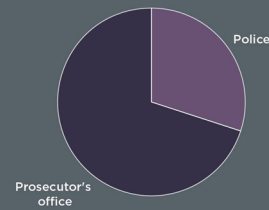
TOP 100

The Top 100 list was a specific campaign, part of Sky Net, launched 22 April 2015, which listed, publically, 100 fugitives the Chinese police were seeking internationally via INTERPOL Red Notices. It was unusual in that it was made public, and each year, the government would proclaim how many of those had been successfully returned. Most were, in the end, returned via involuntary returns and not via INTERPOL channels nor extraditions. The list, and the practice of publicizing those wanted via INTERPOL, were discontinued in 2017.

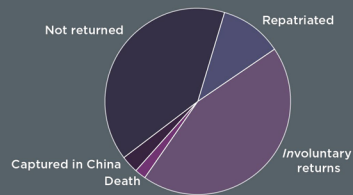
Successful returns by year³⁴



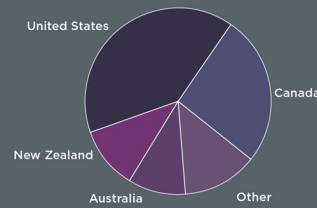
Police vs Prosecutor's office³⁵



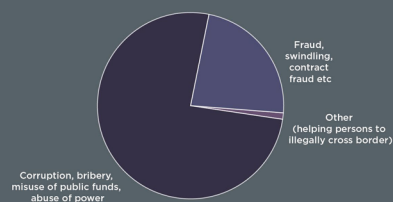
Method of return³⁶



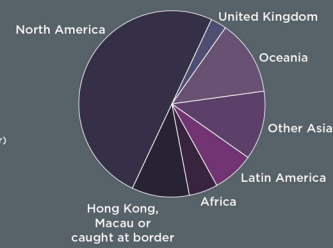
Target location³⁷



Alleged crime³⁸



Returns from where³⁹



PURPOSE

The CCP sought to control the Chinese diaspora from as early as the late 1970s and early 1980s. Then leader Deng Xiaoping referred to overseas Chinese as “living treasures” and sought their help to build up China’s economy and technical capabilities.⁴⁰ Another reason behind efforts to control overseas Chinese is the historical role they played in bringing an end to Imperial China and the establishment of Republican China in 1911/12 and a fear that this could happen again to the CCP.

There have also been numerous incidents where the CCP deliberately targeted defectors. For example, there are rumours that it ordered the assassination of former spy chief Yu Qiangsheng (俞强声) who defected in the 1980s and went missing in the 1990s.⁴¹ That the spy chief defected is of interest because the agency he was in charge of, the MSS, has suffered a string of defections even though it is one of the agencies responsible for controlling the Chinese diaspora. One former MSS agent who defected told western media that the MSS’ most important mission is “to control the Chinese people to maintain the rule of the Communist Party”.⁴² In the same interview, the defector added that the Party’s security trumped that of the country.

Examples of China’s transnational repression have multiplied since Xi Jinping came to power. Every indicator points towards a significant expansion of attempts from Beijing to control the Chinese diaspora and to bring individuals back to China.

Anti-corruption campaign

The expanded global reach of China’s police and other state actors has been directly linked to the “anti-corruption” campaign (反腐败斗争) launched by Xi Jinping in late 2012⁴³, and which remains his signature policy. What lies beneath the drive behind this campaign is a life and death struggle for the Party. It is also a campaign to enforce political loyalty, avoid in-Party factionalism and to more generally instill Party discipline. In short, it is used as a tool to strengthen the CCP’s political control and for Xi Jinping himself under the guise of attacking what is seen as a terminal illness for the party – corruption and the perception of corruption. “The dual objectives of cleaning up the party of corruption and building unassailable personal power are inseparable and mutually reinforcing,” as one 2014 Op-ed in The New York Times ran.⁴⁴

The high number of fugitives – A China Central bank report from 2008, revealed at first in 2011, stated that some 18,000 officials had fled China over between the mid-1990s and 2008⁴⁵ – indicates how much importance the CCP was placing on the operation to get them to return. Another report stated that in just the first six months of 2007 some 8,000 officials had fled.⁴⁶ This and another report indicates a clear increase in the number of officials fleeing (or merely leaving) the country, up until 2008 at least.⁴⁷ Police had claimed that in the five years leading up to 2008 that in the five years leading up to 2008, China had managed to extradite only 230 suspects.

Operation Fox Hunt was launched just a little more than a year after the start of the “anti-corruption” campaign. In 2018, after a renewed push to increase returns, the Supreme Procuratorate published a public notice, previously issued by the CCDI, offering a 130-

“Known as Fox Hunt, this operation tackles corruption. But it also serves to find and silence those who oppose the regime.”

**- David Vigneault,
Director of the SCRS (Canadian
Security Intelligence Service)⁴⁸**

day grace period for those who returned voluntarily to face justice. Put another way, they threatened those that did not return during the grace period would be severely punished if at a later date they were extradited or deported back to China. The announcement also threatened that anyone who supported or aided such targets would also face investigation and offered rewards to anyone who provided information about targets and family and friends if they helped persuade targets to surrender.⁴⁹

Increased opposition

Under Xi Jinping, the CCP has deepened, widened and strengthened its persecution of all perceived sources of opposition ranging from underground churches, Falun Gong practitioners, Tibetans, Mongolians, Uyghurs, academia and the media, not to mention its sweeping crackdown in Hong Kong. All these have helped transform China's image in the international arena. Even though there is no evidence that the general Chinese diaspora has changed its view of the CCP, outside of dissidents and activist groups, in line with a more critical attitude from the West, it is likely that Beijing, sensitive to this change, has also become more suspicious that the West will use members of the overseas community against them.

Increased asylum and emigration

Since Xi Jinping came to power, and the launch of the “anti-corruption” campaign, the numbers of people leaving China has risen sharply. The number of Chinese asylum seekers grew 700% between 2012 and 2020 according to UNHCR data. This upward trend has continued, despite global lockdowns due to the Covid pandemic. About 110,000 people from China sought asylum in 2020, while the numbers of Chinese with official refugee status by the UNHCR reached 175,585 in 2020.⁵⁰

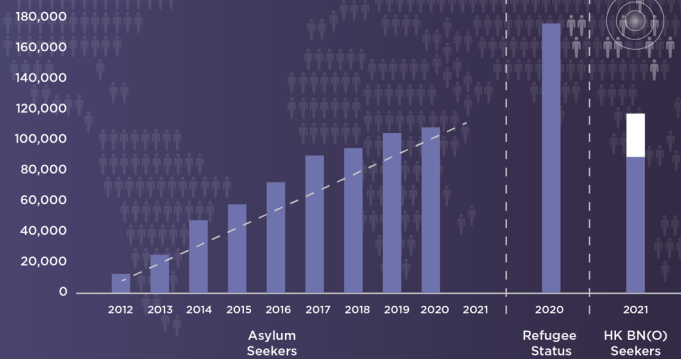
**Chinese asylum seekers
skyrocketed 700%, with
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worldwide Covid pandemic
and lockdown.**

In the first three-quarters of 2021, some 88,000 applications were made by Hongkongers under the British National Overseas passport scheme for resident visas to resettle in the UK.⁵¹ There are estimates that as many as 300,000 Hongkongers will seek to emigrate

this scheme.⁵² In 2020, the Chinese territory recorded its biggest population drop since measurements began in 1961, with almost 90,000 people, which is more than 1% of the population, moving overseas.⁵³

For the wealthy, leaving China rarely entails seeking asylum or refugee status, but rather paying for a new citizenship via investment programmes. For the middle-class, job or study opportunities offer a way out. Their combined numbers are not insignificant. For example, in 2018, approximately 67,000 Chinese nationals emigrated legally to the US.⁵⁴ In 2017, Canada, another favoured destination, received some 30,000 lawful immigrants from China, a jump of 3,000 compared with the prior year⁵⁵, while Australia received about 50,000 Chinese immigrants in the same year.⁵⁶

CHINESE EXODUS



In response to the increasing numbers of Chinese going overseas and growing global criticism of China, the CCP has voiced its intention to strengthen ideological work abroad. In 2017, Xi said: "We will maintain extensive contacts with overseas Chinese nationals, returned Chinese, and their relatives and unite them so that they can join our endeavours to revitalize the Chinese nation"^{57, 58}

What passport one holds is no protection. "The party believes if you're of Chinese ancestry then you're Chinese anyway", as one scholar told The New York Times in 2015.⁶⁰ To the CCP, nationality or borders no longer matter.

Lack of cooperation “forcing” alternative methods

The CCP has become less shy about making public its efforts to expand its powers overseas to capture targets and bring them home. When it does so, it cites lack of progress in securing extradition treaties with key countries, such as Australia, Canada and the US. These three have the largest overseas Chinese communities and they are also by far the largest recipients of recent asylum seekers [see page 16]. The current deputy director of the Research Centre for Government Integrity-Building at Beijing University, Zhuang Deshui openly said: “If the [extradition] treaty can’t be signed in the near future, there are other options, like return by persuasion, illegal immigration and other judicial cooperation ...” A practice he likened to a situation: “when this gate is not open, we can try the window, and if windows are not open, we can try digging holes.”⁶¹

“A fugitive is like a kite. Even though he is abroad, the string is held in China. He can always be found through his family.”⁶²

- Shanghai police officer Li Gongjing

(李公敬)

NSC vs CCDI

For a long time, CCP members were not only subject to investigation, detention and punishment via the regular judicial system for suspected criminal behaviour, but also by an internal Party-run police force called the **Central Commission for Discipline Inspection (CCDI)**. It was designed to investigate corruption, political morale, and ensure loyalty. This body was more feared than any part of China’s judicial system because it acted in secret, employing a system called *shuanggui* (双规) to keep a suspect in incommunicado detention, where they would be tortured until they confessed. In March 2018, while the world was busy watching Xi Jinping as he removed the two-term limit to party leadership, the **National Supervision Commission (NSC)** was launched. The NSC is an expanded

version of the CCDI, and its creation is one of the single greatest strikes to the rule of law in China. Designated as a state body, not a Party body like the CCDI, it is effectively a cover for the CCDI to deal with non-Party members. The two bodies are intertwined; almost all NSC data is released by the CCDI. Essentially the two agencies are one and the same. By designating it a state organ, the NSC is able to wield power over non-Party members. The NSC also has investigatory powers over the police, prosecutor’s offices and courts. **In particular, it is the NSC that is leading the growing reach of China’s policing overseas.** And despite *not* being a judicial organ, it is often the department that leads China’s international judicial cooperation. These expanded powers are written into Chinese law.⁶³

Legal basis for fugitive hunt and use of ‘irregular methods’

China has codified these non-traditional methods for securing overseas fugitives into law through the establishment of the NSC in 2018. This non-judicial organ often called a ‘super-ministry’ has powers over the police, prosecutors and the courts, and it has gradually taken over the long arm of China’s overseas policing, and is now also operating as the lead organ for international judicial cooperation in both bilateral and multilateral agreements.

Article 52 of the 2018 National Supervision Law (NSL) (中華人民共和國監察法) states: “The National Supervisory Commission shall strengthen the organization and coordination of anti-corruption efforts such as international pursuit of stolen assets and fleeing persons and prevention of escape, and urge relevant entities to effectively conduct relevant work.”⁶⁴ It limits the mandate to cooperating with foreign parties when the target is already overseas (paragraph 1); working with foreign counterparts to block, freeze or recover illicit gains (paragraph 2), and monitoring and blocking targets from leaving China (paragraph 3).

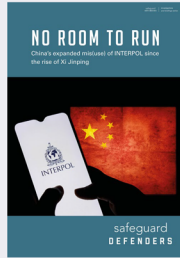
“Our principle is thus: Whether or not there is an agreement in place, as long as there is information that there is a criminal suspect, we will chase them over there, we will take our work to them, any where.”⁶⁵

- Former Operation Fox Hunt Director Liu Dong (刘冬)

Article 9 of the new Supervision Officials Law (中华人民共和国监察官法), set to take effect in 2022, further states that supervision officials (NSC personnel) shall carry out “international cooperation against corruption” (paragraph 5), without giving any further details.⁶⁵ It also reinforces the legal powers that the NSC has to investigate crimes of abusing public office.

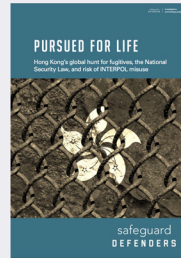
The interpretation of the NSL’s Article 52 (中华人民共和国监察法) 释义 – 第六章反腐败国际合作第五十二条 outlines the methods available to officers in securing the return of fugitives overseas; an official nod to the NSC’s role as taking over the lead in such operations. It offers the most detailed descriptions of how ‘fugitive repatriation’ should officially be pursued.⁶⁶

INTERPOL Red Notices and Involuntary returns



INTERPOL Red Notices and Involuntary returns. Most of China's public targets of Red Notices via INTERPOL have been returned instead via IR. It is but one of many forms of abuse of the INTERPOL

system by China, explored for the first time ever in SD's investigation ["No Room to Run"](#) (Nov 2021). After the pro-democracy and anti-extradition protests in Hong Kong,



and the imposition of the National Security Law, Hong Kong Police Force (HKPF) and government leaders have, in increasingly belligerent language, threatened to use INTERPOL, as well as other legal means to chase 'fugitives'

around the world. This is the subject of a second investigation by Safeguard Defenders, ["Pursued For Life"](#) (Jan 2021).

The interpretation states that its main purpose "is to further clarify the NSC's responsibilities in coordinating and supervising the work of anti-corruption international fugitive repatriation". **The sections that relate to Article 52, paragraph 1 of the NSL greatly expands NSC powers in this regard far beyond the scope of the NSL itself.** It defines "anti-corruption international fugitive repatriation" as an international operation leading to the arrest of those suspected of corruption, bribery, dereliction of duty, or other duty-related crimes who have fled China and where there is sufficient evidence of their wrongdoing. Extradition is the formal and ideal channel of conducting anti-corruption international fugitive repatriation, it explains, adding that repatriation, persuasion, and remote prosecution are all alternatives to extradition.

The interpretation first focuses on three categories of work: extradition, repatriation (having people deported back to China via immigration law), and remote prosecution. This latter is a rarely-used option for fugitives that cannot be returned to China.

There are two common ways:
(1) kidnapping (绑架), which means using the methods of kidnapping to arrest fugitives back to the country; (2) trapping and capturing (诱捕), which means luring criminal suspects to the territories of the destination country, the high seas, international airspace, or a third country which has an extradition treaty with the destination country, and then to arrest or extradite them.

- CCDI's legal interpretation

Non-judicial means are then introduced as two further categories of work - first, persuasion - and then, alarmingly, kidnapping. "The fourth category is persuading to return, which means persuading and educating fugitives so that they would return voluntarily to face prosecution, trial, or penalty. Persuading to return is ideological and political work. Its primary method is to persuade and educate criminal suspects, including convincing them with reasons, touching them with emotion, making them know the law, and giving them the prerequisites for lighter punishments to change their minds."

Such methods, used alone or concurrently with judicial procedures, are worrying because they undermine the judicial sovereignty of the country where the fugitive is located. However, the fifth category, called "irregular methods" (非常规措施) is the most alarming.

It notes that these methods may "cause diplomatic disputes," adding "in practice, kidnapping or trapping and capturing are rarely used." The fact that they "are rarely used", is an admission that not only are they sometimes used, but that their use is officially sanctioned.

Unlike its Hong Kong counterpart, passed in 2020, China's NSL, passed in 2015, does not explicitly mention the extraterritoriality of its reach. However, China's Criminal Law (CL) does. Article 6 of the CL (2017), which covers jurisdiction, specifies that Chinese law applies when an act is committed within its territory. However, if the act has consequences **within China's territory, even if it is carried out overseas**, then the act is treated as if it took place inside China.⁶⁷ Article 7 stipulates that the CL applies to acts carried out by PRC citizens even if they are not carried out inside China (provided that the penalty is at least three years); while according to Article 8, the CL applies to "foreigners outside the territory of the PRC [who] commit crimes against the PRC or its citizens" unless the act is not a crime in the jurisdiction where it was perpetrated.

The problem with this, of course, is when the NSL comes in. Article 2 of the NSL defines national security as an: "absence of international or domestic threats to the state's power to govern, sovereignty, unity and territorial integrity, the welfare of the people, sustainable economic and social development, and other major national interests, and the ability to ensure a continued state of security."⁶² With such a vague and expansive definition, there are almost no limitations to what kinds of acts can be considered endangering, or attempting to endanger, national security.

"...they [these campaigns, including Fox Hunt] are designed to undermine democratic processes and threaten Canadians in secret and clandestine ways."

- David Vigneault, Director of the SCRS (Canadian Security Intelligence Service)⁶⁸

The CL elaborates on what is considered endangering national security crimes in 11 articles. Collusion with foreign countries, as well as institutions, organizations or individuals that endanger sovereignty is one. Planning, organizing or committing to undermine unity (splittism), is another. Perhaps the most well-known of the 11 articles is subversion of state power or incitement to subvert state power, which encompasses the act of spreading rumours as an act of subversion. Splittism and subversion conducted in collusion with overseas agencies or individuals are considered more serious and carry higher penalties. Providing funds for such acts is also considered a crime. In fact, national security is defined as the absence of threats to economic and social development, and other major national

interests, and the ability to ensure a continued state of security.⁶⁹ With such a vague and expansive definition, there are almost no limitations to what kinds of acts can be considered endangering, or attempting to endanger, national security.

Yu-Jie Chen (陳玉潔), an Assistant Research Professor at Taiwan's Academia Sinica and specialising in international law and human rights in China, said she has never seen any legal interpretation like the Interpretation of Article 52 before. Chen commented that the parts about irregular methods are saying (to Chinese officials), "Look, you also have

these options. If you have to resort to this (kidnapping or trapping and capturing), it may be alright. But they are not commonly used." However, these methods could actually have become quite common. As further explained by Chen, exceptions stipulated in China's laws often turn into the norm due to abuse by law enforcement.⁷⁰

Target groups

There are two key types of individuals that are targets of China's extraterritorial policing, as covered in this report: those suspected of economic crimes or crimes related to their official duties and, second, critics of the CCP, such as rights defenders and other activists. These are often treated differently. For the first group, the objective is to secure their return to China where they can be prosecuted. However, for the second group, the aim is rather more to frighten them into changing their behaviour, usually giving up their activism. The line between the two can often be blurred, as China usually presents such returns, or other forms of transnational repression, as related to economic crimes.

Former Justice Minister Fu Zhenghua (傅政華) – who is himself now under investigation for "serious violations of discipline and national laws" once said that China should "expand non-governmental channels as well, to squeeze the living space of cult organisations such as 'Falungong' overseas"

In addition to IR, the CCP has been using its extraterritorial powers to intimidate activists and ethnic minorities living overseas, including Tibetans, Mongolians and Uyghurs, to give up their activism, and sometimes to pressure them to spy on their communities. As noted earlier, recently Uyghurs in particular have been at the receiving end of greater transnational repression, through a variety of forms, including repatriation, at least some of whom are IR.

China only makes public data about the first type of target – fugitives listed in Operation Sky Net. Information on the second type is not made public and for the purposes of this report, data has been collected from media, NGO reports and via interviews.

INVOLUNTARY RETURNS

Our research identified three approaches to secure IR of targets overseas. More than one approach may be used against a target, if the first approach does not succeed. Often, type 1, pressuring the family back in China to persuade the target to return, is attempted first. FBI Deputy Assistant Director and chief of the China Branch of the Counterintelligence division described how it starts: "They use pressure, leverage, threats against family, they use proxies".⁷¹ If that fails, type 2, using Chinese agents in the host country to threaten the target, is then often used.

If that too fails, and legal methods are not available, the authorities may use type 3, kidnapping and smuggling the target back to China. Examples of this, the most extreme type of IR, have only so far been recorded in Asia and Oceania.

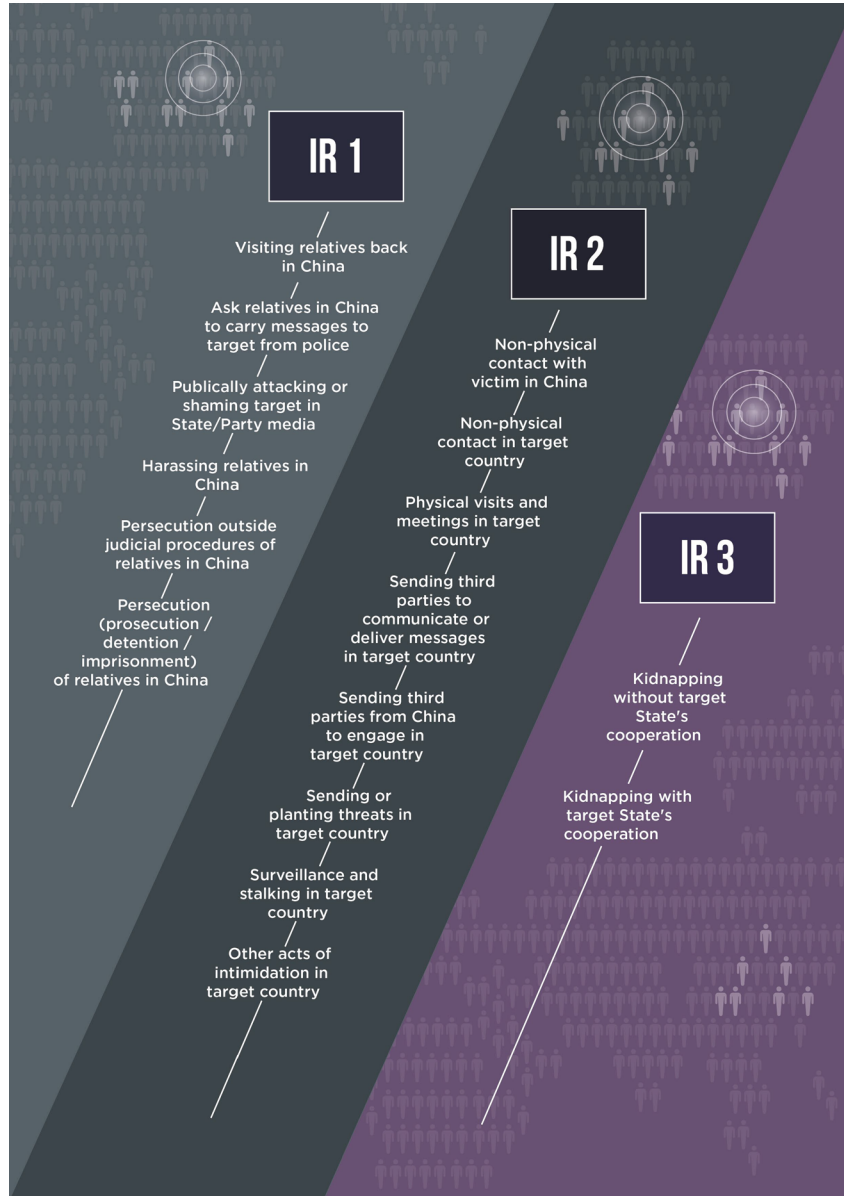
The examples of IR presented in case studies in the following pages were undertaken outside of judicial processes, often by breaking the law of the country in which the attempt took place, and undertaken through a coordinated effort by judicial- and non-judicial organs in China and overseen by the NSC.

