# CHINA'S LATEST CRACKDOWN ON DISSENT

## HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

OF THE

## COMMITTEE ON FOREIGN AFFAIRS
## HOUSE OF REPRESENTATIVES

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

MAY 13, 2011

**Serial No. 112–59**

Printed for the use of the Committee on Foreign Affairs

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

U.S. GOVERNMENT PRINTING OFFICE
66–295PDF WASHINGTON : 2011

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

## COMMITTEE ON FOREIGN AFFAIRS

ILEANA ROS-LEHTINEN, Florida, *Chairman*

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

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

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

---

## SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

CHRISTOPHER H. SMITH, New Jersey, *Chairman*

JEFF FORTENBERRY, Nebraska
TIM GRIFFIN, Arkansas
TOM MARINO, Pennsylvania
ANN MARIE BUERKLE, New York

DONALD M. PAYNE, New Jersey
KAREN BASS, California
RUSS CARNAHAN, Missouri

# CONTENTS

# CHINA'S LATEST CRACKDOWN ON DISSENT

**FRIDAY, MAY 13, 2011**

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
AND HUMAN RIGHTS
COMMITTEE ON FOREIGN AFFAIRS,
*Washington, DC.*

The committee met, pursuant to notice, at 10 o'clock a.m., in room 2172 Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. Good morning, and welcome to our witnesses and to everyone who is joining us to examine the Chinese Government's intensifying assault on human rights.

In recent months, the human rights situation in China has gone from abysmally bad to worse. In fact, we have not seen this level of blatant violations of human rights since the crackdown on Tiananmen Square protestors in June 1989.

Since February of this year, the Chinese Government has significantly increased its oppression of human rights advocates, including activist lawyers, bloggers, clergy and members of independent religious groups. It has resorted not only to social pressure, intimidation, and physical harassment, but also to threats against family members, beatings, and even forced disappearances.

Lawyers, in particular, have been targeted. In William Shakespeare's play, "Henry VI," Dick the Butcher and anarchist Jack Cade plan the success of their diabolical plot by stating that, "The first thing we do, let's kill all the lawyers." Frankly, it is no different in China today.

Government harassment of lawyers and law firms that work on human rights cases or other politically sensitive matters is on the rise. In recent years, lawyers who took cases in opposition to the government's interests have faced disbarment, house arrest, kidnapping, beatings, and prison.

A very recent example is Li Fangping, the lawyer for Chen Guangcheng who has been engaged in a public crusade to expose the horrors of forced abortion in China. Mr. Li was abducted by unidentified individuals on April 29th, 2011, outside the offices of a health rights non-governmental organization for which Mr. Li was serving as a legal advisor. His whereabouts today are unknown. Ironically, his arrest occurred the day after the United States and Chinese Governments concluded a human rights dialogue.

Religious freedom is also under increased attack. Although China has been designated a "Country of Particular Concern" since 2000 (meaning it is one of the worst violators of religious freedom in the

world), statistics from 2009 and 2010 indicate that the number of arrests of Christians increased almost 43 percent.

Because the Chinese Government demands that religious organizations serve the aims of the state, religious organizations must receive government approval to operate. Failure to do so means the groups lack legal protection and the membership is vulnerable to human rights abuses at the hands of government officials.

However, many religious observers adhere to the tenet that they must "render unto Caesar what is Caesar's, but unto God what is God's," and as a direct result, they are severely persecuted.

Recent cases include the denial of the Shouwang Church in Beijing from occupying either the space they rented or the space they purchased; the disappearance of three Catholic priests who refused to register with authorities for official recognition; and the lockdown of the Kirti Monastery in Sichuan Province and the disappearance of approximately 300 monks from there.

We will also be examining recent developments with respect to the Chinese regime's ongoing imposition of the barbaric one-child policy. Few outside of China understand what a massive and cruel system of social control the one-child policy entails.

According to the U.S. Congressional-Executive Commission on China, the system is marked by pervasive propaganda, mandatory monitoring of women's reproductive cycles, mandatory contraception, mandatory birth permits. Imagine, you need permission from the government in order to have a child. And coercive fines for failure to comply, in addition to forced sterilization and abortion.

The price for failing to conform to this barbaric system is staggering. A Chinese woman who becomes pregnant without a permit will be put under mind-bending pressure to abort. She knows that "out of plan" illegal children are denied education, healthcare, and marriage, and that fines for bearing a child without a birth permit can be up to 10 times the average annual income of both parents, and those families that can't or won't pay are jailed or their homes are smashed in or their young child is killed.

If the brave woman still refuses to submit, she may be held in a punishment cell, or if she flees, her relatives may be held and, very often, beaten. Group punishments will be used to socially ostracize her. Her colleagues and neighbors will be denied birth permits. If the woman is, by some miracle, still able to resist this pressure, she may be physically dragged to the operating table and forced to undergo the killing of her child. Her trauma is incomprehensible.

It is a trauma she shares, in some degree, with virtually every woman in China, whose experience of intimacy and motherhood is colored by the atmosphere of fear created by the government, by government threats and determination to intrude itself in a deadly fashion in the most private aspects of her life.

The World Health Organization reports over 500 female suicides occur each and every day in China. China is the only country in the world where female suicide rates are higher than the male, and according to the Beijing Psychological Crisis Study and Prevention Center, in China the suicide rate for females is three times higher than that of males. The result of this policy is a nightmarish brave new world with no precedent in human history, where women are

psychologically wounded and girls fall victim to sex-selective abortion.

In some provinces, there are some 140 boys that are born for every 100 girls, and most children grow up without brothers or sisters because, again, brothers and sisters are illegal. They also grow up without aunts or uncles or cousins. Gendercide is a serious crime and it is absolutely prevalent in the People's Republic of China today.

The one-child policy is spawning other grave human rights violations as well. Just this week there were media reports that government officials in one province were kidnapping children who were allegedly born in violation of the one-child-per-couple policy and effectively selling them for a profit to be adopted overseas. We all know that sex trafficking is exponentially increasing in the People's Republic of China as a direct result of a dearth of females.

It is estimated that something on the order of 40 million men will not be able to find wives by 2020 because they have been systematically eliminated pursuant to the one-child-per-couple policy. That is absolutely outrageous and a serious crime against humanity and is among the most serious crimes of gender ever.

I would like to yield to my good friend and colleague Mr. Payne, the ranking member, for any opening comments he might have.

Mr. PAYNE. Thank you very much, Mr. Chairman. I would like to commend you for calling this timely hearing. With the recent conclusion of the strategic and economic dialogue, as well as the human rights dialogue, the administration is working to ensure that human rights remain an important aspect of U.S./China discussions.

I look forward to hearing from our panelists who work with dedication to advance human rights in an increasingly repressive China. I commend you all for your courage and continued work on this issue and I look forward to your testimony.

China's repression of religious minorities is not new. Last July Falun Gong practitioners from around the world joined together in Washington, DC, to hold a nighttime candlelight vigil remembrance of the opposition of the Falun Gong that started in China in 1999.

For 12 years now the millions of Falun Gong practitioners in China, and at one point here even in the United States, have been subjected to acts of violence and assault, property theft and destruction, illegal wiretapping, harassment, intimidation and persecution against practitioners of Falun Gong in the United States.

In China thousands of practitioners of the peaceful religion have been killed. Hundreds of thousands have been detained and more than 100,000 have been sentenced to forced labor camps, typically without trial. Now the Chinese Government is using similar tactics against its burgeoning civil society.

Over the past several months Chinese security forces reportedly detained, arrested, and held incommunicado between 50 to 100 people and placed another 200 under heavy surveillance. The government's coercive extrajudicial tactics against its critics including physical harassment, beatings, forced disappearances, and threats against family members.

This crackdown is unprecedented and its scale under the current leadership appears sadly to be a part of a broad strategy to regu-

late an increasingly dynamic society. Without a doubt the Chinese watch nervously as masses of disenfranchised citizens successfully challenge the dictatorships in Northern Africa and the Middle East.