Alongside these methods, the State also employs encouragement to Chinese at home and abroad to help them locate targets. A notice from 2017⁷³ claimed that both Chinese people at home and abroad were helping in both locating targets, and persuading them to return. In fact, a website⁷⁴ has been established to allow people an easy manner to assist in such, and a new regulation from 2020 specifies that praise and rewards are to be given to those that assist.⁷⁵

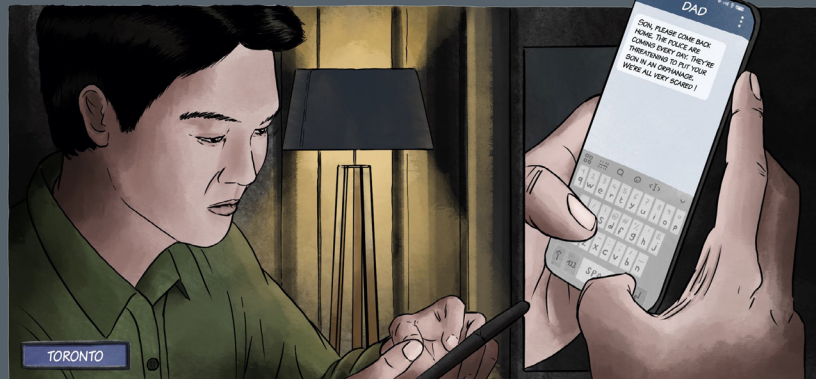
"A message delivered in-person in the targets home country is often more effective than 20 messages delivered from China".

"Although we talked by phone many times, this 20-minute face-to-face talk makes [a suspect] choose to return and confess."

- Li Gongjing, a Shanghai police officer involved in the Fox Hunt program, told Xinmin Weekly.⁷²



R TYPE 1: LEVERAGE FAMILY IN CHINA



IR TYPE 1: LEVERAGE FAMILY IN CHINA

The first type of involuntary return focuses on pressuring family members in China to persuade the target to come back and surrender. The family may play one or more of three different roles – middleman, hostage or scapegoat.

A Shanghai police officer, who was involved in Operation Fox Hunt once described a fugitive as being: “like a kite; even though he is abroad, the string is held in China. He can always be found through his family.”⁷⁶ His words, reported by Chinese state media, are an indication of how the CCP sees family members as essential tools in tracking overseas fugitives and targets. Indeed, an official government notice published in July 2014, explicitly states that families must be “mobilised” to persuade overseas suspects to come back and surrender as part of Operation Fox Hunt.⁷⁷

A middleman

Often the first people police turn to when trying to locate and contact an overseas target are their family members or close friends.⁷⁸ Their role as middlemen is to persuade the target to return. In 2018, Zhuang Deshui, deputy director of the Research Centre for Government Integrity-Building at Beijing University said that the most common way to secure the return of a wanted suspect overseas was to use their family or friends as intermediaries as it is cheaper and faster than trying to use means, such as extradition.⁷⁹

An Interpretation of the Supervision Law⁸⁰ released by the CCDI in 2018 describes persuasion as a way to “avoid the complicated legal procedures and long judicial cooperation procedures of the countries where fugitives hide that can help to greatly reduce the cost of law enforcement for China and the other country.” According to CCDI statistics, 44 out of the 60 (or just under 75%) most wanted fugitives in China’s Top 100 list returned either through persuasion (or *quanfan* in Chinese) or on their own initiative between 2014 and June 2020.⁸¹ There is incomplete data on all returned fugitives and targets, but *quanfan* accounted for 57.35% in 2014⁸² and 37.45% in 2018⁸³ of all returns; for both years it represented the single biggest proportion of all cases.

Persuade to return (Quanfan, 劝返)

There is even a term to describe the act of persuading someone to come back to China – *quanfan* (劝返), literally “persuade someone to return”. The term was first used in 2007 when Beijing police persuaded a fugitive former official to return to China to face trial.⁸⁴ Since then, it has been adopted to describe one way “with Chinese characteristics” to pursue fugitives overseas. The Interpretation of Article 52 of the NSL further elaborates on what *quanfan* may involve.

Persuading and educating fugitives so that they would return voluntarily to face prosecution, trial, or penalty. Persuading to return is ideological and political work. Its primary method is to persuade and educate

criminal suspects, including convincing them with reasons, touching them with emotion, making them know the law, and giving them the prerequisites for lighter punishments to change their minds.

This official explanation of *quanfan* in the Interpretation is vague and innocent-sounding, with the emphasis on the words “voluntarily return”. However, in practice, *quanfan* is often much more sinister, involving deeply coercive elements. One western media outlet described “persuasion” as “Chinese investigators pressure a fugitive’s family living in China, or Chinese police travel to another country to pressure them to return.”⁸⁵

Communicating with the fugitive

Authorities may order family members to contact the fugitive by phone or video call, text message, record a video, and even personally travelling to the host country to persuade them in person [see chapter on IR type 2].

Often the first step is contact by phone, with police or agents sometimes listening in. Police may also interrupt and talk directly with the fugitive. When Xu Zheng (徐峥), a CCP critic living in exile in the Netherlands, spoke to his parents in 2021 in a 14-second-videocall, he noticed his mother was pale, nervous, and shaking her head as if she was trying to send him a warning message. His father berated him and yelled: “You goddamn traitor, betraying our motherland! You either return to surrender or go to hell!” After the end of the call, Xu’s mother texted him to say that the police had been monitoring the call.⁸⁶ In 2015, Xu Jianhong (许建红), the ex-wife of Chu Shilin (储士林), a businessman accused of stealing \$6 million and who was living in Canada, was first detained and then forced to call her former husband from the detention centre. During the call, an agent took over and warned Chu to come back to China for the sake of his family.⁸⁷

In 2015, the husband of Chen Yijuan (陈祿娟), a former China Mobile employee accused of money laundering and going into hiding in the UK, worked with the CCDI to record a video and write a letter urging his wife to come back to China. The 2019 five-part CCTV documentary⁸⁸ show (CCTV is China’s party/state broadcaster) called Red Notice (红色通缉), followed 15 “fugitive” repatriations, describing how family members handwrote letters and then sent a photo of the letter through social media to their relatives overseas, asking them to return to China.⁸⁹ In 2017, Chinese police forced Daniel Hsu, a US citizen and the son of Xu

Weiming (徐维铭), a former chairman of a state-owned company accused of embezzlement, to make a videotaped message urging his father to come back to China from the US.⁹⁰

In *Red Notice*, the sister of Huang Yurong (黄玉荣), a former official accused of embezzlement and living in the US, said: "It (her sister's return) is a matter of national strategy. It's not merely about your personal decision. (She) must return. There's no way to escape." The programme also said that Huang's husband "voluntarily" wrote a letter asking her to come back and surrender. The documentary claimed that the appeal was the family's own idea and they were the ones who contacted the authorities for help in making the appeal.



Screenshot of the sister of Huang Yurong in *Red Notice*, a five-part 2019 CCTV documentary on chasing fugitives overseas.

In extreme cases, authorities may dispatch family members, friends, and even lawyers to the host country to appeal to the target face-to-face, typically accompanied by officials.⁹¹ The elderly father of Xu Jin (徐进), a former Chinese official accused of embezzlement, was flown to the US against his will in 2017 to try to persuade his son to come back to China.⁹² The lawyer of former China Mobile employee Chen Yijuan's husband accompanied Chen's cousin to the UK in 2015 or 2016 in an effort to persuade her to return.⁹³ The father-in-law of Jiang Qian (蒋谦), a former executive of a state-owned corporation and accused of corruption, first recorded a video asking Jiang to return, and then when that didn't work flew to Canada to plead with him face-to-face in 2016.⁹⁴

Surveillance, harassment, and threats

The types of harassment used against family members or friends to force them to persuade the overseas target to return include:

- Surveillance
- Interrogations
- Loss of employment
- Freeze of assets
- Removing children from school or parent's care
- Other threats to safety or freedom

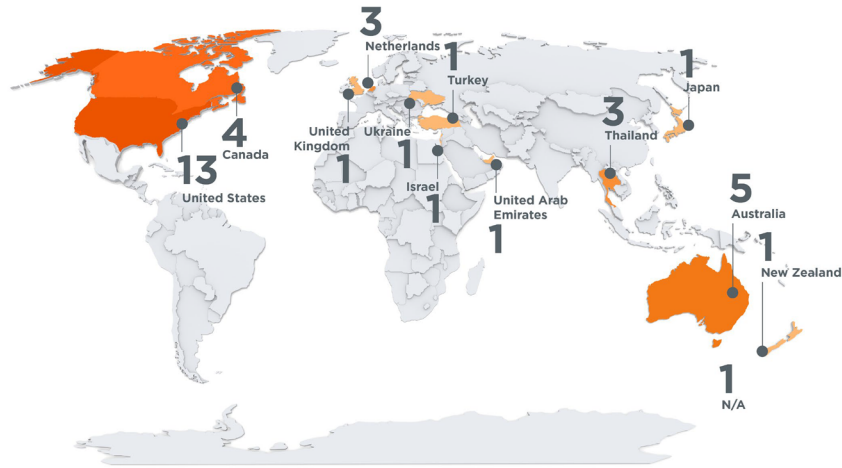
Police or agents may repeatedly visit family members or close friends at their home or workplace. Sometimes, forcing them to hand over their phones for inspection so that their communications can be tracked. For example, Peng Xufeng (彭旭峰), former head of a Chinese state-owned company living in the US who is wanted on corruption charges, described how CCDI dispatched guards to follow his parents in China and install surveillance equipment around their house.⁹⁵ Police also snatched Peng's toddler son from his grandparent's house, placing him in an orphanage and threatening to put him up for adoption unless Peng returned.⁹⁶ The brother of Li Gang (李刚), a businessman from Wuhan accused of corruption and inciting subversion of state power, and now living in exile in the US, had his salary at a state-owned company frozen and was forced to report to the procuratorate's office daily.⁹⁷ The parents of Wang Jingyu (王靖渝), a young critic of the CCP who applied for asylum in the Netherlands, both lost their jobs at state-owned corporations, according to Wang.⁹⁸ Zhou Shiqin (周世勤), a former local official charged with embezzlement who had fled to Australia, finally agreed to return to China after his sister's assets back in China were frozen.⁹⁹

A hostage

When family or friends are unable to persuade the target to return, authorities can ramp up the threat level by arresting them, effectively holding them hostage. The target is then told their release can be won if he or she surrenders and comes back to China. In such cases, police may fabricate evidence to justify the detention of family members used as hostages.

Chinese official reports describe how overseas targets initially refuse to surrender but then change their minds because of "the deterrent effect of the law, policy appeals, and family influence."¹⁰⁰ Of course it goes without saying that there are no laws or regulations giving the police or any other body the powers to hold a family member hostage in order to compel an overseas target to surrender, however, many examples have been documented with evidence from lawyers and victims, indicating that this approach is not uncommon and therefore has likely been authorised at the highest levels in the CCP.

IR TYPE 1: MAP OF COUNTRIES AFFECTED AND VICTIMS IDENTIFIED



For example, Guo Xin (郭欣), a former history professor and a named fugitive on China's Top 100 INTERPOL Red Notice list accused of taking bribes, was coerced into returning to China from the US in 2017. Before she took her flight, she published a letter online¹⁰¹ in which she said her sister had been threatened by Tang Taihua (唐太华), deputy chief of the Yunnan Province's Procuratorate Anti-Corruption Bureau in 2016 that the family "would not have a normal life" until Guo returned. She wrote that Tang said he had the power to use any "method to control" the family to get Guo to come back because she was on the Red List.

New York-based lawyer Gao Guangjun (高光俊), who is familiar with how China's MPS operates, said the CCDI has made it clear to their staff that any method can be used as long as the fugitive returns and surrenders.¹⁰² A 2018 Human Rights Watch statement urging China to end harassment of the families of INTERPOL targets quoted one individual who said the police had told his family that: "the government can take 'any actions to control' the relatives of red notice personnel" and "they won't live a normal life [unless he] returns to China."¹⁰³

Detentions and interrogations

As hostages, family members are held in detention centres, thrown into black jails and may also be interrogated. In 2018, the estranged wife of Liu Changming (刘昌明), a former state-owned bank executive accused of fraud and living in the US, was held in a black jail to try to compel Liu to give himself up. Liu's wife, Sandra Han, is a US citizen.¹⁰⁴ Peng Xufeng's brother, sister, two cousins, and even in-laws were detained by security agents, likely in 2017.¹⁰⁵ Police arrested and detained the wife of Yun Jian (云健), a former tax official accused of taking bribes and who had fled to New Zealand in 2009, and then forced a relative to contact Yun to tell him about the detention.¹⁰⁶ US citizen Daniel Hsu was detained for six months in RSDL in a bid to force his father to come back to China. He was accused of being an accomplice to his father's suspected embezzlement even though at the time of the alleged crime, Hsu was a student in the US.¹⁰⁷ Former judge Xie Weidong's sister was detained in September 2016, accused of taking bribes, yet she was released and charges were dropped in January 2017.¹⁰⁸ His ex-wife said his son was also detained, and both of them were tortured to get them to beg Xie to come back.¹⁰⁹

Harassment and detentions of Uyghur families are commonplace as a means to force relatives overseas to come back. In early 2017, China ordered Uyghur students studying in foreign universities to return to Xinjiang by 20 May that year. In Egypt alone, more than 200 Uyghur students were detained, and in many of those cases their relatives in Xinjiang had been forced to call them and ask them to come back home.¹¹⁰ During that period, a Uyghur student studying at Al-Azhar University told Radio Free Asia: "They are forcing us to do this (return) by locking up the parents of each student to make them go back. My own father has been detained for the last two months".¹¹¹

China has even harassed the family members of targets **overseas**. For example, China sued Xiao Jianming (肖建明), the former chairman of Yunnan Tin Group, accused of taking bribes and living in exile in the US, and his daughter in a California state court in 2019. His former company named his daughter a co-defendant on allegations that Xiao diverted stolen funds to her. After Xiao returned to China, the charges against his daughter were promptly dropped.¹¹²

Exit bans

Exit bans are used to prevent relatives from leaving China, effectively keeping them hostage until the target gives themselves up. Exit bans are used against both Chinese nationals and overseas visitors. The situation is so serious, that many countries, including the US, Canada, and Australia, have issued travel warnings to their citizens advising them they could be at risk, even for disputes that they are not directly involved in.¹¹³

One of the better known examples is that of former banker Liu Changming's wife and two children, all US citizens, who were prevented from leaving in 2018 after visiting family in China. According to an email Cynthia, Liu's daughter, sent to a family associate, the Chinese authorities said that she and her brother were not under any investigation and the only reason they were being prevented from leaving was "exclusively to lure" their father back.¹¹⁴ The siblings were finally allowed to leave in 2021.¹¹⁵ Daniel Hsu, also a US citizen, and his wife were banned from leaving in 2017 in an attempt to get his father, Xu Weiming, to return to

China. His wife was allowed to leave in April 2020, whereas he was freed and returned to the US in November 2021.¹¹⁶ The son and daughter-in-law of businessman Chu Shilin were prevented from leaving China as a successful tactic that eventually forced Chu to return.¹¹⁷

Exit bans can now be issued not only by judicial organs (law enforcement), but also by the non-judicial organ the NSC. There are now 12 different laws and regulations allowing for placement of exit bans on targets.¹¹⁸

Exit bans are a low-cost tactic that can be extended to more and more members of the family in order to add pressure on the target to return. For example, police first stopped former tax official Yun Jian's wife from leaving the country, then when that did not work, they also banned Yun's sister and brother from leaving.¹¹⁹

Exit bans are used against both Chinese nationals and overseas visitors. The situation is so serious, that many countries, including the US have issued travel warnings to their citizens advising them they could be at risk, even for disputes that they are not directly involved.

A scapegoat

In the event that all approaches to get the target to come back to China fail, the authorities may simply punish the family in their place. The scapegoat role is thus an extension of the hostage role and is an extreme example of zhulian (see Guilt by Association text box on this page).

As in detentions for hostage purposes, police often fabricate evidence to justify the detention and arrest of scapegoats. Authorities accuse family members of conspiring with the fugitive; those connected with reported cases argue that evidence is fabricated. While sometimes the case is dropped, other times authorities carry through with trial and sentencing. For example, the history professor Guo Xin was told that unless she returned to China, all of her family, up to the third generation, including her nieces, would be banned from leaving China, although they had nothing to do with her alleged crimes.¹²⁰ Wuhan businessman Li Gang said that Chinese police had not only harassed his family but also his younger brother on trumped up charges to force him to return and told his brother that he would have to face the charges unless Li agreed to return.¹²¹

Guilt by Association

The Chinese tradition of zhulian (株连) or “guilt by association” comes from the historical practice of punishing family members of a person convicted of a crime dating back to Imperial times. Although guilt by association no longer exists in the legal system in modern China, its practice can still be seen today in how police target family members of targets as both hostages and scapegoats. Police accuse them of being accomplices, even with no evidence.

This mindset is clearly apparent in Zhuang Deshui's comments to Chinese state media:

The Chinese government is normally in possession of the information of fugitives' families, including their assets, when the fugitive is investigated, since they are either insiders, participants or agencies involved in crimes.

- Global Times²²

THE CASE OF WANG JINGYU: DETAINED IN DUBAI



Wang Jingyu, born in 2001, left China for Europe in 2019. In February 2021, he queried China's official death toll after a deadly border clash with Indian troops

in June 2020 in an online post. Police in Chongqing, Wang's hometown, said that Wang had "slandered and belittled heroes, causing negative social impacts" and said Wang was being charged with "Picking quarrels and provoking troubles". Chongqing police then harassed and even detained his parents, in a bid to force Wang to return. They also contacted Wang directly by phone to pressure him to come back. In April 2021, Wang was arrested in Dubai while changing planes for a flight to the US. He was released after the story broke in western media and human rights NGOs and the US Department of State put pressure on the UAE. Currently, Wang is applying for asylum in the Netherlands.

The persecution against my family started in February [2021]. On 21 February, only half an hour after I posted a query on my Weibo account about the number of real casualties in the China-India conflict, police or some agents went to my parents' home in Chongqing. They searched the house and confiscated lots of stuff, including computers and an iPad, and then took my parents to the police station.

That evening, they detained my parents for hours, releasing them only at midnight. Later they summoned my parents again to the police station and held them all day, only releasing them in the evening and they did this every day for quite a few days. They told my parents to call me and ask me to come back to China and surrender. My parents never did, always giving the excuse that because of the time difference, I was

sleeping. The police also threatened that my suspected crime could be "upgraded" to subversion of state power, if I refused to come back.

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At 0:41 am on 25 February, my father pretended to take out the trash so that he could secretly call me and tell me what was happening. After Voice of America published my story [on 27 February], I have totally lost connection with my parents; their numbers are now out of service.

However, the police have continued to threaten me. On 23 February, two days after I posted the comment on Weibo, a police officer from my hometown sent me a text message saying if I did not return within three days, my parents would come to a bad end. In March, they started sending me even more absurd threats. For example, that month, Chongqing police told me to return as soon as possible because my mother was dying and was in hospital. In July, they forced my father to record a statement which refuted my criticism against the CCP which I had told media. The police emailed

me those statements and claimed that my parents went to the police station voluntarily to turn themselves in, without giving any reason. I suspect they tortured my parents. On 12 September, Chongqing police emailed me, informing me that my father had been detained. However, they said he was detained because he had told the police about someone else who had tried to get him to go to Hong Kong on an anti-CCP campaign. This is something that the CCP should have congratulated my father for doing, so why did they detain him?

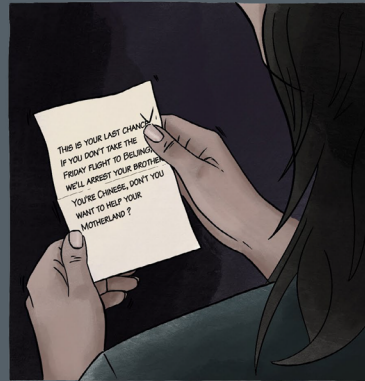


Caption: In September 2021, Chongqing police emailed Wang Jingyu, informing him about his father's criminal detention.

As well as my parents, other family members have been persecuted by the police. After I was released from Dubai in May, my uncle and aunt were called to the police station two or three times a week. They looked through their mobile phones and told them to call me and ask me to come back. My

aunt said she couldn't get in touch with me, but they didn't give up. They even visited the primary school where my young cousin studies and told him that I am a traitor and he should use his mother's phone to call me and get me to come back.

R TYPE 2: AGENTS OVERSEAS



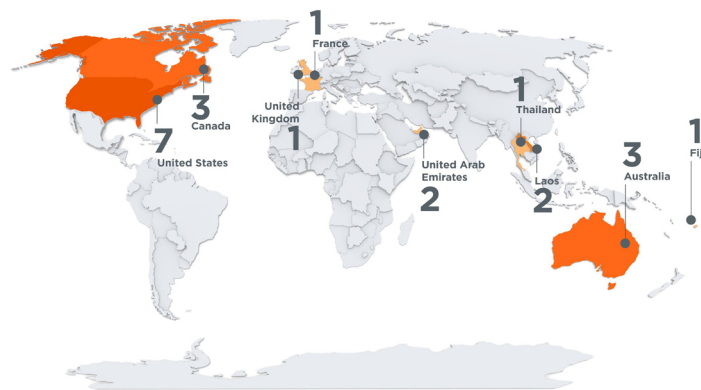
IR TYPE 2: AGENTS OVERSEAS

A riskier and more resource-intensive approach than using family to coerce the target is to send Chinese police, agents and/or non-state actors to the host country to force the target to return by offering promises or threats. These are delivered face to face, via notes left at their house, or by the indirect harassment of friends, family and associates living overseas. This approach can either be attempted legally or illegally, with the host country's permission or undercover.

While legal channels with the host country are clearly preferred, China has made it clear that not having those legal channels is by no means a barrier. Former Fox Hunt director Liu Dong is quoted as saying back in 2015:

"Our principle is thus: Whether or not there is an agreement in place, as long as there is information that there is a criminal suspect, we will chase them over there, we will take our work to them, anywhere."¹²³

IR TYPE 2: MAP OF COUNTRIES AFFECTED AND VICTIMS IDENTIFIED



China makes no secret of this practice and indeed, since the launch of Operation Fox Hunt in 2014, the authorities have boasted about the power of China's law enforcement agencies and their achievements abroad. Take this 2015 notice posted to the CCDI's website, for example:

"Public security organs have filed investigation requests and sent over 70 working groups to more than 90 countries and regions. Special operations are fully supported by overseas law enforcement agencies, Chinese embassies and consulates abroad, and police liaison officers. All working groups have made progress. More than 30 batches of working groups have been sent to Thailand, the Philippines, Malaysia, Vietnam, Laos, Myanmar, Indonesia and other countries and caught 229 fugitives, accounting for 34% of the total number of arrests.¹²⁴

While such working groups may not all be involved in covert operations such as *involuntary* returns type 2 (IR2), it is clear some of them are, and for a lack of any other transparent data, the number of working groups sent overseas on such missions is an indicator of how big an operation IR2 has become for Chinese law enforcement working abroad. Accurate data on the number of fugitives arrested overseas by Chinese agents or persuaded to return to China are not made public. Occasional media reports have cited the odd figure released by the CCDI or MPS. For example, one report in February 2015 said that the MPS had dispatched 49 police liaison officers to 27 countries to chase fugitives.¹²⁵ Another from October 2019 said that the MPS has established close law enforcement cooperation with 113 countries and regions and dispatched 81 police liaison officers to 46 embassies and consulates in 41 countries.¹²⁶

While legal channels with the host country are clearly preferred, China has made it clear that not having those legal channels is by no means a barrier.

Analysing reports of individual cases reveals that often non-official actors play a part in locating, stalking and harassing the target. Such non-official actors could include people the target knows, lawyers, local private detectives, hired goons and so on. Occasionally, even family members are dispatched to pressure targets, as was discussed in *involuntary* returns type 1.

Diplomatic rows

China's overseas operations began arousing concern among foreign governments as early as 2015. That year, Washington demanded Beijing halt its practice of sending Chinese agents to the US on tourist or business visas to covertly track down and repatriate fugitives on US soil.¹²⁷ In 2016, a report said that Canadian intelligence services were investigating the same phenomenon there.¹²⁸ In 2018, an anonymous former Canadian official estimated that about two dozen Chinese fugitives had been targeted this way in Canada in recent years.¹²⁹

When the questionable activities of Chinese agents overseas come to light, it has caused diplomatic rows. For example, Dong Feng, a former mid-level manager at a Chinese company had already emigrated to Australia with his family when he was accused of taking bribes. Initially, China pursued him through an INTERPOL notice, but when that failed, they sent two officers to Australia to secretly visit Dong to "persuade" him to return without notifying Canberra.¹³⁰ After the story broke in the Sydney Morning Herald¹³¹ in 2015, "The Abbott government summonsed senior Chinese diplomats in Canberra and Beijing to register "deep concerns" over the "unacceptable" undercover operation", which was followed by China

vowing “that there would be no repeat of this major breach of protocol”. This was in 2015. In 2018 a US intelligence source said some 10 people had been directly kidnapped in Australia, indicating the continuation of the same type of actions regardless.¹³²

Further government statements from around the world have made it clear they are aware of the practice.

“Without coordination with our government, China’s repatriation squads enter the United States, surveil and locate the alleged fugitives, and deploy intimidation and other tactics to force them back into China where they would face certain imprisonment or worse following illegitimate trials,”

-US Assistant Attorney General John C. Demers¹³³

In response to a question in the British parliament in 2021 about Chinese harassment of people in the UK, Minister Kit Malthouse admitted that they do not have any statistics on this practice but that they are aware of the practice of people being “being harassed by the Chinese authorities in an effort to intimidate them into silence, force them to return to China, or co-opt them into providing information on other [people].”¹³⁴

In France, with which China has an extradition treaty, a Chinese citizen wanted under an INTERPOL Red Notice was successfully returned after a squad of agents arrived in France and “convinced” him to return. Despite being in violation of INTERPOL rules, which states that any Red Notice, once a person is located, must be followed by an extradition request, no French authorities received any information about these actions, nor requests for such extradition. In fact, French authority later announced they were entirely unaware of it until the Chinese government later touted the person’s return afterwards¹³⁵, and where “very upset”¹³⁶.

In the US, the FBI prosecuted nine people in 2020 and 2021, including a Chinese prosecutor and a Chinese police officer, for similar transgressions.^{137, 138}

Working in authoritarian states

When it comes to operating in countries more aligned with China’s authoritarian style of government, particularly in Southeast Asia, China has been able to hunt fugitives much more openly and often with the cooperation of local security forces. For example, Chinese police working groups worked undercover with the Lao police to pursue former tax official Pang Shunxi (庞顺喜) and businessman An Huimin (安惠民) in Laos in 2015 [see IR type 3 chapter].

In 2016, a CCP media outlet reported that: “For countries and regions with a large number of fugitives and better conditions for arrest, the public security agencies sent special working groups, working jointly with the law enforcement agencies of the host countries, to organize arrests. During the operation, a total of 283 fugitives were chased back from Southeast Asia such as Thailand, the Philippines, Malaysia, Indonesia, and Cambodia, accounting for 33% of all arrests.”¹³⁹

Analysis of case studies shows that the process of using agents and non-state actors in the host country to track down wanted fugitives and persuade them to return to China involves two key stages: (1) locating the fugitive and (2) pressuring the fugitive.

LOCATING THE FUGITIVE

Coercion of family, friends

Chinese family or friends of the fugitive living in the host country may be coerced into helping the authorities track them down. This might be as simple as providing contact information or as involved as luring the target into a meeting with the agents themselves.

In 2017, a CCDI official from Hunan province, Chen Jian, led a “hit squad” to locate former state-owned company official Peng Xufeng in the US. They forced one of his friends in California to hand over his contact information by threatening to detain her family members back home in China.¹⁴⁰ In 2018, the wife of a friend of Wuhan businessman Li Gang in the US was forced to hand over Li’s contact information after Wuhan police held the friend hostage back in China.¹⁴¹

Another tactic involves an overlap of IR Type I. Chinese agents force family or friends to head overseas to lure the target from their hiding place. For example, in 2017, a Wuhan undercover repatriation team, consisting of prosecutors, police, hired agents, and local actors in the US tracked down former Chinese official Xu Jin. They first forced his aged father in China to travel to the US and then took him to the house of a relative and told him to ask them to find his son. The team waited for Xu to show up to collect his father and then tailed him to find out where he was living.¹⁴²

In 2015, a team involving Chinese police, CCDI agents from Tianjin and prosecutors flew to Laos to hunt two wanted fugitives – former tax official Pang Shunxi and businessman An Huimin hiding out in the country. They identified a girlfriend of an associate of the two men and requested the Laos police to detain her, and allow the Chinese team to interrogate her overnight. When Pang and An found out that she was being held, they turned themselves in to the Chinese Embassy in Laos.¹⁴³

Hiring local detectives

Chinese authorities also turn to local hires, such as ex-police or private detectives in the host country to locate the target. Sometimes, these individuals also assist in the second stage -- coercing the target into giving themselves up. By using local hires, they avoid the risk of extra scrutiny in having too many Chinese agents working undercover. They may even use another local person – a middleman – to directly work with the local hires.

For example, former New York police officer Michael McMahon helped in the team that located Xu Jin in the US in 2017 (see above). Hu Ji (胡驥), a Chinese police officer and the leader of the Fox Hunt team from Wuhan, used several layers of intermediaries, including the relatives of another overseas Chinese fugitive, using false identities to contact McMahon, starting in 2016. McMahon was tasked with following Xu’s father to find out where Xu and his wife were living.¹⁴⁴

FORCING FUGITIVE TO SURRENDER

Carrots and sticks

Targets are coerced into surrendering through a “carrot and stick” approach. One Canadian official told media that: “Individuals were promised leniency if they agreed to cooperate and return to China, while those who resisted were subjected to escalating threats.”¹⁴⁵

According to Lawyer Gao Guangjun (高光俊), who now lives in New York and has represented several wanted fugitives from China, the Chinese authorities use whatever method, even paying money, to get targets to return. One of Gao’s clients, wanted by the Chinese authorities, told the Chinese police that he would lose his business in the US if he returned. The Chinese side then proposed that they give him US\$1 million as compensation in exchange for his return.¹⁴⁶

When the target arrives in China, however, those offers of leniency may not be kept. “Lying is a strategy,” lawyer Gao Guangjun told media, adding, “Many of my clients were lured to return.”¹⁴⁷ According to Gao, several of his clients were given official guarantees that they would be given a light sentence or not be convicted when they went back to China but after they returned, they were handed down long jail sentences. He described one case where three police “persuaded” one of his clients to go back to China by promising him he would only get a three-year sentence. However, the judge eventually gave him seven years behind bars.

In terms of sticks, CCDI official Chen Jian phoned Peng Xufeng and told him, “a squad of 20 local agents and Triads” were standing ready to smuggle him and his wife back to China.¹⁴⁸ Two hired agents showed up in front of Xu Jin’s home, banging the door, peering into the windows and finally taping a threatening note to his door that said: “If you are willing to go back to the mainland and spend 10 years in prison, your wife and children will be all right. That’s the end of this matter!”¹⁴⁹ In order to force a target surnamed Wang to stop resisting his return to China from Fiji where he was living with his family, Wuhan police travelled to Fiji to warn his family that there would be consequences if he did not give up and return to China.¹⁵⁰

State and non-state actors

Chinese agents, including police, may make direct contact with the target in the host country in order to push for their surrender. For example, in 2014, police agents from Shandong province met with the former manager Dong Feng in Australia to “persuade” him to return.¹⁵¹ In 2017, police from the Ningxia region sent a working group to France to “persuade” and escort suspect Zheng Ning (郑宁), the former Vice President of a state-owned company accused of economic crimes, back to China.¹⁵² The CCDI and Chinese state media praised it as the first successful rendition from Europe of a Chinese wanted fugitive, but it was criticized in France because Chinese police worked undercover on French soil, rather than attempt a formal extradition.¹⁵³

Non-state actors are generally preferred in western countries because having Chinese police or other agents working on the host country's soil has legal implications. Non-state actors include both hires from China or local personnel and include associates of the fugitive, lawyers, family members, private detectives, members of Chinese expatriate organisations or hired goons.

Local hires can be used to intimidate and threaten the target. For example, in the Peng Xufeng case, thugs smashed the windows of his Los Angeles home.¹⁵⁴ Johnny Zhu and his father Jason Zhu, both living in the US, were recruited as spies by the Wuhan Fox Hunt team in September 2016. Their close relative, Zhu Haiping (朱海平), who was the team's target and among China's top 100 fugitives, had just been "persuaded" to return and surrender. The Fox Hunt team told the father and son that they could help their family out during these difficult times if they assisted the team chase another target.¹⁵⁵ In 2017, two people repeatedly rang former judge Xie Weidong's doorbell at 2 in the morning in Canada but ran away before he could open the door. One of them was later identified as the wife of a family lawyer back in China. Xie believed they were there to threaten or kidnap him back to China. Chinese officials admitted they had been trying to recruit associates of Xie to speak with him.¹⁵⁶

Another tactic is to get the target evicted by harassing their landlord. Li Jinjin (李进进), a lawyer who has represented many overseas Chinese suspects in the US, described how China recruits overseas Chinese organisations to put pressure on landlords. For example, Qiu Gengmin (邱耿敏), a former export agent accused of stealing money, was repeatedly kicked out of his flat after thugs pressured his landlords during 2017 and 2018. The harassment only stopped after Qiu sought help from US authorities.¹⁵⁷

The case of Li Gang: A brother held hostage¹⁵⁸



Li Gang, a former real estate developer from Wuhan, Hebei province, emigrated with his family to the US in 2009. Wuhan police first

accused Li of embezzlement and then of inciting subversion of state power. In 2017, one of Li's brothers called him to tell him that the Chinese police wanted him on charges of embezzlement and urged him to come back. Wuhan police continually harassed and threatened his two brothers, mother, and his ex-wife's family in an effort to force Li to surrender. In March 2018, they detained Li's youngest brother, while a few months later, under the constant pressure of police intimidation, his mother died from a stroke. Another of his brothers was told by the police that if Li refuses to surrender, they will simply transfer the charges to his younger brother who then will face jail time.

My friend's wife told me that one of their friends had been detained for half a month in China and then given an exit ban as a way to track me down. That friend was my former business partner. His wife and children live in the US. They held him hostage to force her to spend her own money to hire a detective in the US to find me. That's how they finally got my phone number. A task force consisting of officials from different agencies including the MPS, procuratorate, and NSC were on my case. The two officers who contacted me were Zhou Jian (周剑), the then Deputy Chief Prosecutor of Wuhan Jiang'an People's Procuratorate, and Wang Pengxiang (王鹏翔), the then Deputy Director of Wuhan Jiang'an Supervisory Commission.

Chinese officials started calling me in June 2018. They told me they were organising a team of five people to visit me in the US -- four people from their task force and

my ex-wife's brother. Later, they told me they couldn't get US visas and asked me to go to Canada to meet them. I agreed. However, later they told me they couldn't go to Canada either and asked if I could fly to Japan to meet them. This time I refused. I'm guessing that they didn't dare try to come to the US because of how the US authorities had discovered and then exposed the operation to get Xu Jin.

During the negotiations before they cancelled their plan, I proposed that they release my brother, who had been detained [to try to compel me to return], unfreeze my assets in China, unfreeze my ex-father-in-law's bank account, and give the brother my ex-wife his job back [he had lost it because of my case]. They told me that all these were possible provided I return. If I don't go back, they won't release my brother.

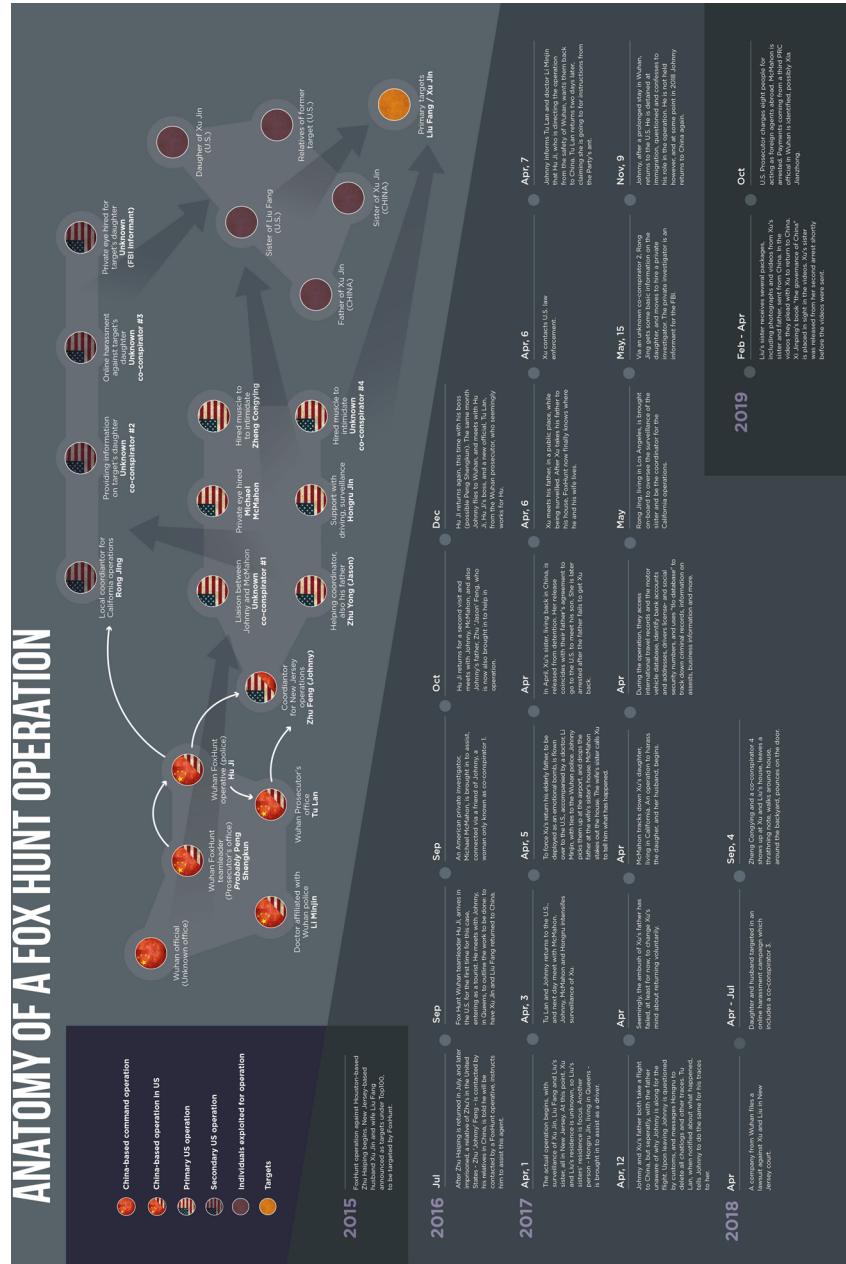
They also had people in the US who came to harass me. One day in November 2018, while I was away from home, a white guy showed up at my landlord's house in New York and

**If I don't go back, they won't
release my brother.**

showed him a photo of me asking if I was his tenant. He claimed that he was handling my car insurance claim, but I have never had a car accident in the US. A man went to my

workplace, also with my photo, asking if I worked there or not. In January 2019, a white man, accompanied by a Chinese translator, visited my house in Texas and told my wife they were from the FBI and were sent to protect me. I called the FBI and they said they had not sent anyone. All this time, the task force kept calling me and warning me. They said they would find me, wherever I went.

In March 2019, I changed my number. I haven't heard from them since.



IR TYPE 3: KIDNAPPINGS



IR TYPE 3: KIDNAPPINGS

In extreme cases, Chinese authorities kidnap wanted targets overseas and smuggle them back to China. Incredibly, an official Chinese legal interpretation empowers NSC agents to do this, despite the illegality of such actions in the host country. The legal interpretation of Article 52 of China's Supervision Law lists "kidnapping" (绑架) and "trapping and capturing" (诱捕) as "irregular measures" (非常规措施) to repatriate fugitives overseas¹⁶⁰ [see page 18]. Although the Interpretation cautions that such "irregular measures" may break the law in the host country and adds that "in practice, kidnapping or trapping and capturing are rarely used", the fact that it is discussed as a possibility gives an official greenlight to Chinese law enforcement agencies to kidnap suspects on foreign soil.

The legal interpretation of Article 52 of China's Supervision Law lists "kidnapping" and "trapping and capturing" as "irregular measures" to repatriate fugitives overseas

For this report we have adopted a broad definition of kidnapping that encompasses both the traditional meaning of a covert abduction (**direct kidnapping**) but also a form of kidnapping where the target is captured with the unlawful or covert cooperation of law enforcement in the host country and then handed over to China (**indirect kidnapping**). So, for example, the deportation of a Chinese citizen back to China on legal grounds such as violations of the country's immigration law and following the proper channels, is not considered a kidnapping, however when Thai police handed over two Chinese dissidents to Beijing even though they were tricked into signing away their rights and the handover did not follow proper procedures, nor were they logged in Thailand's border control system as having left the country, that falls under our definition of kidnapping for this report.

Known kidnappings perpetrated by China on individuals overseas have primarily occurred in authoritarian countries where Beijing maintains close ties or significant economic influence. Thailand is a good example and has the greatest number of kidnapping cases (at least 5 have been attempted, four were successful) in our database. As Thailand's largest trading partner and primary source of tourists, China has considerable sway over securing Bangkok's agreement to deport Chinese citizens in the country without even the use of IR (Thailand does not officially recognise refugee status).¹⁶⁰ Our database has 22 kidnapping cases with 18 successful attempts: Thailand (7, 3 failed attempts), Myanmar (4), Hong Kong (2), Vietnam (3), the UAE (5, 1 failed attempt), and the sole democratic nation, Australia (1).