The call of Chinese activists for their own Jasmine Revolution of peaceful protest marches have been met with firm repression. To date the Chinese Government holds an estimated 25,000 prisoners of conscience in detention. Yet, despite this repression we are also seeing an increasing active civil society as human rights defenders, activists, lawyers, bloggers, churches and minorities strive to make their voices heard.

In 2010 we saw a 20 percent increase of major social unrest as Chinese civil society activists voice their deep grievances against local government corruption. The courage of lawyers who, despite retaliation, continue to defend human rights defenders of fathers who, despite threats to their own safety, work to advance consumer protection after corruption and food safety endangered their children.

And of religious minorities who despite severe restrictions on non-registered places of worship, continue to practice their faith and claim their cultural rights, their courageous cause for hope. I look forward to hearing to what extent the Chinese public is becoming involved in these changes and how it has been affected by the political repression and political involvement.

During the past decade, due to strong congressional leadership, the U.S. administrated a growing number of foreign assistance programs, the majority of which was devoted to human rights, democracy, rule of law, as well as related activities such as supporting the Tibetan community and protecting the environment. I'm heartened to see that U.S. programs seem to be helping to build a small but determined core of civil society individuals and reformist government officials who in the long-term may enable China to transition to democracy.

China is a growing power and a partner in individual trade and global development. Yet, it is important to recognize that the Chinese cannot enforce stability at the expense of human rights. Too many of the challenges the Chinese people face, from HIV/AIDS epidemic to a looming food crisis, will require citizen activism and involvement to find sustainable solutions. It is my strong belief that the United States cannot be indifferent to Chinese human rights violations. I firmly believe that a nation that pursues growth by silencing its citizens is building a foundation in sand which cannot resist the tides of civilian unrest.

I look forward to your testimony on the state of the current crackdown, and your estimations on how this Congress can target its involvement and aid to civil society to enable viable long-term reform in China. I yield back.

Mr. SMITH. Thank you, Ranking Member, for your statement.

Now I yield to the vice chairman of the subcommittee, Jeff Fortenberry.

Mr. FORTENBERRY. Thank you, Mr. Chairman, for convening this important and timely hearing, particularly given this week's U.S./China strategic economic dialogue here in Washington.

I am heartened, Mr. Chairman, that the United States and Secretary Clinton have taken a more deliberate tone with China on human rights this week than during the recent state dinner for President Hu Jintao.

Part of the change in tone and tenor, I believe, is due to the wave of freedom we have seen sweep North Africa and the Middle East known as the Arab Spring. As Secretary Clinton said, they are trying to stop history which is a fool's errand.

As the Chinese Government attempts to play down the Secretary's remarks, I think it is important that this body give thorough and clear attention to the many extreme human rights abuses by the Chinese Government against its citizens wishing to exercise some modicum of freedom.

Do I want a good relationship with China? Yes, absolutely. China is a valuable world partner. But for China to achieve the legitimacy that it seeks, it needs to make significant gains on a number of fronts and join the community of responsible nations.

Since I began serving in Congress, Members of Congress from both sides of the political aisle have boldly challenged Beijing on its ruthless treatment of democracy activists and their families, Internet freedom advocates, religious minorities, women and families victimized by a callous one-child policy and even coerced abortion.

We have tried managing our complex relationship with China in a manner that honors the transcendent principles that define our national purpose and identity, a nation founded on freedom of religion, a nation that embraces freedom of speech and justice, and free and fair commerce as worthy foundations of prosperity for future generations.

As this hearing is underway many individuals continue to suffer horrific tortures in China for voicing their desire for personal liberty. Nobel Laureate Liu Xiaobo languishes in prison as his wife and family members remain under house arrest.

Chen Guangcheng, the blind lawyer who exposed to the world China's cruel and draconian forced abortion policy, has continued to be victimized by the Chinese Government. His lawyer abducted and his whereabouts unknown. Countless others suffer in silence. People who have disappeared into the vast network of gulags that no human being should ever have to see or experience.