IR TYPE 3: MAP OF COUNTRIES AFFECTED AND VICTIMS IDENTIFIED



It is likely that the real number of kidnappings is much higher than 22. In 2018, an unnamed US intelligence official said they believed the number of suspected kidnappings by China in Australia alone had reached double-digits, **with multiple cases where the victims had been beaten or drugged and dragged onto a boat back to China.**¹⁶¹ Chen Yonglin (陈用林), a former Chinese diplomat who defected to Australia, said he had heard of another kidnapping in New Zealand in 2004 and at least two in Australia while he was working in China's Sydney consulate (2001 to 2005)¹⁶²

Direct kidnapping

Since kidnappings by their very nature are covert operations, it is difficult to get accurate and detailed information about how they are carried out. Sometimes we may know little more than the individual is in one country, disappears and then turns up in China. Much is shrouded in mystery. However, what details are available do allow us to form some kind of a picture.

In two of the kidnappings, there is CCTV footage that shows the actual abduction or the Chinese agents suspected to have carried out the kidnapping. In 2015, a Chinese man in a striped shirt was caught on camera hanging around the residential complex in Thailand where Swedish bookseller Gui Minhai (桂民海) was staying and later spotted getting into Gui's car the day he disappeared. The next time Gui surfaced he was weeping on a forced televised confession in China three months later.¹⁶³ In 2017, CCTV cameras provided by the Four Seasons Hotel in Hong Kong showed Chinese-born Canadian billionaire Xiao Jianhua bundled into a wheelchair and accompanied by around six unidentified men with his head covered by a blanket.¹⁶⁴ He has not been seen since.

In other cases, kidnappings are brought to light because victims are able to tell their story. For example, Wang Bingzhang (王炳章), a prominent pro-democracy activist exiled in the US and accused of spying for Taiwan by the Chinese government, his girlfriend, Zhang Qi (张琦), and friend Yue Wu (岳武) disappeared from Vietnam in 2002. At the time, pro-democracy activists claimed that they were taken by Chinese agents in a cross-border raid, but they did not reveal their sources.¹⁶⁵ A few months later, Zhang and Yue were released from detention in China, but Wang was sentenced to life in prison. In the following year, Zhang held a press conference in the US and said that the men who kidnapped them spoke Chinese and even though they pretended to be abducting them to blackmail their families, they were conveniently “rescued” by Chinese police who then detained the three and nothing was ever heard about the “kidnappers” again.¹⁶⁶

How China manages to smuggle targets across borders is usually a matter of guesswork. In an earlier SDI investigation, we used all possible clues to surmise that Gui was likely taken by car to the Cambodian border and then onto Laos before being hidden in a boat on the Mekong River heading north, possibly crossing into China in a car again.¹⁶⁷ In 2005, Chinese agents working undercover in Australia were said to have drugged Lan Meng (蓝萌), put him on a fishing boat that was then picked up by a Chinese cargo vessel and shipped back to China. Lan was the son of a former deputy mayor Lan Fu (蓝甫), who was accused of taking bribes.¹⁶⁸ The kidnapping compelled the father to return to China where he was sentenced to life in prison.

Because the target is smuggled out of the country, there will be no official record of them leaving. Thailand admitted that there was no record of Gui ever leaving the country after he disappeared and then resurfaced on Chinese television. In 2016, Li Xin (李新), a Chinese pro-democracy journalist also disappeared from Thailand and then later phoned his wife to say he had returned to China “voluntarily” and was under investigation, yet Thai authorities said immigration records showed that Li was still in Thailand.¹⁶⁹ Hongkonger Lee Bo (李波), a colleague of Gui’s, disappeared from Hong Kong at the end of 2015. In January 2016, the Hong Kong police announced that he was in mainland China, despite there being no official records at the border that he had left Hong Kong.¹⁷⁰

For some of these kidnappings, it is likely that the host country either facilitated or simply turned a blind eye to China’s illegal actions. At the very least, they have not voiced any concern when the kidnapping has been brought to light. For example, Thai police seemed uninterested in Gui’s case and did not appear to conduct a serious investigation into his disappearance.¹⁷¹ Vietnam also seemed unbothered by the fates of Wang, Zhang and Yue. At one point, they even claimed that there was no record that they had ever entered Vietnam.¹⁷²

Indirect kidnapping

As defined earlier, indirect kidnappings describe a covert or unlawful cooperation between security forces of the host country and China to arrest and deport Chinese targets. Naturally, host countries remain secretive about why an individual was deported and, in some cases, even come up with trumped up charges or deny involvement.

For example, Egyptian and UAE police have arrested and deported Uyghurs legally living or visiting, sometimes in joint operations with Chinese police. Ahmad Talip was living in Dubai in 2018 when he was detained by local police. Days later he had been extradited to China yet Dubai prosecutors had earlier said there were insufficient grounds for the extradition and he should be released.¹⁷³ Abduweli, a well-known Uyghur scholar and activist living in exile in Norway, has described how Beijing pressured these countries to detain and deport without proper due process.¹⁷⁴

When CCP critic Wang Jingyu was initially detained in Dubai in 2021, no reason was initially given for holding him. This was later changed to the suspected crime of criticising Islam, which Wang denied. Yet Chinese officials visited him in detention to pressure him to sign an agreement saying that he would return to China.¹⁷⁵ Eventually, because of media and western governments' attention, Wang was allowed to leave for Europe. This case is classified as a failed kidnapping in this report.

After activists Tang Zhishun (唐志顺), Xing Qingxian (幸清贤), and Bao Zhuoxuan (包卓轩), the teenaged son of human rights lawyer Wang Yu (王宇), were snatched in Myanmar and sent back to China in 2015¹⁷⁶, the Burmese government said it had no control over what happened in Shan State (where they were captured) and did not know anything about the case.¹⁷⁷

Indirect kidnappings tend to show two common features:

1. These cases are associated with *cross-border law enforcement* carried out by Chinese agents or police in the host countries' territories.
2. Host states take on the *role of an accomplice*. That is, not only do they allow Chinese police and agents to operate inside the country but they also provide assistance in capturing targets, processing paperwork and covering up the disappearance.

Cross-border law enforcement

In its public announcements and state media reports on the issue of fugitive returns, China betrays either a lack of awareness of other countries' laws or a lack of concern over Chinese agents breaking such laws. For example, a 2015 CCDI announcement on the rapid response capabilities of Sky Net described how agents located and captured a fugitive named Qi (祁某某):

"It only took 14 hours for the relevant agencies from Hunan Province to find that Qi had left China via Hong Kong, lock down his location in Thailand, and successfully control him."¹⁷⁸

The word control (控制) leaves open the extent to which Chinese police or agents were operating illegally on Thai soil. Worth noting is that the announcement did not make any mention of cooperation or permission given by Thai authorities. Displaying a lack of respect for local laws, Chinese police and agents regularly chase, apprehend, and interrogate targets on foreign soil.

While many of the detentions in the UAE targeting Uyghurs for deportation are not carried out openly by Chinese police, Chinese agents have been reported present in some cases. For example, Chinese agents pursued Huseyin Imintohti, a Uyghur man at a restaurant in Dubai shortly before he was deported.¹⁷⁹ Another Uyghur man, Yasinjan Memtimin, was interrogated twice by Chinese police before his deportation.¹⁸⁰ Tang Zhishun, Xing Qingxian and Bao Zhuoxuan, were interrogated by Chinese police inside the Myanmar border before they were taken back to China.¹⁸¹

Host state as an accomplice

In acting as an accomplice to Chinese agents and police, security officers from the host country may assist in tracking down targets and detaining them and providing China with resources such as manpower and holding facilities. Because these detentions and deportations are unlawful or do not follow proper procedures in the host country, local officers may also help in using underhand ways to facilitate the deportation, for example in tricking the target into signing away their rights. A feature of these cases is their secretive nature: host states routinely refuse to disclose any information about detentions and deportations. For example, the UAE has never responded to enquiries about what happened to Imintohti (see below).

Dong Guangping and Jiang Yefei, Chinese political dissidents who were seeking asylum in Thailand, were detained over immigration violations in 2015. Even though both had been granted asylum status by the UN, Thai police handed them over to Chinese agents, by first urging them to sign a form in Thai without providing a translation, telling them they could only be released from immigration detention if they agreed. After they did so, Thai police let them out of their cell and into the hands of Chinese officers. It is likely that paperwork gave them the “legal” justification for doing so. Dubai police likely tried the same trick on CCP critic Wang Jingyu in 2021 when they asked him to sign a document written in Arabic without a translation; a document that Chinese diplomatic staff were also urging him to sign. His refusal in the end may have saved him from being deported.¹⁸²

The host state may also try to prevent the departure of a target on China's request. For example, in 2017, Chen Guiqiu (陈桂秋), the wife of Chinese human rights lawyer Xie Yang (谢阳), and her two young children were under the protection of the US Embassy in Bangkok as Chinese officers pursued her deportation. She was stopped at the airport because she did not have the paperwork allowing her to leave the country (paperwork needed because she had been detained earlier on immigration charges)¹⁸³ Thai immigration officials told her they were being pressured by Beijing not to allow her to leave. If the US Embassy had not jumped in to help her, Chen and her children would almost certainly have been deported to China.¹⁸⁴

Third country trick

In recent years, a new trend in *in*voluntary returns has emerged: Beijing works with the host country, which does not have an extradition treaty with China and from where it is not convenient to deport the individual directly, instead luring the target to a third country that does have extradition procedures in place. Indeed, this practice is outlined in the official definition of “trapping and capturing” in the Interpretation of Article 52 of China’s Supervision Law, as:

“...luring criminal suspects to within the borders of the country, the high seas, international airspace, or a third country which has an extradition treaty, and then to arrest or extradite them.”¹⁸⁵

Turkey is a good example. In 2017, a Uyghur man, Huseyin Imintohti, was arrested in Istanbul, on dubious grounds.¹⁸⁶ Turkish police and a Chinese agent interrogated him and three other Uyghur detainees, giving them three options: stay detained in Turkey, go free in exchange for spying on other overseas Uyghurs for China; or leave Turkey and fly to a third country (the UAE, Tajikistan, Uzbekistan, Kazakhstan, or Kyrgyzstan). All four chose to fly to Dubai, where shortly after they disappeared. It is not clear whether Imintohti and the others were formally extradited from the UAE or whether they were simply kidnapped by Chinese agents there. In 2017, Turkey did not have an extradition agreement with China, unlike all of the five third country options presented to them. At least four Uyghurs were deported from Turkey to Tajikistan in 2020 from where they are believed to have been sent back China.¹⁸⁷

The case of Tang Zhishun: Kidnapped in Myanmar¹⁸⁸



Tang Zhishun is an engineer by trade but later became a rights activist after he battled the illegal demolition of his house in Beijing in 2004. He worked with activist

Xing Qingxian to smuggle rights lawyer Wang Yu's son Bao Zhuoxuan into Myanmar in 2015. Both of Bao's parents were being secretly detained at the time and the two were hoping to help Bao travel overseas to go to school as he had been prevented from leaving China. However, they were kidnapped inside Myanmar by local and Chinese police and taken back to China. Tang spent months in incommunicado detention under China's notorious Residential Surveillance at a Designated Location accused of "organizing others to cross national borders." Tang was eventually released in December 2016. In August 2021, he managed to leave China for the US, reuniting with his family members.

Even though the township of Mong La is on the Myanmar side of the border with China in a part of the country known as Shan State, so many Chinese people live here – hotel owners, traders, even security agents and spies -- that you could be forgiven for mistaking it for China. Many of the hotels are Chinese-run, Chinese guests are required to show their Chinese ID cards, Renminbi is acceptable as currency and China Mobile and China Unicom offer Internet services.

On the evening of 2 October 2015, Tang Zhishun, Xing Qingxian and Bao Zhuoxuan arrived in Mong La and started looking for a hotel. In the lobby of one, they spotted a suspicious-looking man reading a newspaper. Spooked, they left and found another place. Once they had checked in, they all turned off their mobile phones so that they could not be traced.

They planned to leave the next day, but their travel agency asked for more money for paperwork they needed to move on. They

had no other choice but to stay. However, they switched hotels in case they were being tracked.

The following day, Bao, who was just 16 years old at the time, wanted to eat Chinese food, he was tired of eating the Burmese food provided by the hotel. So, the three of them headed out for a breakfast of soybean milk and deep-fried dough sticks. Tang complained that the boy was being difficult, thinking to himself that Bao was just being rebellious because of his age. However, from then on, they started taking their meals outside the hotel to please Bao.

The next day, 5 October, after dinner the three of them were walking back to their hotel when a man on a red motorcycle began trailing them. They realised they were being followed and so stopped. The man stopped too and just watched them. Bao, who thought they were safe because they had already left China, stood in front of the man and stared at him. Later, Tang scolded Bao:

"What's wrong with you? Are you worried they might capture the wrong person so you want them to see you clearly?" Tang realised then that it was only a matter of time before they were caught.

The yell came out of nowhere. "Don't move! Hands up!" It was the next morning, the three were quietly having breakfast at a local market and a local policeman was pointing a gun at their table. A huge group then descended. There were Chinese plainclothes police (who did not show their ID), local police officers and Shan State army personnel. Bao and Xing were shocked, but Tang said he knew that this would happen. Calmly, Tang replied: "Would you wait a second? Let us finish our porridge first." The police officer was so surprised that he just barked at them to hurry up. Another officer standing beside him then yelled furiously: "Handcuff him, right now! Take his mobile away! Don't let him destroy it." Tang later saw the man on a CCTV programme about his case. He was identified as a Chinese police officer from Jinghong Public Security Bureau from Yunnan province. He recognized another officer from the raid, this one surnamed Liu, on the same programme.

They were taken to a local police station in Mong La where they were interrogated separately. A Burmese officer briefly questioned Tang first, but a Chinese officer who Tang did not remember seeing that morning quickly replaced him. He asked him some routine questions such as who he was and why he was in Myanmar, but both of them knew this was just a formality. The police knew exactly who they were and why they were there. After the interrogations

were over, they were driven handcuffed by the Burmese police to the border marked by a barbed-wire fence and then uncuffed and handed over to Chinese police.

**The yell came out of nowhere.
"Don't move! Hands up!" It was
the next morning, the three were
quietly having breakfast at a local
market and a local policeman was
pointing a gun at their table**

Chinese officers handcuffed them again and drove them to Daluo Police Station in Menghai County, Yunnan for further interrogation and then a physical examination. When Tang saw the police remove money from his wallet, ostensibly to pay for the physicals, he thought how absurd this all was. Promises to reimburse him later were not kept. Things only got more absurd. Tang failed the blood test which meant that he should have been released on health grounds, but the police simply gave him another blood test, which he conveniently passed.

They were then sent to Menghai County Detention Centre, where Tang was interrogated by the same Chinese officer who had questioned him in Myanmar. From this, he surmised that the officer was a Yunnan police officer. Later, police from Beijing arrived to question him, including the Deputy Chief of Beijing's Public Security Bureau. When Tang asked him why they had detained Bao, he replied: "Old Tang, do you really need us to explain?" When Tang pressed them, they just answered that it was on the Party's orders.

Foreign collusion and cooperation

In most cases, known examples of local law enforcement cooperating undercover with, or turning a blind eye to, Chinese operations hunting fugitives in the host country have been limited to other authoritarian states in the Middle East or China's neighbours in Southeast Asia. In such instances, it has been described in the case examples identified in this report.

However, Safeguard Defenders has found cases where democratic countries, for example Canada, Switzerland and the US, have cooperated secretly with Chinese law enforcement to track down and deport claimed fugitives, or offered to do so, and this issue deserves mentioning, as it relates to, even if not part of, *involuntary returns*.

Documentation from the Canada Border Services Agency (CBSA) from late 2014¹⁸⁹, drawn up whilst Canada was in negotiations with China about a possible readmission agreement¹⁹⁰ showed that Canada was assisting Chinese officials and police in entering the country to carry out “negotiations” with Chinese nationals there, with the expressed intent of “persuading” them to return to China. Assistance was offered for both Chinese embassy staff, as well as visiting Chinese police, and includes help in securing the visiting police officers’ visas. CBSA clarified that it does not participate in the negotiations between the Chinese national and the official Chinese side, which indicates that such meetings, carried out inside Canada, are unsupervised. The documentation continues to state that in the event negotiations are successful, CBSA can assist with logistics at the airport to help with the smooth departure of the individual. The documentation acknowledges that those sought are alleged criminals in China and not convicted of crimes in Canada.

Over in Europe, Switzerland entered into a secret agreement with China in 2015, officially calling it as a *readmission agreement*. However, not only was this “readmission agreement” not made public

like readmission agreements Switzerland had made with other states, but the content of this agreement was nothing like a typical readmission agreement. Safeguard Defenders made the content of this agreement public at the end of 2020.¹⁹¹ Similar to the CBSA documentation, it authorised assistance in providing visas to Chinese police to enter Switzerland to carry out “interviews” with Chinese nationals. The visas provided to Chinese agents by Switzerland’s State Secretariat for Migration (SEM) were tourist visas, allowing them to theoretically roam the entire Schengen area (covering 26 European countries) unobserved on their visas. Interviews were supposed to take place at SEM facilities, but there was no requirement for SEM to monitor interviews through an interpreter. SEM claims the duration of the visas issued were brief, and therefore would in practice make it difficult to those agents to travel outside of Switzerland. It also did not notify EU- and Schengen area members of approval of such visas, and agreed to China’s request that such visits be considered unofficial.

There are tens of thousands of Chinese nationals in the US awaiting deportation in the US for violating immigration laws. In 2015, for example, that figure was 39,000.¹⁹² Such a huge backlog had built up because China drags its feet on providing the paperwork to make deportations of these people possible. In 2015, Beijing provided Washington with a list of almost 200 people it did want back¹⁹³, making it clear it would only take some of the illegals the US wanted out if they helped track down those people on the list. Following the joint agreement of a “memorandum of understanding”, two Chinese police officers travelled to the US to interview 70 Chinese nationals it wanted returned. Their fate remains unknown. Just ahead of the 15 November 2021 meeting between President Biden and General Secretary Xi Jinping, seven Chinese wanted by the Chinese government were repatriated (but not extradited) by the U.S., presumably in exchange for help in processing the return of illegals in the US.¹⁹⁴

THE EXPANDING USE OF INVOLUNTARY RETURNS

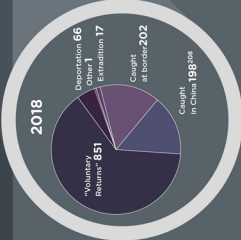
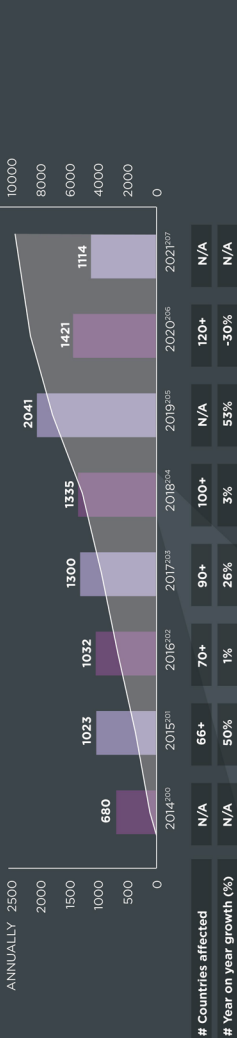
[Even during] "the Covid-19 pandemic... China's international anti-corruption efforts have never stopped" despite travel restrictions, in the first 11 months of 2021, some 1,114 persons were returned.¹⁰⁰ At current speed, based on official government data, the total number of people returned via Sky Net would have surpassed 10,000 sometime in December 2021, the majority being involuntary returns.

The Chinese State has a long history of withholding data, and numerous datasets are considered state secrets, while others are withheld or obfuscated to make comparisons difficult.¹⁰¹ Regarding the issue of involuntary returns, this is further complicated by the fact data is not released consistently, the categories used appear only on occasion, and often change.

- only those captured
- only those captured via Sky Net operations, and
- says little about how many are targeted (i.e. the true scope of operations).

One of the principal dissident groups now being targeted are the Uyghurs. Some of the transnational repression of them is focused on compelling them to leave their country, increasing the number of involuntary returns. In 2019, the Chinese government reported that it had repatriated 1,151 cases of Uyghurs being detained in their host country, at least 395 of which was repatriated – a broad term that can include extraditions (very rare), deportations (common) and involuntary return (unknown). There is for now a lack of data, but a great many ad-hoc reports indicates they are extensively targeted for forced returns through 'irregular' methods.

Total returns



Despite the fact that the number of officials fleeing China is now "much lower" than the number who have returned – in China in 2021 announced Sky Net would expel and target those who had fled – the Chinese government has continued to use its extensive network of surveillance, intelligence, enterprises, political and legal affairs, and civil affairs to, in addition, 2020, despite the Covid-19 pandemic, saw the second highest number of claimed returns so far.

CONCLUSIONS AND RECOMMENDATIONS

The issues raised in this report constitute a clear and present danger to Chinese nationals abroad, whose right to due process is being undermined; to national judicial sovereignty for host countries; to the rule of law and international standards for cross-border judicial cooperation.

The fugitive or target is placed in a highly prejudicial situation with the possibility of a fair trial severely undermined. Their *in*voluntary return effectively denies them right to be presumed innocent. There are cases where targets have been threatened with greater penalties if they refuse to return and the scope of actions carried out in China and overseas in securing their return indicates that their guilt has been decided even before any trial. Upon return, if they are arrested, it is almost guaranteed that they will be found guilty. Conviction rate at criminal trials already stand at 99.95% to 99.96%.²¹¹

The extent to which China goes to return targets returned also places them at greater risk of torture including forced confessions, to secure a guilty verdict at trial.

For those involuntarily returned, the already significant risk of torture and forced, confessions inside China's criminal justice system increases even further.

While there are legitimate reasons for, albeit cautiously, engaging in international judicial cooperation with Beijing, China's violations of other nations' judicial sovereignty and breaking customs in international judicial cooperation undermines the trust required for entering into such cooperation, or continuing existing cooperation. China's pursuits via IR should be a significant obstacle to legitimate judicial cooperation to counter cross-border crime.

Furthermore, the transfer of responsibility for such cooperation to a non-judicial organ, the National Security Commission (NSC), run directly by the Chinese Communist Party (CCP) and not the Chinese government, raises several issues;

- Using a non-judicial organ for judicial cooperation further undermines the ability to enter into judicial cooperation with China, and
- The legalization, in the official interpretation of the relevant law, of not merely using irregular methods such as 'persuasion' but also using entrapment to third countries, and outright kidnapping, places the NSC as responsible for grave human rights violations, further undermining the ability to enter into cooperation with the body.

China faces an uphill battle in getting many democratic nations to agree to signing extradition agreements with it; and even when such agreements have been ratified,

extraditions are notoriously difficult, costly and slow. Yet, extending such cooperation is a key policy of Xi Jinping's. The CCP is highly motivated to have control over elements of the Chinese diaspora and ensuring that critics of the CCP inside China do not seek safe haven abroad to continue their activism.

The strong desire by Beijing for a variety of judicial cooperation agreements provides foreign governments with significant leverage, which should be used to protect Chinese nationals abroad, uphold rule of law, and defend judicial sovereignty.

Foreign nations must disengage from the NSC, forcing any judicial cooperation to be held with an appropriate, judicial, body, while pressure must be put on Beijing to revise the NSL and its interpretation to ban illegal actions, like kidnapping, overseas.

The mere signing of extradition treaties, but also other forms of judicial cooperation agreements, is a major win for China, and often entered into without clear risk assessment, nor any analysis of what it brings to the other party, nor what such agreements mean to Beijing. Many times, entering into such agreements is to squander sorely needed leverage to push China for judicial reforms. That some such agreements are signed with the NSC also helps legitimize a body that should not be legitimized (for judicial cooperation purposes), and which stands credibly accused of four counts of crimes against humanity.²¹² Foreign governments need to start having the conversation on how to engage with China on judicial cooperation issues. This includes the need to disengage from the NSC, suspend extradition treaties, and begin cross-party dialogues on formulating a strategy for these issues, while engaging with China about China's criminal justice system. Foreign governments must also discuss publicly the issue of whether they should maintain mutual legal assistance agreements (MLATs) with China, or the need to renegotiate them, if China continues to expand its unregulated and often unlawful work with IR and the use of 'irregular' methods.

In addition, when China is caught operating illegally on foreign soil, the relevant foreign government should take countermeasures to create the needed leverage to force China to cease such operations, most often by suspending Beijing's most wanted form of judicial cooperation and agreements.

Foreign governments must ensure all diplomatic discussions on these issues take place in an open, transparent and public space and, where possible, expose activities carried out on its soil by overseas agencies that violate its judicial sovereignty. Without transparency, violators are encouraged to continue and expand their activities. Silence will increase the transgressions, not reduce them.

Foreign governments also need to investigate methods being used and targets groups at risk of China's IR. It should increase monitoring of such activities and take action to better protect those at risk, such as ensuring asylum requests take into account these activities. In addition, in response to efforts by China to extradite or deport individuals, local agencies and courts should be made aware of China's IR efforts and the risks of sending individuals back to China where they are at risk of torture and where they are near certain to not be given a fair trial.

To that end, foreign ministries should issue regular country reports on the situation in China to allow administrative and judicial bodies to fairly assess the merits in returning an individual to China on Beijing's request.

As a final note of concern, about such extra-legal operations on foreign soil is the acknowledgement in 2015, by CCDI, after complaints from several countries, that China was changing its tactic, without saying what that meant, but presumably meaning hiding its work better.²¹³

APPENDIX: COMPLETE LIST AND DATA MATRIX ON CASES

[illegible]

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²¹¹ **Safeguard Defenders (2021) Presumed Guilty – Arrests, Prosecutions and Trials, China 2013-2020**, <https://safeguarddefenders.com/en/blog/presumed-guilty-report-and-trials-michaels-spavor-and-kovrig>.

²¹² See Safeguard Defenders evidence submission to UN Special Procedures on the NSC and its use of arbitrary detentions, enforced disappearances, torture and maltreatment (2021) <https://safeguarddefenders.com/en/blog/new-data-exposes-increased-use-nscs-jiuzhi-system>.

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STATEMENT OF SU YUTONG

Mr. Chairman, members of the Commission, thank you for convening this meeting and inviting me to submit testimony.

As an individual who has faced incredible abuse at the hands of the Chinese government's crackdown on independent voices and journalists, I can speak first-hand about my experiences and the treatment I have had to endure as a journalist, as an activist, and as a woman. Despite living outside of China, beyond its borders, I am still threatened and harassed by authorities—often with serious and harmful consequences. This relentless campaign that I have suffered is designed to scare and silence me. But it is obvious that the same people who work to make my life a living misery are scared too. They fear me and people like me, who use our voices to draw attention to wrongdoing in a country that wishes to keep its people in the dark.

I was born in Beijing. Early on, while still in China, I became an internet activist. Because my work was critical of China's human rights record, I was frequently placed under house arrest and invited for "chats" with the police. On June 3, 2010, I posted the diary of former Chinese Premier Li Peng on the internet, which details the suppression of the 1989 Tiananmen student demonstrations by the CCP authorities. As a result, my home was raided by the Chinese police, my belongings were confiscated and I was put under house arrest.¹ With the help of activists and human rights lawyers I managed to escape to Hong Kong.

Once in Hong Kong, I started working as a journalist with the German news agency Deutsche Welle. With the help of the former human rights officer at the German embassy in China, I secured a German visa at the German consulate in Hong Kong. On August 11, 2010, I arrived in Germany, where I continued working for the Chinese department of Deutsche Welle. I wrote and published nearly 1,500 articles.

Simultaneously with my work as a journalist, I continued with my work as an activist. In 2011, after the Chinese artist Ai Weiwei was secretly detained by the Chinese police, I launched a solidarity campaign on social media. At that time, there was a Chinese-run website in Germany, called Anti-CNN. They published a photoshopped nude photo claiming it was me, and described me as Ai Weiwei's mistress.

From that point on, I became a target of continuous harassment by the Chinese government.

In July of 2014, a fellow journalist, Frank Sieren at Deutsche Welle, published an article in German and Chinese, in which he described the Tiananmen Massacre as "a slip-up by the CCP." The piece sparked a public outcry from a number of pro-democracy activists and massacre survivors. I was a signatory to an open letter protesting this article and spoke out against the article on Twitter. On August 19, 2014, I was fired² by Deutsche Welle for doing so.

During this time and after, I was regularly smeared by the official Chinese media. In August 2014, the Chinese official media Global Times published two articles calling me an anti-China reporter. This put an extraordinary amount of pressure on my family in China, who worried that these attacks forecast their own mistreatment. Chinese Communist Party authorities did not limit their campaign to traditional media only. They spread rumors about me on Twitter (now known as X) and other social media platforms, too. The insults ranged from calling me a prostitute, to being a German "dog"; I received death and rape threats, as well as anonymous messages stating they would kill me and my whole family. Sometimes, these messages were accompanied by extremely violent videos. CCP authorities also attempted to bribe me: unknown people have sent me messages promising me money if I stop my work, even offering me a passport to return to China. Threats and harassment of my family have continued.

In November 2014, Beijing State Security called me directly, asking me not to participate in the protests in Germany. The official insisted that if I stopped protesting, he could be helpful in securing a chance to see my parents again. Although I am a Chinese citizen, I have no right to go back to my country. The State Security used my family to blackmail me into compliance.

In 2016, I joined Radio Free Asia as a reporter, covering a variety of issues, including human rights abuses within and outside China. The harassment continued.

¹ Amnesty International: <https://www.amnesty.org/en/latest/campaigns/2012/05/china-for-activists-the-internet-is-like-dancing-in-shackles/>

² New York Times: <https://www.nytimes.com/2014/08/22/world/europe/german-broadcaster-fires-chinese-blogger.html>; RSF: <https://rsf.org/en/beijing-imposes-its-propaganda-beyond-its-borders>; Der Spiegel: <https://www.spiegel.de/kultur/gesellschaft/deutsche-welle-streit-um-twitter-nachricht-zu-tiananmen-massaker-a-987085.html>

In May 2018, someone sent me a private message on Twitter from a Chinese number, threatening to kill me and my whole family. Deciding that I needed to do something, I reported this threat to German authorities—making this instance the first time I had done so. Because it came from China, I reported the threat to the diplomat in charge of Chinese affairs of the German Foreign Ministry.

I lived in relative peace until June 2022. Around that time, threats and harassment became more frequent and persistent. On June 4, 2022, I participated in a protest in front of the Chinese embassy in Germany, in support of Hong Kong after Beijing's national security laws had been put in place, completely changing its media and political landscape. A Chinese man arrived at the scene, and I later learned his name was "Zhu Kenan." He took our photos and followed us. On the night of June 4th, he sent me a message via Telegram. He warned me against criticizing the Chinese government. When I asked him to stop texting me, he responded by posting a photoshopped nude photo of me that had first appeared in 2011, circulated on social media and the internet. I told him I would call the police. But his threats didn't stop online. He started following me in real life.

Later, I found out that a Hong Kong activist was also threatened and followed by the same man. We reported the case to German police in Berlin on June 6, 2022. The case was later transferred to Germany's State Criminal Police Office, or Landeskriminalamt (LKA), for investigation. But unfortunately, in July last year, the investigation was suspended because Zhu Kenan left Germany and returned to China. In August he sent me a message via Twitter, saying that he was going to Beijing and wanted to visit my parents' house. When he sent this message, I learned that my parents and relatives were threatened by Chinese police and national security.

In June 2022, different men rang the doorbell at my apartment every night, saying they were responding to a sex advertisement they had seen online. I told them that I was not a sex worker and I asked how they got my address and information. Some of them told me my information was posted on an underground porn website.

These incidents continued throughout the summer. The last such incident was on August 20th, when I found a strange man waiting outside my apartment door. When I threatened to call the police, he left in a hurry. In October last year, I started to report on Chinese overseas police stations threatening dissidents in Europe; on November 22, I accompanied Chinese dissident Wang Jingyu in the Netherlands to report his case to the Berlin police station. Following my reporting on this issue, unknown people booked two hotel rooms in Berlin under my name, and I reported it to German police.

Beginning on November 25, 2022, a man named Yilisen Aierken began to send me threatening and harassing messages. He said he would rape and kill me. He said there was a group that works for CCP in Europe, and the people in this group knew my address. He also said they had published my photos, name and information on porn sites. Yilisen Aierken continued sending me threatening messages until January, when the messages abruptly stopped. On the evening of February 11, unknown persons booked many luxury hotel rooms under my name in Hong Kong, Macau, New York, Houston, Los Angeles, Istanbul and other cities, and reported false bomb threats. I kept getting calls from the police everywhere.³

At the advice of the police, I left my apartment in Berlin and stayed with friends for three months, unable to go home. During this period, I also received messages offering bribes to quit my work, which I reported to the police. There was nothing they could do, they informed me, because offering money to someone is not a crime.

On June 16, 2023, I received a terrifying video from an unknown person in my Telegram of a person being dismembered. When I saw this video, I became physically sick. The unknown person also said that my head would be chopped off. On June 20, I participated in a protest in front of the German Chancellery, and I discovered that Chinese embassy staff and CCP agents monitored and secretly photographed the protesters.

At the end of June, my parents and relatives in China were threatened by Chinese police and state security. They told my parents that I participated in anti-China activities and smeared China. They called me a criminal. Since the beginning of August, many newspapers and TV stations in Germany have reported the threats to me by Chinese overseas police stations.

Chinese diplomats stationed in Germany monitored and secretly photographed Chinese protesters in Germany. After that, I suffered more serious online smears than ever before. Unknown people spread rumors and posted photoshopped nude photos on Twitter and other social media every day to humiliate me. They also in-

³ AXIOS: <https://www.axios.com/2023/03/29/chinese-activists-false-bomb-threats>; RFA: <https://www.rfa.org/english/news/china/harassment-03202023133743.html>

sinuated that I have actually taken money from the Chinese government to discredit me in the eyes of other activists.⁴

I have lived with these threats and rumors for 12 years now. While the police protection helps me feel somewhat safer, those who harass me are still free. While many of my harassers are anonymous, some of them are known to law enforcement yet nothing is being done.

Despite leaving China, I live under threat every day. Despite my personal pride and refusing to admit it, even to myself, I have been afraid. Authorities in Germany have been helpful. But it's unclear what power they have, given that this form of harassment—crossing borders, crossing continents and time zones—can target me, my loved ones, my friends, and my fellow journalists and activists at any given time, without warning. We don't have recourse and they are allowed to continue doing it with impunity.

We can be living in places where human dignity is respected by the law, with strong civil societies, and be subject to the whims of a society that cares little for those things in pursuit of its own wish to bury the truth, no matter the cost. I have dedicated my life to lifting up the voices of others, so they can be heard. I want the world to know my story—and the stories of others like me—who dare to speak truth to power, and feel the force of reprisal no matter where we choose to live. My only consolation, though seemingly small, is that the people and government behind this campaign are also afraid. The intensity of their threats and harassment mirrors their own fear.

Thank you.

⁴Women in Journalism: <https://www.womeninjournalism.org/threats-all/germany-cfwij-calls-on-german-authorities-to-investigate-continuous-attacks-on-su-yutong>

THE CHINESE COMMUNIST PARTY'S TRANSNATIONAL REPRESSION
TARGETING FALUN GONG

Mr. Chairman, Co-chairman Merkley, and distinguished members of the commission, thank you for holding a hearing on this urgent issue and for allowing me to submit this written testimony. In this document, I would like to draw your attention to the following dimensions of transnational repression related to how the Chinese Communist Party (CCP) and its proxies target believers of Falun Gong:

- The CCP and its proxies have been carrying out a campaign of transnational repression against Falun Gong for over two decades, expanding and refining the tactics, mechanisms, and apparatus that today target a far wider array of victim communities.
- CCP-backed individuals or misinformed Chinese nationals have physically assaulted Falun Gong practitioners in the United States and other countries who were trying to raise awareness about violations of freedom of belief in China; in several recent cases, the attackers have faced prosecution for their actions.
- Ethnic Chinese and non-ethnic Chinese Falun Gong practitioners on university campuses across the United States have reported incidents of surveillance, slander, and censorship by Chinese officials, CCP proxies, or other China-linked individuals.
- Dragon Springs, a campus in New York that houses the training facilities for Shen Yun Performing Arts, faces threats to strip its non-profit status by Chinese agents, two of whom were charged by federal prosecutors this May. The campus continues to face ongoing frivolous lawsuits and surveillance by the CCP.

1. A Two-Decade Campaign of Transnational Repression

Falun Gong, also known as Falun Dafa, is a spiritual practice in the Buddhist tradition that combines meditation and gentle exercises with a moral philosophy centered on the core tenets of truthfulness, compassion, and tolerance.¹ Descending from an ancient lineage and introduced publicly in China in 1992, Falun Gong is now practiced in more than 70 countries, although the largest contingent of believers—numbering in the tens of millions—remains in China.

Since July 1999, the Chinese Communist Party (CCP) has engaged in a systematic and illegal effort to eradicate Falun Gong, deploying arbitrary detention, torture, and extrajudicial killings.² This policy remains one of the most widespread campaigns of persecution in China today.³ Since the inception of this campaign, the CCP's attempts to intimidate, harass, and suppress Falun Gong practitioners have not remained within the borders of mainland China. For over 20 years, Falun Gong practitioners outside China—be they Chinese nationals, members of the diaspora, or non-Chinese believers—have been a primary target of transnational repression and other forms of harassment around the world.

In a 2021 report, Freedom House found that the Chinese regime “engages in the most sophisticated, global, and comprehensive campaign of transnational repression in the world” and that among its targets are Falun Gong practitioners. This is just one example of the documentation of this long-term effort, with other evidence including first-hand accounts by victims, leaked CCP documents, congressional testimonies from defectors, and third-party investigations.

Since July 1999, Falun Gong practitioners outside China have faced break-ins, physical attacks in Chinatown, an assault on an anti-censorship technologist in his home in Atlanta, beatings by Chinese security agents accompanying officials visiting Latin America, and a shooting of Falun Gong activists in South Africa, among other incidents. As early as 2004, the U.S. House of Representatives adopted H. Con. Res. 304, one of the first acts of Congress related to transnational repression that outlined various attacks on Falun Gong practitioners that had occurred in the United States and the intimidation of local U.S. officials supporting their right to freedom of belief, while requesting measures to protect U.S. residents who practice Falun Gong.⁴

These attacks have continued over the past 24 years. In a 2021 case study on transnational repression originating in China, Freedom House relayed its findings regarding cases of the CCP targeting Falun Gong since 2014:⁵

Practitioners of Falun Gong, a spiritual movement banned in China, also face regular reprisals from China and from Chinese agents. These include frequent harassment and occasional physical assaults by members of visiting Chinese delegations or pro-Beijing proxies at protests overseas, as in cases that have occurred since 2014 in the United States, the Czech Republic, Taiwan, Brazil, and Argentina. Media and cultural initiatives associated with Falun Gong have reported suspicious break-ins targeting sensitive information, vehicle tampering, and pressure from Chinese authorities for local businesses to cut off advertising or other contractual obligations with them. Multiple Falun Gong practitioners in Thailand have also faced detention, including a Taiwanese man involved in uncensored radio broadcasts to China and several cases of Chinese refugees formally recognized as such by the UN High Commissioner for Refugees (UNHCR). In October 2017, a Falun Gong practitioner who had survived a Chinese labor camp and become a high-profile informant on CCP abuses—sneaking a letter into a Halloween decoration when detained and later filming a documentary with undercover footage—died of sudden kidney failure in Indonesia. Some colleagues consider his death suspicious, but no autopsy was performed.

These incidents are not accidental. Behind them lies a deliberate policy, massive bureaucratic structures, and guidance from the highest levels of the CCP security apparatus. Two insiders who defected to Australia in 2005 offered a glimpse of this system. Hao Fengjun, a former officer in the extralegal 610 Office security agency in Tianjin, relayed: “Falun Gong practitioners all over the world are under CCP surveillance. I personally received intelligence information about Falun Gong practitioners in Australia, the United States, and Canada.”⁶ Chen Yonglin, a former officer in the Chinese consulate in Sydney, testified before Congress:

In each Chinese mission overseas there must be at least one official in charge of Falun Gong affairs. The head and the deputy head of the mission will be responsible for the Falun Gong affairs. I am aware of there being more than 1,000 Chinese secret agents and informants residing in Australia, and they have partaken in efforts to persecute the Falun Gong. The number in the United States should be higher. The United Front uses the overseas Chinese diaspora, including students, businesspeople, media, and so-called Chinese community groups to influence, manipulate, and pressure foreign citizens, politicians, and business leaders to toe the Party line on Falun Gong.⁷

More recently, in a 2015 speech to party cadres from the 610 Office, Meng Jianzhu, then a member of the CCP Central Committee and head of the Political Legal Affairs Committee that oversees the security apparatus, called on those listening to “actively expand and deepen the overseas battlefield” against Falun Gong and other banned religious groups. In the speech, which was leaked and published online by the Europe-based Association for the Defense of Human Rights and Religious Freedom, Meng further explains:

The struggle against ‘Falun Gong’ and other xie jiao organizations is actually a serious political struggle. It is a political contest with the anti-China forces in the West. . . . We must strengthen the top-level design, coordinate the domestic and foreign fronts, and treat the countries and regions with serious ‘Falun Gong’ activities such as the United States as the main battlefield. . . . We must fully play our party’s political and institutional advantages, and coordinate and urge all relevant departments to do a good job on intelligence information, crackdown control, and education transformation.⁸

One point of information to note is that unlike other ethnic minority and exile groups targeted by the CCP, the Falun Gong community does not consist solely of members of the Chinese diaspora or those who have fled China. In addition to the many practitioners outside China who are of Chinese or Taiwanese descent, there are tens of thousands, if not more, people from a wide range of ethnicities who practice Falun Gong and have no connection to the country other than practicing this Chinese spiritual and meditation practice. Many do not speak Chinese and have never been to China. From Cape Town to Cannes, Bangladesh to Berlin, Tel Aviv to Tehran, Falun Gong is practiced in over 100 countries and its spiritual teachings have been translated into 50 languages.⁹ Earlier this year, a small community of Falun Gong practitioners in the African nation of Togo celebrated the 10th anniversary of Falun Gong’s introduction to the country.¹⁰ These and other believers are nationals of countries other than China and locally integrated into everyday society.

Nevertheless, because of their faith and identity as Falun Gong practitioners, the CCP sees them as a threat and targets them as well. Non-ethnic Chinese adherents have been barred from parades, been beaten by Chinese thugs in Latin America, or been detained and deported from European countries when trying to peacefully demonstrate against visiting Chinese leaders. In Russia, under CCP pressure, Falun Gong's spiritual text was banned, a situation which the European Court of Human Rights recently ruled a violation of the charter.¹¹

The Falun Dafa Information Center has been tracking these and other cases of transnational repression targeting Falun Gong, especially in the United States, although we are trying to expand our documentation efforts globally. Within the past three years, Falun Gong practitioners around the world have continued to experience the long arm of the CCP's persecution. This testimony highlights three key dimensions of this broader campaign.