Why do we care so deeply about China's legacy of violence and oppression? Aside from our deeply-held philosophical principles of liberty and universal rights, Americans, of course, buy a vast amount of Chinese made goods and China holds a great deal of American debt, nearly $2 trillion by some estimates. And we have a bilateral trade deficit approaching $300 billion that poses weighty concerns.

We must also challenge China to abandon its embrace of unbridled mercantilism which manifests itself in massive subsidies and other trade distorting practices that contribute to this staggering imbalance. China must know that global trade is inseparable from global responsibility.

In terms of global stability, managing our military relationship to maintain regional stability becomes all the more critical now that China has achieved an initial operational capability in land-

based anti-ship ballistic missiles threatening our Pacific fleet. In the nuclear realm China's policies also cause concern. China is modernizing its nuclear arsenal.

We have a responsibility to work together to shake this complex relationship with China, to seek meaningful progress on the tough issues, and to acknowledge the many positive elements of China's ancient culture and civilization. However, we must do so without shrinking from challenging the outright effrontery to our principles and whitewashing grave threats to our integrity such as the egregious human rights violations that will come to light in this hearing.

Thank you, Mr. Chairman. I yield back.

Mr. SMITH. Mr. Fortenberry, thank you very much for your statement.

I would like to now introduce our extraordinary panel of experts, three of whom have spent considerable time, in two cases almost two decades, in the infamous Laogai system and speak with profound authority concerning what they experienced, what they know. Their friends are still languishing and suffering the brutalities of the dictatorship, as well as academics and human rights advocates who speak out daily and do so courageously on behalf of all of the human rights issues in China.

I'll begin first with Mr. Wei Jingsheng who served two jail sentences totalling more than 18 years in China for his pro-democracy work. He was forced into exile in 1989 but continued to advocate for human rights and democracy in China.

In 1998 Mr. Wei founded and became the chairman of the Overseas Chinese Democracy Coalition, an umbrella organization for many overseas Chinese democracy groups. He is also president of the Wei Jingsheng Foundation and the Asian Democracy Alliance. He has written numerous articles and regularly speaks about human rights and democracy in China including broadcasts in China via Radio Free Asia.

I will note parenthetically that Wei was actually let out of prison by the Chinese dictatorship in the early 1990s in the vain hopes of procuring the Olympics in 2000. I met with him in Beijing at the time and had dinner with him. He was subsequently arrested when they didn't get Olympics 2000. They got them years later. He was of such high value as a political prisoner that one man's release was thought by the hardliners to be sufficient to obtain the Olympics.

We will then hear from Harry Wu who survived 19 years in Chinese labor camps. He came to the U.S. in 1980 and became an activist for human rights in China. In the 1990s he showed incredible bravery by returning to China on a human rights mission. He was discovered, arrested, and sentenced to 15 more years in the Laogai. He was released following an international campaign on his behalf.

Mr. Wu is the president of the Laogai Research Foundation, the author of countless reports and numerous books on human rights, a frequent witness before this and the full committee. He recently founded the Laogai Museum right here in Washington. I do hope people will visit it because it is a very chilling reminder not just of what has been past, but what is the present, and, hopefully, not the future for China.

We will then hear from Ms. Jing Zhang who built a career as a newspaper editor for 20 years in Hong Kong and in the United States. She suffered 5 years in a Chinese prison for her belief in freedom and democracy. She founded Women's Rights in China in 2007 to popularize the noble cause of women's rights and advocate for the weak and underprivileged in China.

As the director of operations of the organization All Girls Allowed, Ms. Zhang directs the projects aimed at the prevention of female infanticide, the education of abandoned female orphans, the reuniting of trafficked children with their families and the advocacy on behalf of forced abortion victims.

We will then hear from Mr. Steven Mosher who is the president of the Population Research Institute and the author of numerous books on China including Hegemon: China's Plan to Dominate Asia and the World and China Misperceived: American Illusions and Chinese Reality. I've read three of his books including A Mother's Ordeal and it brought great insight, I think, to me and anyone else who took the time to read it.