2. Physical Assaults and Prosecutorial Actions

Facing fierce persecution in China alongside systematic censorship, one way in which Falun Gong practitioners around the world have tried to counter the negative effects of the CCP's persecution has been to set up information booths, especially in Chinatowns or at sites frequented by tourists from mainland China. Volunteers and recent refugees take turns manning the booths, distributing information debunking CCP false propaganda about Falun Gong, exposing rights violations in China, and urging individuals to reconsider their affiliation with the CCP.

These sites have emerged as a primary target for assault by individuals affiliated with CCP proxies, or deceived by Chinese state-run propaganda that demonizes Falun Gong. The attacks tend to be more frequent in cities where a Chinese embassy or consulate is present.

Since 2008, volunteers at Falun Gong information booths in Chinatowns, including in New York and San Francisco, have faced such harassment, heckling, and physical attacks. In some cases, the attackers had clear links to the CCP and proxy entities like the China Anti-Cult Association (CACA) but in other cases, they may have been individuals who were simply incited by CCP propaganda.¹²

The most recent attack happened on February 16, 2023. Zhongping Qi physically assaulted Falun Gong practitioner David Fang unprovoked, injuring David's hand, neck, and chin. (The attacker has a history of verbally abusing Falun Gong booth volunteers.) He often cursed and made unprovoked slurs towards the volunteers at Falun Gong booths in Queens, New York. Later that week, police officers from New York's 109th Precinct arrested and charged Zhongping Qi with third degree assault.¹³ Mr. Fang, the victim of the attack, told the Falun Dafa Information Center on September 3:

I was persecuted in China for my faith, and under immense pressure for years. Soon after I arrived in the United States this February, I was attacked and became fearful that the CCP will come to haunt me in New York. I was scared that I would never be free.¹⁴

A similar incident happened in 2022. Then 32-year-old Zheng Buqiu began vandalizing a Falun Gong booth outside Queens Public Library where he tore down a poster before being stopped by volunteers. Every day for a week, Zheng destroyed booths across Flushing by punching and kicking display boards, knocking over tables with informational booklets, and breaking volunteers' portable speaker by stomping on it. The attacks continued at three different information booth locations until NYPD officers arrested Zheng on February 15, 2022. Police charged him with criminal mischief in the fourth degree and a hate crime. One volunteer at the booth said that Zheng had been seen with Li Huahong, the president of the CACA, an entity linked to the 610 Office, who has herself been arrested four times since 2008 by NYPD for vandalizing Falun Gong booths, indicating Zheng may not have been acting alone.¹⁵

In 2019, an individual believed to be affiliated with the Chinese consulate pretended to be a Falun Gong practitioner for six months, collecting information and bringing his son to meditation sites in Hermann Park in downtown Houston. In the fall of that year, the individual attacked and attempted to sexually assault a female Falun Gong practitioner in the parking lot. Multiple practitioners witnessed the incident and after blocking his assault, discovered he was not actually a Falun Gong adherent. After that incident, this individual and his son were never seen again.¹⁶

Such attacks are not limited to the United States. In October 2022, Chinese nationals Kang Zhao and two accomplices (including Zhao's wife) in Canberra, Australia, were caught vandalizing signs attached to at least two Falun Gong practitioners' cars, one of which belonged to Nancy Dong. After being notified by witnesses, Dong arrived at the parking lot and tried to film Zhao and his accomplices,

as they spray painted over the sign “CCP ≠ China” atop her car. Zhao took Nancy Dong’s phone away and elbow slammed her to the ground by her neck, proceeding to kick and punch her until she almost lost consciousness. The altercation led to bruising on her arms and injuries to her lower body. In December 2022, Zhao was arrested by police after trying to leave the country. He pleaded guilty in court to charges of common assault, property damage, and defacing property.¹⁷

In April 2022, a Westminster court in the United Kingdom sentenced a pro-CCP individual, Mr. He Renyong, to 16 weeks in prison for assaulting and harassing Falun Dafa practitioners in Chinatown. The court dealt the accused a deferred sentence of 18 months, 100 hours of community service, and over 1,000 pounds (\$1,300 USD) in fines and fees.¹⁸

3. Surveillance, Slander, and Censorship on University Campuses

The Falun Dafa Information Center released a report analyzing how the CCP’s persecution of Falun Gong impacts students and faculty who practice Falun Gong on university campuses in the United States, based on publicly available reports and a survey conducted in early 2023.¹⁹ The following are five key takeaways from that report:

1. At least 45 university campuses across the United States have students or faculty who practice Falun Gong. One-fifth of respondents to a 2023 survey reported feeling uncomfortable self-identifying as a Falun Gong practitioner due to Chinese Communist Party (CCP) propaganda or other influences.
2. Physical and digital surveillance of both Falun Gong practitioners and Chinese international students—and resulting Chinese government reprisals—are a major area of concern. One non-ethnic Chinese Ph.D. candidate studying in Minnesota reported, “Whenever I and my club held a booth for our Falun Dafa student club, there was always a suspicious Chinese student wandering about and pretend[ing] to be on their phones and constantly checking on us. They never engaged with us but were just there to monitor us.” The same student remarked that the presence of these individuals seemed to deter Chinese students from engaging in Falun Gong Club activities on campus.
3. Chinese Student and Scholars Associations (CSSA) have engaged in multiple attempts since 2017 to censor or penalize Falun Gong-related activities on U.S. university campuses, with long-term repercussions even when demands were not met. The associations are known to have ties to local Chinese consulates. In one case, a graduate student and Falun Gong practitioner in Illinois had joined the Chinese Student and Scholars Association (CSSA) to access the resources it offers to international students from China. He reported that Chinese diplomats in the United States caused his removal from the group: “I was told by the then-CSSA President that the Chinese embassy in Chicago asked him to remove me from CSSA due to my involvement in Falun Gong activities. I had a personal website that published content about Falun Gong. I was later told that somehow the Chinese consulate of Chicago has noticed my connection with Falun Gong and asked the then-CSSA administration to remove me from the CSSA.”
4. CCP propaganda demonizing Falun Gong causes apprehension among practitioners and university representatives. University representatives have appeared unprepared for false claims made about Falun Gong and have not always provided equal opportunity for Falun Gong Club representatives to respond.
5. Chinese-language textbooks being used at some U.S. universities contain inaccurate and damaging depictions of Falun Gong.

Case Study: Reprisal Campaign for a Film Screening about Confucius Institutes

A graduate student at a major university in Pennsylvania reported a month-long, coordinated campaign in March and April 2021 aiming to slander and delegitimize the Falun Dafa Club for co-hosting an online screening and panel discussion on the documentary film, *In the Name of Confucius*. The club had hosted the event with the Athenai Institute and Students for a Free Tibet, which the official student government body, the Graduate and Professional Student Assembly (GAPSA) had also helped advertise in their newsletter and social media. The film screening was relevant to campus discussions regarding Confucius Institutes, gifts to the university from China, and the presence of a CSSA club on campus.²⁰

In the week following the event, at least 79 students and former graduates associated with the CSSA sent multiple emails to GAPSA, with complaints that the event promoted by GAPSA was too political. In the emails, the CSSA members claimed

that the Falun Dafa Club, Students for a Free Tibet, and Athenai Institute were “anti-China” organizations with the mission to slander China and Chinese people. They petitioned the association to respond to the claims that the Falun Gong Club had violated university policies, and that the GAPSA promotion of this event was an act of marginalization against the Chinese community on campus.²¹ An investigation revealed, though, that many Facebook posts about the event from Chinese international students revolved around slandering Falun Gong and opposing the Falun Gong Club’s right and eligibility to host events.²² Faculty members involved with GAPSA held a roundtable on March 30, 2021 to address the petition and the “controversy,” inviting groups including GAPSA representatives and CSSA members to attend; however, the Falun Gong Club president was not provided a similar presentation opportunity. During a second meeting, one CSSA member presented a slideshow that included CCP politicized propaganda against Falun Gong, falsely misrepresenting the faith as a “cult.”

After a week of deliberation, the faculty members acknowledged that the Falun Gong Club and its president had not violated any university policies, but the incident nevertheless had a long-term impact. It is unclear if the CSSA members were acting of their own accord or under pressure from Chinese officials, but the attempt fits a pattern reported at other university campuses of Chinese students lodging complaints about events critical of the CCP, claiming they promote anti-Asian hatred.²³ After this stressful and upsetting experience, the Falun Gong Club president went on to hold one last documentary screening of *Letter from Masanjia* about forced labor in China before her graduation that June, but reported experiencing ongoing trauma and anxiety from the harassment. The campaign against *In the Name of Confucius* also affected GAPSA, which did not promote this second documentary screening or future events held by the university’s Falun Gong Club on their social media or in public event notices.

4. Campaign to Monitor and Slander Dragon Springs

Beginning in the early 2000s, Falun Gong practitioners in New York built a campus with Buddhist-style temple buildings modeled on Tang Dynasty architecture. The campus is called Dragon Springs. Today, it also houses two accredited academic institutions—Fei Tian Academy of the Arts and Fei Tian College—and the training center for Shen Yun Performing Arts, an internationally renowned classical Chinese dance company.²⁴

According to leaked CCP documents, targeting this campus for surveillance, espionage, and legal harassment is a priority for the regime. A 2017 document from the CCP’s Henan Provincial Committee states: “Tightly focus on the overseas xie jiao core backbones, the headquarters [Dragon Springs] base and foreign political figures, carefully organize strategies to strike and divide them. Pay close attention to the trend of overseas activities of Falun Gong ... collect early warnings, forward-looking, action-oriented intelligence information, and thus serve the overall struggle situation.”²⁵ The campus has faced vandalism, frequent spying via drones, and localized social media campaigns spreading falsehoods about the campus.

In an unprecedented case, federal prosecutors charged two men on May 26, 2023, with attempting to bribe an IRS official with tens of thousands of dollars in a scheme to help the Chinese Communist Party (CCP) “topple” Falun Gong in the United States.²⁶ Specifically, they were charged with manipulating “the IRS Whistleblower Program, through bribery and deceit,” in an attempt to strip an entity run by Falun Gong practitioners of its tax-exempt status. Given that the bribery targeted an IRS office in Orange County, New York, the intended target was most likely Dragon Springs or Shen Yun Performing Arts, both of which are headquartered in Orange County.

Many who work at the Dragon Springs campus are refugees who escaped religious persecution or survived torture in China. Many have relatives back in China who have faced intimidation, harassment, and even arrest by security forces due to their having family members working at or attending Fei Tian Academy, Fei Tian College, or working for Shen Yun. One recent case is Aihua Liu, the mother of U.S. citizens Steven and Lydia Wang, who was sentenced to four years in prison in China last month. Steven Wang, her son, is a principal dancer for Shen Yun.²⁷

A particularly damaging tactic that the CCP and its apparent proxies have used, has been to weaponize the U.S. legal system by filing baseless lawsuits to harm the reputation of Dragon Springs in the local community and force lengthy, costly legal cases. Since 2019, the campus or its residents have faced three lawsuits by an American national who spent 15 years in Tianjin and then moved to the area, and/or by his associates. The lawsuits purport to relate to environmental protection but are based on mistruths, ultimately failing in court. All three of these lawsuits have been dismissed, but the plaintiffs seem poised to continue filing further suits.

5. Recommendations

The CCP's ongoing campaign against Chinese citizens who practice Falun Gong remains one of the most severe human rights crises and sources of religious freedom violations in today's China. As described above, this campaign of persecution extends internationally. In this context, the Falun Dafa Information Center urges policymakers and members of civil society to take the following steps to condemn, deter, and prevent acts of transnational repression against Falun Gong believers in the United States and around the world.

(A) Take action to protect Falun Gong communities from transnational repression

1. Punish diplomats who engage in intimidation, harassment, surveillance, or pressuring members of the Chinese diaspora to marginalize Falun Gong or take action against practitioners. Declare diplomats who commit transnational repression against Falun Gong targets persona non grata.
2. Investigate and prosecute anyone who assaults Falun Gong practitioners who were peacefully exercising their right to free speech, as authorities in New York City have done.
3. Investigate proxy groups, such as the 610 Office-linked Anti-Cult Association, that are at the forefront of harassing Falun Gong practitioners in locations such as Flushing, NY.
4. Investigate digital surveillance of Falun Gong communities and pressure China-based companies like Tencent or ByteDance to be transparent about moderation policies and data collection. Urge them to avoid censorship and surveillance of Falun Gong-related information on popular apps such as WeChat and TikTok outside of China.
5. Ensure that expanding activities to monitor and prevent transnational repression include Falun Gong. Relevant actions could include making sure that those working on transnational repression receive minimal education on Falun Gong, that engagement with vulnerable communities to collect incidents includes Falun Gong, and that transparency enforcement for foreign agents includes additional entities that demonize or harass Falun Gong believers. Ensure that local Falun Gong community representatives are aware of any available channels to report incidents of transnational repression.
6. Actively welcome and support Falun Gong refugees fleeing China, including by ensuring that asylum officers and others in the immigration system evaluating applications receive at least a minimal education on Falun Gong.
7. University faculty, administrators, and relevant U.S. Government agencies must take further action to preempt, monitor, deter, and counter CCP activities that undermine freedom of expression, freedom of belief, and non-discrimination for Falun Gong practitioners and for others on campus.
8. Representatives from relevant congressional committees and U.S. Government agencies—such as the National Security Council, Department of Homeland Security, and Department of State—should meet with Falun Gong representatives, torture survivors, victims of transnational repression, and relatives of jailed practitioners outside China. This will enable them to receive up-to-date information about conditions in China. Given the severity of the persecution in China and risk of reprisals, it is too dangerous for local adherents to meet with foreign government officials inside the country. As such, U.S. officials and diplomatic staff should make a particular priority of meeting with Falun Gong practitioners prior to their travel to China or during visits to their home country. High-level officials, including presidents, vice presidents, prime ministers, secretaries of state, and religious freedom ambassadors should also meet with Falun Gong torture survivors, victims of transnational repression, or relatives of jailed practitioners to better understand conditions in China and to signal support for their freedom.

(B) Vocally condemn transnational repression against Falun Gong in public and private

1. U.S. officials should make public statements condemning incidents of transnational repression targeting individual Falun Gong practitioners and their families.
2. In meetings with Chinese counterparts, officials should call for the halt of transnational repression of Falun Gong practitioners, including at the highest levels of diplomacy.

3. When preparing to meet with consular officials, make use of publicly available resources or queries to the Falun Dafa Information Center to ascertain conditions of transnational repression.
4. Local, state, and federal officials should make public statements on key anniversaries, such as May 13 (World Falun Dafa Day) and July 20 (the date of the CCP's launch of its violent persecution)—that express support for U.S. residents and citizens who practice Falun Gong and condemn ongoing transnational repression.
5. Members of Congress, the U.S. Ambassador to China, and human rights groups should advocate for the release of imprisoned Falun Gong practitioners, especially those with family members residing outside China.

[ENDNOTES follow on next three pages.]

ENDNOTES:

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- ¹³ “Suspect in New York Charged with Third Degree Assault for Attacking Falun Gong Volunteers,” Falun Dafa Information Center, February 23, 2023,

<https://faluninfo.net/suspect-in-new-york-charged-with-third-degree-assault-for-attacking-falun-gong-volunteers/>

¹⁴ Personal interview conducted by the Falun Dafa Information Center with David Fang, September 3, 2023.

¹⁵ “Chinese Thug Arrested for Hate Crime Against Falun Gong in New York City,” Falun Dafa Information Center, February 23, 2022, <https://faluninfo.net/chinese-thug-arrested-for-hate-crime-against-falun-gong/>

¹⁶ Interviews with Falun Gong practitioners from Houston who wished to remain anonymous.

¹⁷ “Young Man Assaults Falun Gong Practitioner in Australia, Found Guilty by Court,” Falun Dafa Information Center, March 20, 2023, <https://faluninfo.net/young-man-assaults-falun-gong-practitioner-in-australia-found-guilty-by-court/>

¹⁸ London: Chinese Man Sentenced to Prison for Assaulting Falun Dafa Practitioners in Chinatown,” Minghui, April 12, 2022, <https://en.minghui.org/html/articles/2022/4/12/199882.html>.

¹⁹ “Surveillance, Slander, and Censorship: How the Chinese Communist Party’s Persecution Impacts Falun Gong Believers on US University Campuses,” Falun Dafa Information Center, <https://faluninfo.net/university/>

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²¹ “Members of GAPSA Letter and Petition,” <https://cloud.falundafainfocenter.org/index.php/s/odRyy4racE4Jjft>

²² International Chinese students took to Facebook and other social media promotion posts for the event to defame the Falun Dafa Club. <https://www.facebook.com/UPennGAPSA/photos/a.396584083685914/5556632307681040/>

²³ At Purdue University, for example, graduate student Zhihao Kong publicly posted support for victims of the Tiananmen Square massacre in 1989, and quickly received threats from other Chinese students at Purdue and even the Ministry of State Security warned his parents to prevent Kong’s participation in future events. <https://www.propublica.org/article/even-on-us-campuses-china-cracks-down-on-students-who-speak-out>

²⁴ Dragon Springs Official Website, <http://www.dragonsprings.org/>

²⁵ “从迫害法轮功文件看中共对美渗透! Chinese Communist Regime’s Infiltration of the United States –Evidence from Policy Documents on Persecution of Falun Gong,” Falun Dafa Information Center, https://faluninfo.net/wp-content/uploads/2022/11/CCP_Infiltration_FG_LeakedDocs_Chn_Eng-22-0902-1.pdf

²⁶ “Illegal Agents of the PRC Government Charged for PRC-Directed Bribery Scheme,” U.S. Department of Justice Office of Public Affairs, May 26, 2023, <https://www.justice.gov/opa/pr/illegal-agents-prc-government-charged-prc-directed-bribery-scheme>

²⁷ “Mother of Steven and Lydia Wang,” Falun Dafa Information Center, <https://faluninfo.net/mother-of-stein-wang/>

THE CCP'S TRANSNATIONAL REPRESSION OF EMERGING ACTIVISTS
AFTER THE WHITE PAPER MOVEMENT

INTRODUCTION

My name is Zhou Fengsuo, and I am a former Tiananmen student leader and current Executive Director of Human Rights in China, a New York-based organization that advocates for a more just and democratic Chinese future. I am honored to provide testimony on the situation of Chinese students in the United States, which grows more and more precarious with each passing day. Due to my position as a long-time activist, I have been lucky enough to meet with hundreds of young overseas Chinese activists and hear their stories. Last year, frustration with the Chinese government's repressive policies finally overflowed and sparked the White Paper Movement, where individuals—mostly students and young people—around the world protested against CCP censorship and repression. In the aftermath of these protests, the CCP has cracked down on anyone who was involved, and has especially targeted students on U.S. campuses.

Chinese students in the United States played a critical role in the White Paper Movement. It was their mobilization that eventually forced the CCP to change their policies. The White Paper protests demonstrated that student activism abroad is a crucial method of putting pressure on the Chinese government. We believe that in the future, activism outside of China will continue to be highly influential, and it is imperative that we support emerging activism with the goal of promoting change in China.

However, activism organizations and individual activists all over the world are now facing harassment and retaliation from the CCP because of their activities during the White Paper protests. This lack of security is the main obstacle they are facing. Pushing back on the long arm of the CCP and resisting its transnational repression is key to ensuring the future success of the organizations formed after the White Paper Movement.

From those who have been brave enough to share their situations with us, we know that the CCP mostly collects information through online surveillance, as well as through pro-CCP student informants. We also know that the two most common strategies for suppressing activist voices are detaining them for questioning if they return to China, and holding their parents hostage until they agree to stop their activities or even become informants themselves. In the past year, I have traveled across the globe to meet with young activists who have been targeted in the aftermath of the White Paper Movement, learn their concerns, and discuss how to best support and protect them. Below, I will share just a few of their stories.

THE CCP HARASSES ACTIVISTS TO INSTILL FEAR

I have interviewed dozens of activists in North America and Europe who became involved in the pro-democracy movement following the White Paper protests. Many of them are young college students or recent graduates who became involved in activism on their college campuses. Their level of "activist" activity ranges from those who merely post anti-CCP messages on social media to those who attend protests and try to rally their fellow students.

Many students have told me similar stories of harassment from Chinese police. Often, there is some key moment of exposure—a phone number revealed online, a viral social media post, or a classmate turned informant. There are even cases of email addresses found by Chinese police through website accounts that should have only been visible to employees of a U.S. company, which suggests that CCP agents have managed to access some internal databases.

Once an overseas activist is on the radar of the authorities, the Chinese police often use one of two strategies: hostage-taking or direct interrogation. The first strategy involves Chinese police going to the home of the activist's parents, calling the activist, and forcing their parents to ask specific questions about their activities and other contacts before demanding that they stop whatever anti-CCP actions they have been engaged in. There is, of course, an implicit (or explicit) threat to their parents if they do not comply. This strategy is especially common among young overseas activists because so many of them have parents back in China, who are an easy target for retaliation.

The second strategy is to detain and question the young activists themselves, usually when they return home to see their families in China. Students have told me

about being taken away by police and interrogated for over ten hours at a time. Especially for young people with little experience in this arena, such detentions are terrifying. The police threaten their families and tell them they will be thrown in jail for years in order to elicit a “confession.” Many were interrogated many times over the same kind of question in order to break their spirit and find inconsistencies. Some were put in a hotel and questioned for weeks.

No matter which strategy the police employ, the intent is clearly to frighten the activist into stopping their activities, and to collect information about their networks. Police often demand that the activists themselves become informants and spy on other overseas students and organizations.

I have heard similar stories from activists across the U.S., Canada, and Europe. In Europe, several activist organizations are all but dissolved after constant harassment from CCP agents made them too afraid to contact one another. Some told me they were even followed, despite living outside China, which made them so afraid they ceased their activities altogether and went into hiding. A student on an American campus was threatened with violence by a classmate, who told her he would hurt her so she couldn’t continue to post anti-CCP content.

CONCLUSIONS

From speaking with activists, I have learned several key facts about the CCP’s tactics for transnational repression. First, the significance of the internet for surveillance purposes cannot be overstated. It enables direct surveillance by CCP agents and creates new platforms for self-censorship. Second, students who support the CCP pose a threat to Chinese students’ freedom of speech. They may report on their classmates, or threaten them directly. Third, the fact that most Chinese students have family members back home makes them uniquely vulnerable to “hostage”-style questioning and pressure from the authorities.

So far, it seems that most of the information the Chinese police have on activists comes from online surveillance of social media and websites. But there are still real concerns about informants within the Chinese diaspora community. Even though the recent activities by U.S. law enforcement against informants have been widely positively received by the Chinese activist community, they need direct and concrete support from universities and the government in protecting their safety from the CCP’s still-pervasive influence, both online and on the ground.

From Chinese students’ point of view, these are real, serious risks that create a chilling effect on activism and speech. The situation does not show signs of improvement; to the contrary, concerning cases have proliferated in recent years. We should seek to protect Chinese students and enable them to enjoy the freedom of speech that should be guaranteed in America.

PROPOSALS

1. Universities should be proactive in protecting the right to free speech of Chinese students, especially against material risks:
 - a. New students who arrive should be given some sort of rights training, with an emphasis on free speech;
 - b. Students should be warned that they can be prosecuted for threats or for taking threatening action against other students;
 - c. Chinese Scholars Associations (CSAs) have been an extension of the CCP’s influence on college campuses. These organizations harbor student informants and create a chilling environment of fear for Chinese student communities. They should be required to disclose their association with the Chinese Embassy and other affiliates.
2. Students faced with CCP repression often feel confused and afraid, which renders them unable to resist under pressure. We need to establish channels to connect Chinese students with relevant government offices and institutions so that incidents can be understood quickly, and help can be provided in an effective, safe, and timely manner.
3. Online surveillance and data leaks should be a major concern for legislation and enforcement.
4. Facebook recently removed many accounts that are associated with disinformation. All major social platforms should crack down on these fake accounts.



Written Testimony of

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**Before the
Congressional-Executive Commission on China**

**Hearing on
Countering China's Global Transnational Repression Campaign**

September 12, 2023

The Hong Kong Government's Escalating Transnational Repression Campaign

Anna Kwok

Executive Director, Hong Kong Democracy Council

Overview

Chairman Smith, Co-Chairman Merkley, Ranking Member Rubio, Vice Ranking Member McGovern, members of the Commission: thank you for inviting me to submit my testimony at this hearing.

The past year has seen an unprecedented rise in transnational repression directed at Hong Konger activists overseas. I myself am a target of this new wave of transnational repression: in the time since I last testified before the Commission in May, a warrant has been issued for my arrest in connection with offenses under Hong Kong's National Security Law (NSL), in part because of my advocacy on Capitol Hill.

As I submit my written testimony, I wish to reaffirm my dedication to fighting for our fundamental rights and freedoms. Hong Kongers will keep working toward attaining our rights and freedoms, and we need all of the support we can get in the fight against China's totalitarianism.

This escalation of the Hong Kong SAR (HKSAR) government's transnational repression campaign demands a swift response from the United States. I urge the United States government to respond across multiple fronts: first, create humanitarian pathways for Hong Kongers to better protect their personal safety; second, hold accountable the actors responsible for this campaign of harassment and intimidation; and third, create new tools to protect those subject to transnational repression.

Arrest warrants and bounties on overseas activists

On the morning of July 3, 2023, I awoke to find that the National Security Department of the Hong Kong Police Force had issued a warrant for my arrest and placed a \$HK 1 million bounty on my head. This is the first time the HKSAR government has issued bounties for overseas political activity under the NSL. The bounty on my head is higher than the bounties issued for suspects in violent crimes, including those who are accused of murder and arson.

I am not the only Hong Kong activist subject to this new wave of transnational repression. These overseas warrants and bounties have targeted a diverse array of people residing all around the world. In total, eight of us, living in the United States, the United Kingdom, and Australia, had warrants issued for our arrest that day: in addition to three activists—myself, Nathan Law, and Finn Lau—police issued warrants against Ted Hui and Dennis Kwok, both former opposition lawmakers; Kevin Yam, a legal expert; Christopher Mung, a trade unionist; and Elmer Yuen, a former businessman. The regime is expanding the scope of its crackdown to include all forms of political opposition abroad. All manner of people – no matter where you live or what you do – can be



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targeted under the unlimited authority of the NSL once the regime deems you a threat to its authoritarian rule.

I want to emphasize the nature of the accusations against me: the warrant for my arrest was not issued in connection with anything I did in Hong Kong. In fact, the allegation that I “collud[ed] with foreign forces”¹ came directly and exclusively from my advocacy for universal values – human rights and fundamental freedoms – while living in America. It is well within my political rights in the United States to meet with members of Congress and to express my opinions of the Chinese and HKSAR governments. Nonetheless, the regime wishes to politically persecute me based on my exercise of basic rights in the United States. These latest NSL warrants show the regime’s intention to intimidate and silence Hong Kongers living outside the city. In another example, Kevin Yam has been charged with “collusion with foreign forces” for exercising his right as an Australian citizen to contact his elected representatives.²

The regime has stripped Hong Kongers of their political rights domestically in the city of Hong Kong, causing Hong Kongers to flee and bid farewell to the home they held to heart, thinking it could be a new beginning to find space for exercising the rights they were born with. But the regime follows. Now, the regime attempts to continue its campaign of heavy-handed repression by threatening our rights internationally, sending the message that once you are a Hong Konger, you do not deserve any political rights, no matter where or when.

Not only are these arrest warrants an absurd overreach on the part of Hong Kong law enforcement, they are also a clear use of the NSL as a tool of transnational repression, and a crystal clear reflection of the regime’s determination to strip people of their human rights and fundamental freedoms.

Harassment of overseas activists’ associates and family members

The HKSAR government’s campaign of transnational repression is also carried out through psychological intimidation. HKSAR law enforcement authorities have begun to interrogate and harass the family, friends, and former colleagues of overseas activists. My own family has been subject to interrogation and harassment by national security agents in Hong Kong.

On August 8, 2023, one month after the issuing of the warrant and bounty for my arrest, my parents were taken from my family home to a police station in what I believe was an attempt to intimidate me into silence. Police claimed, without evidence, that my parents were “suspected of assisting persons wanted by Police to continue to commit acts and engage in activities that endanger national

¹ Soo, Zen. “Hong Kong police offer rewards for arrests of 8 overseas pro-democracy activists,” ABC News, July 3, 2023. <https://abcnews.go.com/International/wireStory/hong-kong-police-offer-rewards-arrests-8-overseas-100606081>

² Handley, Erin. “Australian-based activists Ted Hui and Kevin Yam slam Hong Kong arrest warrants,” Australian Broadcasting Corporation, July 4, 2023. <https://www.abc.net.au/news/2023-07-04/hong-kong-activists-ted-hui-kevin-yam-slam-arrest-warrants/102558222>



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security,” a baseless and false allegation.³ Two weeks later, my eldest brother was taken away from his home, and my second brother ‘invited’ to an interrogation session with national security authorities. They were all released after hours of interrogation, but the possibility that they will be taken away, interrogated, and harassed in the future remains.

Other wanted activists living overseas have seen their families and friends interrogated and harassed as well. In the time since warrants were issued for their arrest, Dennis Kwok, Christopher Mung, Nathan Law, and Elmer Yuen have seen their families’ homes searched by police and their family members questioned by national security agents. Seven former associates of Nathan Law have also been arrested in connection to his case, with two more subject to police interrogation. At the time of this hearing, 37 family members and former associates of the eight of us wanted overseas activists have been taken away for questioning or arrested by Hong Kong police, with 12 more arrested since last month on similar charges of foreign collusion.⁴

This harassment of overseas activists’ family members and former associates represents a new level of escalation on the part of the HKSAR government. While the targeting of dissidents’ family members is a tactic commonly used by mainland Chinese law enforcement and intelligence authorities, these methods had not been widely used against Hong Kong dissidents until two months ago. The Chinese government is trying to rapidly swallow up Hong Kong – once a relatively free society compared to mainland China – into the maw of China’s notorious law enforcement system. The international community and businesses should seriously think twice if they are still under any illusions that Hong Kong remains a buffer zone between mainland China and the free world.

Intimidation of overseas activists & activist networks

While the arrest warrants and bounties target only the eight of us on paper, the regime’s intention is to intimidate the entire overseas Hong Konger network – which has been vibrant and successful in campaigning against the HKSAR government – into silence.

From the example of the eight of us and our families, overseas activists are now aware that they may be targeted indiscriminately with arrest warrants based on spurious national security charges. They

³ Leung, Hillary, “Parents of wanted overseas Hong Kong activist Anna Kwok questioned by national security police – reports,” Hong Kong Free Press, August 8, 2023.
<https://hongkongfp.com/2023/08/08/breaking-parents-of-wanted-overseas-hong-kong-activist-anna-kwok-questioned-by-national-security-police-reports/>

⁴ This includes the July 5 arrest of four former members of Nathan Law’s defunct former party, the July 6 arrest of one former member of Nathan Law’s former party at the airport, the July 11 questioning of Nathan Law’s mother, father, and brother, the July 13 questioning of one former member of Nathan Law’s defunct former party and two other unknown individuals, the July 18 questioning of Christopher Mung’s brother, sister-in-law, and niece, the July 20 questioning of Dennis Kwok’s mother, father, brother, and sister-in-law, the July 24 questioning of the son, daughter, and daughter-in-law of Elmer Yuen, the July 27 arrest of two former members of Nathan Law’s defunct former party, the August 3 questioning of Elmer Yuen’s ex-wife, son, and daughter, the August 8 questioning of my parents, the August 10 arrest of ten unknown individuals on suspicion of “conspiracy to collude with foreign forces” for allegedly conspiring with the defunct 612 Humanitarian Relief Fund to receive donations from Overseas organisations to support overseas activism, the August 18 questioning of a former associate of Nathan Law’s defunct former party, the August 19 questioning of Nathan Law’s sister-in-law, the August 22 questioning of my two brothers, and the August 22 arrest of two more individuals in connection with their work for the defunct 612 Humanitarian Relief Fund.



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know that bounties may be issued for their arrest. They are concerned that their families and friends may even be arrested or taken away for questioning by HKSAR national security agents.

This latest escalation by the HKSAR government significantly increases the risks for Hong Kongers engaged in activism abroad, forcing every Hong Konger committed to the cause of freedom to reassess the danger not just to themselves, but also to their family and friends who remain in Hong Kong. When risks extend to people we care about, the hesitation we feel is inevitably stronger.

Though I remain confident in the determination of every Hong Kong freedom fighter to continue on our path to freedom and democracy, I am acutely aware that this escalated campaign of transnational repression will make our work more difficult, closing off lines of communication and forcing activists to adopt new security measures to protect themselves and their identities. The psychological burden on each individual will also sow mistrust and fear in the community, which may impact the open communication that keeps our community tight and coherent.

I am distinctly worried about the chilling effect that this newest wave of transnational repression is designed to produce. It is clear to me that the HKSAR government wants to use these latest intimidation tactics to discourage Hong Kongers from participating in any kind of political activity. In effect, the ramping up of transnational repression on the part of the HKSAR authorities seeks to criminalize almost all forms of political expression overseas related to democracy in Hong Kong. This certainly threatens the safety of the highest-profile activists, but it also serves to intimidate those who have relatives in Hong Kong or plan to return to the city, demonstrating that there is no place they can safely express their beliefs without endangering themselves or their loved ones.

Policy recommendations

It is within the power of the United States government to respond – with actions – to this growing crisis. A robust response to the HKSAR government’s campaign of transnational repression is in line with the United States government’s expressed commitment to dealing decisively with attempts by foreign autocrats to repress people living in America. This is an area where the United States can clearly demonstrate its leadership on the global stage in a way that will lessen the harm to individuals when the Chinese and HKSAR governments conduct transnational repression, and potentially deter them from doing so.

First, I urge the members of the committee before me to exercise their power as legislators to offer humanitarian pathways for Hong Kongers. Chief among the options available is the use of the Priority Two (P-2) refugee program, which would allow Hong Kongers to travel to a third country, where they can be vetted for security concerns before resettling in the United States. Such a program would be of substantial benefit to Hong Kongers who remain in danger in the city, and it will send a strong message to the world that America stands with people subject to repression everywhere.

Furthermore, I implore the Biden administration to upgrade the existing Deferred Enforced Departure (DED) program, which protects Hong Kongers who overstay their visas from deportation,



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to Temporary Protected Status (TPS), which would help create greater security for Hong Kongers facing transnational repression in the United States by giving them a legal status and basis to stay in the United States. Without humanitarian pathways that allow them to live safely and securely in the United States, many activists do not feel that they can take on the risk of continuing their advocacy in the face of this latest wave of transnational repression.

Additionally, sanction NSL prosecutors and judges. The politically motivated charges used to intimidate overseas activists and harass their friends and family would be impossible to enforce without the complicity of NSL prosecutors and judges. I urge the United States government to move quickly, following the recommendations of this commission, to sanction judges and prosecutors who work on NSL cases. It is important not only that the United States substantively signal its opposition to these politically motivated prosecutions, but also that the U.S. proactively move to hold accountable the people carrying out transnational repression.

Congress must also move against another key element of the Hong Kong government's influence in the United States: the Hong Kong Economic and Trade Offices, which, as my colleague Mason Wong will explain, engage in a wide range of tactics to further transnational repression against individuals in the U.S. and abroad. I strongly support the passage of the HKETO Certification Act (H.R.1103/S.490), which would allow for the revocation of the unwarranted legal privileges enjoyed by these offices in the United States.

Finally, I want to note that current legal tools may not be enough to protect Hong Kongers subject to transnational repression. Successful extraterritorial application of the NSL would require international cooperation from members of the International Criminal Police Organization (INTERPOL). I urge all INTERPOL member countries, especially the countries hosting Hong Konger activists targeted by the NSL and any countries to which such activists might travel, to protect people subject to transnational repression.

The Chinese government has a long history of abusing INTERPOL to target political enemies abroad, and I suspect that the Hong Kong police may follow suit by issuing requests for INTERPOL member countries to arrest or seize the assets of activists living abroad. In order to combat abuses of INTERPOL authority, the United States must, at the earliest possible opportunity, pass the Transnational Repression Policy Act (S.831), which would prohibit U.S. law enforcement authorities from arresting any individual or seizing their assets based solely on an INTERPOL Red Notice or a cooperation request from another INTERPOL member country.

Conclusion

As I and other Hong Kongers continue to fight on despite the threats posed by transnational repressive efforts, we look to the United States for concrete actions that can deter the Chinese and HKSAR governments' attempts to threaten us and infringe on America's national security interest in protecting those living within its borders. China can only be held accountable when we work together.



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The United States must respond to the HKSAR government's escalating campaign of transnational repression by creating humanitarian pathways for Hong Kongers and holding HKSAR security officials accountable. It can also pass new laws to thwart the HKSAR's campaign of intimidation and protect targets of transnational repression.

Thank you, Commissioners, for your continued support of Hong Kong, and for drawing attention to this important issue. I am sure Hong Kongers around the world can continue to count on you as steadfast allies in our fight for freedom.



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Transnational Repression and the Hong Kong Economic and Trade Offices

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Overview

Thank you to Chairman Smith, Co-Chairman Merkley, Ranking Member Rubio, Vice Ranking Member McGovern, and the distinguished members of the CECC for the opportunity to submit my testimony to the Commission.

The Hong Kong Economic and Trade Offices (HKETOs) are the HKSAR government's representative offices in the United States, first established during the British colonial era to promote Hong Kong's commercial ties with America. In 1997, after the handover of Hong Kong to the People's Republic of China, the HKETOs were granted new privileges, exemptions, and immunities under the twin assumptions that the nature of their work would not change and that Hong Kong would remain free from Chinese interference after the transfer of sovereignty.

In the last decade, however, as both of these assumptions have proven false, the HKETOs have shifted from trade representative offices to what the co-chairman of this commission deftly referred to as "propaganda arms of the Chinese government."⁵ My testimony today is focused on how this shift corresponds with the HKETOs' growing role in the HKSAR government's ongoing transnational repression campaign.

In the last decade, the HKETOs have played a multifaceted role in the HKSAR government's attempts to harass, surveil, and discredit overseas activists. HKETOs are directly involved not only in the surveillance of Hong Kongers living in the United States, but also in attempts to discredit and defame Hong Kong activists around the world.

More broadly, the HKETOs have led a long-running campaign to promote the interests of the Chinese government to American political actors, spending millions of dollars in an attempt to influence American lawmakers, executive-branch officials, and state government employees. In my view, these political activities are part of an integrative project aimed at counteracting the work of Hong Kong democracy advocates in the United States and abroad.

The United States can take several steps to address this key element of the HKSAR government's transnational repression campaign. First, I urge Congress to pass the HKETO Certification Act (H.R.1103/S.490), which would allow the government to curb the HKETOs' malign influence in the United States. Secondly, I encourage Congress to pass the Transnational Repression Policy Act

⁵ U.S. Senator for Florida, Marco Rubio. "Rubio, Merkley Applaud SFRC Passage of Bill to Remove CCP-Controlled Hong Kong Economic and Trade Offices from U.S." Press release, July 13, 2023, <https://www.rubio.senate.gov/rubio-merkley-applaud-sfrc-passage-of-bill-to-remove-ccp-controlled-hong-kong-economic-and-trade-offices-from-u-s/>.



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(S.831), which would give law enforcement the tools it needs to combat transnational repression and increase interagency cooperation on this important issue.

HKETO Surveillance of Overseas Activists

In recent years, HKDC has learned of multiple instances in which the HKETOs are active participants in the surveillance and intimidation of Hong Kongers living in the Washington, D.C. area.

I have been made aware that in at least one instance, Hong Kongers residing in the D.C. area have been questioned by an HKETO official attempting to gather information about members of our team. In other instances, HKDC has learned from members of the overseas Hong Kong community that they have been photographed by individuals inside of the Washington HKETO while attending political events outside of the HKETO building. This corresponds with reports HKDC has received—as well as the personal observations of HKDC team members—regarding the presence of suspicious photographers observing D.C.-area Hong Konger protests from afar.

Furthermore, based on both my observations and the statements of Hong Kongers in the D.C. area, HKETOs also regularly report peaceful protests by pro-democracy Hong Kongers to U.S. law enforcement authorities in an attempt to disperse these gatherings. To my knowledge, none of these attempts have been successful thus far, although their mere existence indicates an effort by the HKETOs to disrupt the peaceful political expression and assembly of Hong Kongers overseas.

HKETO Efforts to Discredit Overseas Activists

In addition to their work directly surveilling overseas Hong Kongers engaged in political activity, HKETOs in the United States are also spearheading an international propaganda effort meant to malign activists and whitewash the behavior of the Hong Kong government. Specifically, the U.S. HKETOs frequently issue tendentious letters to major American news organizations seeking to advance pro-government narratives, both about particular individuals and the broader political situation in Hong Kong.

In the past two years, the HKETO in Washington, D.C. has sent 18 such letters to the Wall Street Journal and Bloomberg News. These letters are often aimed at repeating unproven allegations of criminality and illicit behavior in an attempt to smear overseas activists. In my view, some of this activity likely falls under the type of transnational repression described in Section 2(B)(xiv) of the Transnational Repression Policy Act: the use of “slander and libel to discredit individuals.”⁶

As an illustrative example, I want to draw specific attention to a letter dated July 10, 2023 and issued by the Washington HKETO to the editor of the Wall Street Journal, in which a senior Hong Kong government official attacks the credibility of the activist, lawyer, and former opposition lawmaker

⁶ Transnational Repression Policy Act, S.831, 118th Cong., Sec. 2., (2023).



Ted Hui Chi-fung. Among other claims, the letter accuses Mr. Hui of engaging in “evil acts” including “furnishing false documents” to a court in Hong Kong, labeling him a “liar without credibility.”⁷

As I have expressed above, it is my view that this attack on Mr. Hui’s reputation cannot be viewed as separate from the HKSAR government’s ongoing campaign of transnational repression. In the time since Mr. Hui has fled Hong Kong based on a well-founded fear of political persecution, he has seen his financial assets frozen on political grounds, had multiple warrants, a sizable bounty, and three *in absentia* convictions issued against him, and been physically threatened by an unknown individual, all while living overseas.

In this context, we can observe that the latest attack on Mr. Hui’s reputation is only one part of a concerted effort on the part of the HKSAR government to silence him. Thus, this letter serves as a clear example of an HKETO participating in a transnational repression campaign targeted at a prominent overseas dissident. Notably, the aforementioned letter is also signed by Hong Kong Secretary for Security Chris Tang Ping-keung, who has already been sanctioned by the United States government for “coercing, arresting, detaining, or imprisoning individuals under the authority of the National Security Law”: another indication that the HKETOs are at the forefront of efforts directed by Hong Kong authorities to repress dissident activity abroad.⁸

It is also worth mentioning that because of the coordinated nature of the Hong Kong SAR government’s transnational repression efforts, the U.S. HKETOs’ role in transnational repression does not just affect the Hong Kong activists who live in the United States. Ted Hui is currently residing in Australia, and holds neither permanent residency nor citizenship in the United States. However, an HKETO in the United States is engaged in an effort to tarnish Mr. Hui’s reputation with American media outlets and audiences nonetheless.

More generally, public correspondence sent by the Washington HKETO to the editors of major U.S. news outlets tend to focus on broadly discrediting overseas activists by labeling them as criminal fugitives. Though not all of these attacks may be libelous in the way that the specific allegations of fraud against Ted Hui likely are, we should nevertheless see these propaganda efforts by the HKETOs as supplementary to broader efforts to harass overseas activists through arrest warrants, bounties, and other legal tools.