He served as the director of the Asian Study Center at the Claremont Institute from 1986 to 1995. He was a commissioner on the U.S. Commission on Broadcasting to the People's Republic of China from 1991 to 1992.

He was educated at the University of Washington and Stanford University and in 1979 became the first American social scientist permitted to do field research in China since the Communist Revolution. He was the man, at least for the U.S., and frankly, most of the free world, who broke the story of the one-child-per-couple policy.

Frontline, 60 Minutes, the Beijing bureau chiefs for the Washington Post and others all, back in the early '80s, relied on his historic and breakthrough research about what women were experiencing as a direct result of the horrific one-child-per-couple policy and has worked on this human rights issue and others ever since.

We will then hear from Mr. Phelim Kine who is an Asia researcher at Human Rights Watch. A former news wire bureau chief in Jakarta, he worked as a journalist for more than a decade in China, Indonesia, Cambodia, and Taiwan prior to joining Human Rights Watch in April 2007. Mr. Kine's opinion pieces on China's human rights challenges have appeared in numerous major media.

He has spoken publicly on China's human rights challenges at venues ranging from the European Parliament to a hearing of the U.S. China Economic and Security Review Commission. Mr. Kine is a graduate of Carleton University in Ottawa, Canada. We greatly appreciate his taking the time to share his insight and counsel.

We will then hear from Professor Andrea Worden who teaches Chinese law at American University, Washington College of Law. She consults on rule of law programs and civil society initiatives with a particular focus on China.

Professor Worden's current research interests center on criminal justice and transitional justice in China, as well as China's interactions with the United Nations human rights system. She serves on the Board of Directors of the Yale China Association. Prior to becoming a consultant, Professor Worden served as general counsel

and senior advisor on criminal justice with the Congressional-Executive Commission on China.

We are joined by Congressman Frank Wolf. I would like to yield to my very distinguished colleague. I will note parenthetically Mr. Wolf is the author of the International Religious Freedom Act. China, as I said in my opening, since 2000 has been designated a CPC, country of particular concern, because of its egregious violations of religious rights.

Mr. Wolf.

Mr. WOLF. Thank you. I cannot stay but I just wanted to come just to listen to a portion. Thank you to you and Mr. Payne for having these hearings.

I appreciate, Chris, your effort on China over these years. Also, you have a very distinguished panel and I will read everything. I will take it as I leave. I appreciate what they have done.

With that I yield back. Thanks, Chris.

Mr. SMITH. I would like to now yield to Wei Jingsheng.

## STATEMENT OF MR. WEI JINGSHENG, CHAIR, OVERSEAS CHINESE DEMOCRACY COALITION

Mr. WEI. I want to express my gratitude to you for giving me the opportunity to speak here.

In recent years, especially in the last half-year, China's human rights have been deteriorating rapidly. The Chinese Communist regime strengthened its suppression against the dissidents, human rights lawyers, and all kinds of religious and faith groups. It also strengthened its blockade and control of the Internet, broadcasting, and print media.

The regime's attitude toward general mass organizations has gone from some degree of tolerance into intolerance. It also increased its arbitrary handling of legal cases involving both the general public and its own officials. Among all, the most important changes are reflected in the following two points.

The first is the Communist regime's increased arbitrariness in dealing with law. There is an obvious strengthening of the tendency to dominate judicial cases by various levels of the Communist organizations and officials. Take the Li Zhuang case in Chongqing as an example. Almost all the legal proceedings have been destroyed. Only according to the intention of the local Communist leaders, a wrongful case was created against a rights-defending lawyer.

The authority has not only undermined the judicial process, but also used means of deceptive and illegal exchange to force the related parties to plead guilty. Further, it made illegal court decisions when evidence was absent. Yet, this decision has received collective recognition and encouragement by the highest level of the Chinese Communist leaders.

This model will soon be popularized throughout the whole country. It will not only greatly encourage illegal sentencing, but also reduce the possibility of judicial intervention for the defendant to gain access and help from lawyers and thus create the biggest convenience for the Communist officials to interfere with judicial system.