HKETO Attempts to Influence U.S. Legislation

For nearly a decade, the HKETOs have engaged in a lobbying campaign meant to promote the interests of the Chinese government and HKSAR authorities at the expense of Hong Kong’s democracy movement. While these lobbying efforts are not a direct form of transnational repression, they nonetheless bolster the transnational repression policies of the HKSAR government and serve as an important part of the way in which HKSAR authorities respond to democratic activism overseas.

⁷ Tang, Ping-keung. “S for S’ letter to Wall Street Journal.” Hong Kong Economic and Trade Office, Washington, D.C., July 10, 2023. <https://www.hketowashington.gov.hk/letters/071023.pdf>

⁸ “Treasury Sanctions Individuals for Undermining Hong Kong’s Autonomy,” U.S. Department of the Treasury, August 7, 2020, <https://home.treasury.gov/news/press-releases/sm1088>.



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As documented in HKDC's report *The Counter-Lobby Confidential: How Beltway Insiders Do the Hong Kong Government's Bidding* and its accompanying SAR Government Lobbying Influence Database, lobbyists directed by the HKETOs have had more than 1,000 interactions with American politicians and government officials since January 1, 2014.

In many cases, these meetings are attempts to induce American lawmakers and government officials to not adopt policies that would allow the United States to hold accountable those responsible for repression both in Hong Kong and transnationally. In one example, Venable LLP, a major American lobbying firm, was paid to "prevent or minimise any negative impact that action taken by the US, including action against Hong Kong's major trading partners, may have on the economic well-being of Hong Kong."⁹ More specifically, HKDC's database documents many attempts in the last 10 years by HKETO-directed lobbyists to oppose sanctions legislation, including the landmark Hong Kong Human Rights and Democracy Act (Pub. L. 116–76). Recently, HKDC's database has also documented attempts by HKETO-directed lobbyists to collect political intelligence on the status of comprehensive China legislation in the United States Congress.

In my view, these lobbying efforts provide a strong backstop to the HKSAR government's transnational repression campaign. As my colleague Anna Kwok has observed, the use of sanctions and other legal tools to hold human rights abusers accountable is one key way the United States can respond to transnational repression. By attempting to block these efforts in Congress, the HKETOs help protect those responsible for transnational repression from facing consequences for their actions.

We should not consider these lobbying efforts to be a minor part of the HKSAR government's transnational repression campaign. As Appendix 1, drawn from HKDC's database, shows, this campaign to dull the United States' response to human rights violations in Hong Kong has spanned nearly a decade and involved an outlay of some US\$15 million in funds from the HKSAR government.

This lobbying campaign has also been enabled by a complex network of organizations which are worth investigating on their own, both because of their role in shielding perpetrators of transnational repression and because of their attempts to influence American politics writ large. In part, the sophisticated lobbying operation led by the HKETOs has escaped scrutiny simply because of the convoluted nature of the parties involved: as noted in Appendix 2, while lobbyists report to the HKETO in Washington, D.C., they are financed by a separate body of the Hong Kong government, the Hong Kong Trade Development Council (HKTDC), allowing the lobbyists to disguise their activities supporting transnational repression as advocacy on behalf of a trade-focused organization.

Finally, I would be remiss not to draw attention to the fact that a great number of the individuals who carry out these lobbying campaigns to protect the HKSAR government from accountability are

⁹ U.S. Department of Justice NSD/FARA Registration Unit, *5931-Exhibit-AB-20190520-11*, submitted by Venable LLP on 1 April 2019, Washington, D.C.: U.S. Department of Justice, 2019, <https://efile.fara.gov/docs/5931-Exhibit-AB-20190520-11.pdf>



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well-connected Americans with deep experience in Congress and the federal government; in many cases, they are themselves former members of Congress. As noted in Appendix 3, drawn from HKDC's database, former legislators, former executive-branch officials, and former political staff from both parties have helped lobby against harsher U.S. action on Hong Kong.

Policy recommendations

Because of their well-documented role in defaming and surveilling overseas activists, as well as their lobbying campaigns against human rights-related legislation, the HKETOs should be considered a malign foreign-government operation that menaces activists in America and attempts to protect those who carry out transnational repression from accountability. It is of the utmost importance that the United States respond to the activities of the HKETOs.

In my view, the easiest way to curb the activities of the HKETOs is to pass legislation that would allow the President of the United States to revoke the HKETOs' special quasi-diplomatic privileges, namely the aforementioned HKETO Certification Act. I understand that the closure of the HKETOs may seem like an unusual escalation in terms of the United States' posture towards Hong Kong. However, the case for revoking the HKETOs' privileges is clear: the HKETOs fulfill no essential consular, representative, or diplomatic functions and are not key facilitators of the United States' diplomatic relationship with any other country. As neither embassies nor proper consular offices, the HKETOs exist in the United States only because of a set of special legal privileges, which their role in supporting transnational repression indicates they no longer deserve to enjoy.

Echoing my colleague Anna Kwok's call for the United States to hold those responsible for advancing transnational repression campaigns accountable, I urge Congress to pursue a vigorous investigation of not only organizations like the HKTDC which help extend the HKSAR government's influence in the United States, but also the specific lobbyists who have represented, or continue to represent, the HKSAR government.

I also want to express my unreserved support for the passage of legislation that specifically addresses transnational repression. As mentioned in my discussion of Ted Hui's case, the Transnational Repression Policy Act contains provisions that would specifically address the types of activities against dissidents carried out by the HKETOs, be it surveillance or the tarnishing of their reputations before major American media outlets. In lieu of the revocation of the HKETOs' legal privileges, the passage of the Transnational Repression Policy Act would also allow U.S. law enforcement more latitude to investigate the political activities of the HKETOs as they pertain to the harassment or monitoring of overseas Hong Kongers.

Conclusion

The HKETOs in the United States are a key nexus of the HKSAR government's global campaign of transnational repression, surveilling and smearing dissidents on behalf of the HKSAR government.



Importantly, the HKETOs are also engaged in an active effort to stop the United States from taking action against human rights abusers in the HKSAR like the ones directing the HKSAR government's transnational repression campaign. In light of the recent escalation of the HKSAR government's transnational repression campaign, the United States must move swiftly to protect Hong Kongers in the United States from those that seek to enable transnational repression, including the HKETOs.

I thank the members of the Commission for their attention to this pressing matter.



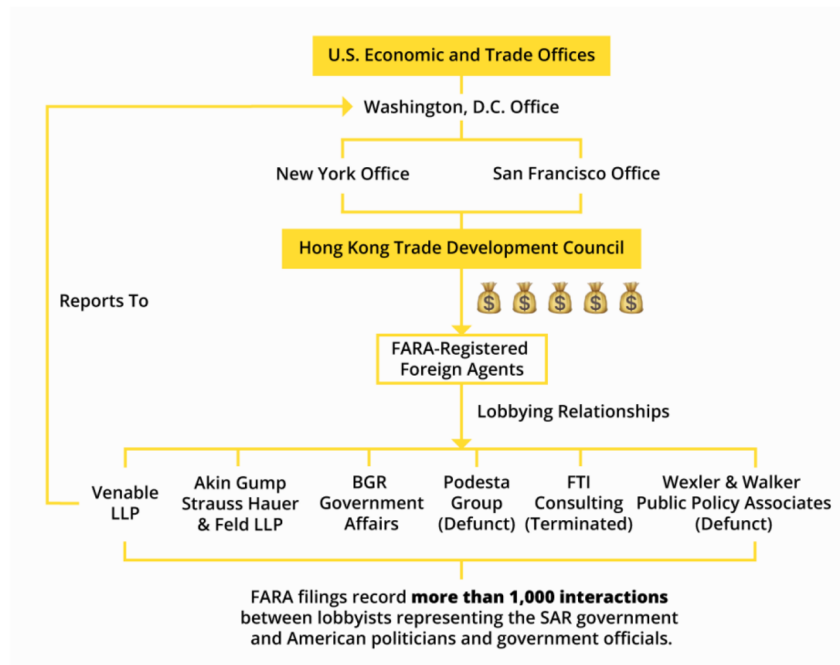
Appendix 1: HKSAR Spending on HKETO-Directed U.S. Lobbying, 2014-2023

Lobbying Firms	Amount received from the SAR government through the HKTDC since 2014	Number of interactions facilitated with Congressional staff/ lawmakers/government officials/media/think tanks
Venable LLP	\$2.2 million	107
Akin Gump Strauss Hauer & Feld LLP	\$3.5 million	132
BGR Government Affairs	\$1.3 million	288
Total	\$7 million	527

Defunct Lobbying Relations	Service Period	Amount Received From the SAR Government Through the HKTDC for Lobbying Services	Defunct Lobbying Relations	Service Period	Amount Received From the SAR Government Through the HKTDC for Legal Services
FTI Consulting	2014-2015	\$371,250	Jacobs Global Trade & Compliance	2014-2019	\$1,533,740
Podesta Group	2014-2017	\$1,173,361	Sidley Austin	2014-2019	\$2,339,358
Legislative Strategies, Inc	2014-2020	\$2,220,000	Total		\$3,873,098
Wexler & Walker Public Policy Associates	2014	\$10,890			
Total		\$3,775,501			



Appendix 2: Map and Documentation of HKETO-Directed Influence Network in the U.S.



I refer to the Agreement dated 1 April 2019 signed by the Hong Kong Trade Development Council (the “TDC”) and Akin Gump Strauss Hauer & Feld LLP (the “Consultant”), and I wish to set out my understanding of the manner in which the Agreement will be operated.

The Agreement covers the period 1 April 2019 to 31 March 2020 and can be reviewed at the sole discretion of the TDC for possible extension for another year subject to the same fee level, terms and conditions. Your engagement is funded by the TDC which is the statutory body responsible for promoting, assisting and developing Hong Kong’s overseas trade.

For administrative purposes, it is envisaged under the Agreement that the Consultant will report to and be instructed by the Hong Kong Economic and Trade Office in Washington, D.C.



Appendix 3: Names and Biographical Details of Major HKETO-Directed Lobbyists

Most Recent Registration or Documentation	Last Name	First Name	Employer	Title	Bio/Past Affiliations
8/15/22	Morales	Camillo	Akin, Gump, Strauss, Hauer & Feld, LLP	Senior Public Policy Specialist	Graduated GWU in 2018; was member of College Republicans
3/31/22	Johnson, IV	Charles W.	Akin, Gump, Strauss, Hauer & Feld, LLP	Partner	House Judiciary Committee law clerk (1992); bio says he has been "active in Democratic politics" for more than 2 decades
3/31/22	Borjon	Jose	Akin, Gump, Strauss, Hauer & Feld, LLP	Senior Policy Advisor	Chief of Staff, Congressman Vicente Gonzalez (D-TX); Senior Adviser, Congressman Filemon Vela (D-TX); Director of Media Relations, Strategy, & Communication, Congressman Silvestre Reyes (D-TX); Press Secretary, Congressman Henry Cuellar (D-TX); Communications Director, Congressman Solomon P. Ortiz (D-TX)
3/31/22	Fawkner	Joseph Guzicki	Akin, Gump, Strauss, Hauer & Feld, LLP	Senior Policy Advisor	Senior Advisor, US-Asia Institute; Senior Policy Advisor, Congresswoman Carol Miller (R-WV); Executive Director, Hong Kong-US Business Council, lobbyist for US Chamber of Commerce



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3/31/22	Kho	Stephen	Akin, Gump, Strauss, Hauer & Feld, LLP	Partner	Associate General Counsel, USTR; Legal Advisor, US Mission to the WTO; he taught international trade law at universities in Beijing, Suzhou, Changsha and Zhenjiang
3/31/22	Smith	Lamar	Akin, Gump, Strauss, Hauer & Feld, LLP	Senior Consultant	Congressman (R-TX), US House of Representatives; Chair, House Science Committee; Chair, House Judiciary Committee; Chair, House Ethics Committee; Contributor, Breitbart
3/31/22	Parven	Scott	Akin, Gump, Strauss, Hauer & Feld, LLP	Partner	U.S.-Cuba Business Council board of directors at U.S. Chamber of Commerce, Caribbean Educational & Baseball Foundation advisory board member, former president of Parven Pomper Strategies, chief of staff to chairman of Aetna International and head of international public policy at Aetna; Scana Corp, Federal Policy Group, Capitol Tax Partners, Time Warner, Mayer, Brown et al., was legislative assistant to Rep. Nicholas Mavroules, a Democrat convicted of racketeering/extortion charges; Parven describes himself in bio as "affiliated with centrist Democrats"



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3/31/22	Rickhoff	Hans Christopher	Akin, Gump, Strauss, Hauer & Feld, LLP	Partner	Loeffler Group (managing partner), Gray Loeffler (general counsel and senior principal),
3/31/22	Hawkins	Matthew	Akin, Gump, Strauss, Hauer & Feld, LLP	International Policy Advisor	Special Assistant, RNC Chairman Reince Priebus; Legislative Correspondent, Congressman John Carter (R-TX)
12/31/19	McMillen	Jeffrey	Akin, Gump, Strauss, Hauer & Feld, LLP	Partner	Staff Director, House Ways & Means Subcommittee on Select Revenue Measures; Counsel, House Ways & Means Subcommittee on Oversight, Private Equity Growth Capital Council, House Ways & Means Subcommittee on Select Revenue Measures (Staff Director), American Electronics Assn (Director, Tax Policy)
11/4/19	Verhoff	Geoff	Akin, Gump, Strauss, Hauer & Feld, LLP	Senior Advisor	Vice Chairman, Finance Committee, Republican National Committee; press aide to Sen. William Roth (R-DE.); Board of Advisors at Delta Capital Management
1/19/19	Stupak	Bart	Venable LLP	Partner	Congressman (D-MI); Chairman, Subcommittee on Oversight & Investigation, House Energy & Commerce Committee


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4/17/19	Tavlarides	Mark J.	BGR Government Affairs, LLC	Principal	Director of Legislative Affairs, National Security Council; Senior Special Assistant for International Security Affairs, OSD Legislative Affairs Bureau; Podesta Group; Van Scoyoc Associates; Staff Director of House Foreign Affairs Subcommittee on Human Rights and International Organizations
4/1/19	Ros- Lehtinen	Ileana	Akin, Gump, Strauss, Hauer & Feld, LLP	Senior Advisor	Congresswoman (R-FL), US House of Representatives; Chair, House Foreign Affairs Committee; University of Miami distinguished presidential fellow; former board member at National Endowment for Democracy
4/1/19	Fazio	Vic	Akin, Gump, Strauss, Hauer & Feld, LLP	Senior Advisor	Congressman (D-CA), US House of Representatives; Chair, House Democratic Caucus; Chair, DCCC; Clark & Weinstock; Private Equity Growth Capital Council
3/27/17	Rademaker	Stephen	Podesta Group	Principal	Assistant Secretary of State for International Security and Nonproliferation, Chief Counsel, House Committee on Homeland Security, Assistant Counsel to President George W. Bush



4/9/15	Freiberg	Ronna	Legislative Strategies, Inc.	Senior Vice President	Congressional Affairs Staffer, Vice President Al Gore; Director, Congressional Affairs, US Information Agency; Congressional Liaison, President Jimmy Carter; Chief of Staff, Rep. Peter Rodino; SVP, Hill & Knowlton; Director of Government Affairs, Kenetech Corporation; Director of Legislative Affairs, Winthrom Stimpson et al
4/9/15	Smith	Larry	Legislative Strategies, Inc.	President	Partner, Johnson Madigan et al; Director of Government Relations, Burson & Marsteller; Sergeant at Arms, U.S. Senate; Staff Director; Senate Rules Committee
3/31/15	Litterst	Nelson	FTI Consulting	Managing Director	Partner, C2 Group; Special Assistant for Legislative Affairs, President George W. Bush; Director, National Federation of Independent Businesses
3/31/15	Murray	Jeff	FTI Consulting	Managing Director	Partner, C2 Group; Chief of Staff, Congressman Bud Cramer; Director of Government Relations & Director of GASPAC, American Gas Association; Legislative Director, Congressman Bill Brewster; Campaign Manager, Congressman Bill Brewster
4/2/14	Folsom	Roy (R.D.)	FTI Consulting	Managing Director	Wexler & Walker as R.D. Folsom
4/17/14	Cramer	Bud	FTI Consulting	Managing Director	Congressman (D-AL)
4/17/14	Crawford	Tom	FTI Consulting	Senior Managing Director	Founder, C2 Group; Legislative Director, Michigan State Legislature



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7/26/12	Fitzgerald	Jayne	Akin, Gump, Strauss, Hauer & Feld, LLP	Senior Counsel	Tax Counsel, House Ways & Means Committee; [after leaving Akin Gump] Economic Policy Advisor, Congressman Bill Pascrell (D-NJ); Private Equity Growth Capital Council; Memorial Sloan-Kettering Cancer Center; Scana Corp.; Federal Policy Group; Clark/Bardes Consulting Fed Policy Group; Capitol Tax Partners; Ernst & Young; Washington Counsel; Ryan, Phillips, et al.; Dewey Ballantine LLP
3/2/12	Podesta	Tony	Podesta Group	Chairman	Founding President, People for the American Way; Staffer (Dukakis '88, Mondale '84, Kennedy '80. McGovern '72, Muskie '72)
11/30/10	Hegg	Richard	Venable LLP	Senior Policy Advisor	Potomac Group
5/28/10	Smith, II	Robert L.	Venable LLP	Senior Policy Advisor	Legislative Director, Congressman Wes Watkins (R-OK); Sun Microsystems
6/2/09	Shepherd, III	Raymond V.	Venable LLP	Senior Lobbyist	Staff Director and Chief Counsel, Senate Permanent Subcommittee on Investigations; Counsel, House Energy & Commerce Committee



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**United States House of Representatives
Congressional-Executive Commission on China**

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1. Date of Hearing:
2. Hearing Title:
3. Your Name:
4. Organization, organizations, or government entity you are representing:
5. Position title:
6. Are you an active registrant under the Foreign Agents Registration Act (FARA)?
_____ Yes _____ No

False Statement Certification:

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Witness Signature

Date

*Witness Biographies***The Honourable Michael Chong, P.C., M.P., Member of the House of Commons, Canadian Parliament, Official Opposition Shadow Minister for Foreign Affairs, Vice Chair of the Special Committee on the Canada-People's Republic of China Relationship**

Michael Chong was first elected to the Parliament of Canada in 2004 and represents the riding of Wellington-Halton Hills. He is currently the Shadow Minister for Foreign Affairs for the Official Opposition and Vice-Chair of the Special Committee on the Canada-People's Republic of China Relationship. Mr. Chong has served in the Federal cabinet as President of the Queen's Privy Council, Minister of Intergovernmental Affairs, and Minister for Sport. Mr. Chong has also served as chair of several House of Commons standing committees.

Yana Gorokhovskaia, Ph.D., Research Director for Strategy and Design, Freedom House

Yana Gorokhovskaia is the Research Director for Strategy and Design at Freedom House, a non-profit and non-partisan organization devoted to the support and defense of democracy around the world. Yana has a Ph.D. from the University of British Columbia and has been published in peer-reviewed journals and outlets such as Foreign Affairs, Politico, the Guardian, the Washington Post, and Just Security. At Freedom House, Yana oversees research-related trends in global freedom and democracy as well as transnational repression. She has co-authored two reports on the topic in recent years: "Still Not Safe: Transnational Repression in 2022" and "Defending Democracy in Exile: Policy Responses to Transnational Repression."

Laura Harth, Campaign Director, Safeguard Defenders

Laura Harth is the Campaign Director at Safeguard Defenders, a human rights NGO that undertakes and supports activities for the protection of human rights, promotion of the rule of law, and enhancement of local civil society capacity in some of Asia's most hostile environments. Focused on the PRC, it also works to counter growing transnational repression by the Chinese Communist Party around the world through direct actions, research, and advocacy efforts. Laura also covers external relations for the Inter-Parliamentary Alliance on China and acts as an adviser to Hong Kong Watch. Previously a contributor to Hong Kong-based Apple Daily's English edition, she is a contributor to Italian outlet Formiche and co-authored a Synopsis report to expose and counter Chinese Communist Party foreign interference operations in Italy.

Rushan Abbas, Founder and Executive Director, Campaign for Uyghurs

Rushan Abbas, a Uyghur American activist, has dedicated her life to championing the rights of the Uyghur people. Beginning her advocacy during her time at Xinjiang University, she led pro-democracy protests in 1985 and 1988. After relocating to the United States in 1989, her commitment to the cause only grew stronger. Co-founding the Uyghur Overseas Student and Scholars Association in 1993, she played a pivotal role in establishing the Uyghur American Association in 1998 and was elected as its vice president for two terms.

In response to Beijing's escalating genocidal actions against Uyghurs in 2017, Abbas co-founded the Campaign for Uyghurs (CFU). This organization advocates for Uyghur human rights and democratic freedoms, rallying the international community against the atrocities in East Turkistan. She pioneered the "One Voice One Step" movement, orchestrating a global protest on March 15, 2018, across 14 countries and 18 cities against China's mass Uyghur detentions. Her sister's abduction followed her first public speech in September 2018, as retaliation for Rushan's activism. In 2020, CFU released the report "Genocide in East Turkistan," meticulously detailing how China's actions align with the Genocide Convention. Notably, CFU received a Nobel Peace Prize nomination in February 2022 for its relentless advocacy. Rushan Abbas engages with global lawmakers, briefing them on East Turkistan's human rights crisis.

Testifying before Congress multiple times, she sheds light on the Chinese regime's genocide and crimes against humanity. Rushan currently serves as a lived experience expert on the Inter-Parliamentary Taskforce on Human Trafficking and as the Advisory Board Chair of the Axel Springer Freedom Foundation.