Thus, likely China could revert to the lawless state during the Cultural Revolution period when the Communist regime smashed the existence of the judicial mechanism.

The second is that the laws for illegal detention have been expanded from officials and dissidents to include the general public include religious and faith groups. The forced "disappearance" of the famous artist Ai Weiwei recently is a typical example. What is noteworthy is that, just as in the case of Li Zhuang in Chongqing, this case of Ai Weiwei is also supported by the highest-level Communist leaders. Thus, it soon will become a model for the whole country.

The characteristic of this case is that the authority publicly carried out its action of forced "disappearance." After it violated China's own Criminal Procedure Law and detained the person, the authority did not notify the family, yet released the related information publicly in the media by its official spokesman.

This is equivalent to flouting laws in the open, and announces the fact that the will of the Communist Party is above the law. This is significantly different from the individual illegal activities during the Deng Xiaoping and Jiang Zemin eras. It also represents the transformation of the whole justice system toward the extreme dictatorship of the Nazi and Mao Zedong. Two reasons producing these changes are noteworthy.

The first is that the Chinese Communist Party has lost its confidence in its own ruling capacity. Due to the increased opposition from the people, as well as the intensified internal struggle within the Party, there are very few people who believe that the system of the Communist Party can continue. Besides returning to the lawless state of the extreme dictatorship, the Communist Party does not have a method for controlling the social crisis.

The second is that the international community, particularly the U.S. Government, is showing its weakness to the Chinese Government due to economic interests.

This weakness has led, for a while now, to a rising defiance against the USA by the Chinese officials and the society at large. When the international society is concerned about human rights, it is considered as politicians staging a show for their own voters, in a way to deceive the people of their countries. Whoever pays attention to this international pressure would be ridiculed by the others.

So now it has even developed to the degree of directly ridiculing the U.S. Assistant Secretary of State for the Bureau of Democracy, Human Rights and Labor. This ridicule enabled the related Chinese officials gain some benefits of public opinion.

The action of Hu Jintao humiliating the United States at the White House also won him exceptional praise within the Communist Party. This kind of attitude has been and will be applied to the Western businessmen and tourists in general. The U.S. Congress and the administration should not ignore such kind of developments.

I thank you.

[The prepared statement of Mr. Wei follows:]

Testimony about Deteriorating Human Rights in China at the Hearing Held by the Committee on Foreign Affairs of the United States House of Representatives
-- Wei Jingsheng
May 13, 2011

In recent years, especially in the last half-year, China's human rights have been deteriorating rapidly. The Chinese Communist regime strengthened its suppression against the dissidents, human rights lawyers, and all kinds of religious and faith groups. It also strengthened its blockade and control of the Internet, broadcasting and print media. The regime's attitude towards general mass organizations has gone from some degree of tolerance into intolerance. It also increased its arbitrary handling of legal cases involving both the general public and its own officials.

Among all, the most important changes are reflected in the following two points.

The first is the Communist regime's increased arbitrariness in dealing with law. There is an obvious strengthening of the tendency to dominate judicial cases by various levels of the Communist organizations and officials. Take the Li Zhuang case in Chongqing as an example. Almost all the legal proceedings have been destroyed. Only according to the intention of the local Communist leaders, a wrongful case was created against a rights-defending lawyer. The authority has not only undermined the judicial process, but also used means of deceptive and illegal exchange to force the related parties to plead guilty. Further, it made illegal court decisions when evidence was absent.

Yet, this decision has received collective recognition and encouragement by the highest level of the Chinese Communist leaders. This model will soon be popularized throughout the whole country. It will not only greatly encourage illegal sentencing, but also reduce the possibility of judicial intervention for the defendant to gain access and help from lawyers and thus create the biggest convenience for the Communist officials to interfere with judicial system. Thus, likely China could revert to the lawless state during the Cultural Revolution period when the Communist regime smashed the existence of the judicial mechanism.

The second is that the laws for illegal detention have been expanded from officials and dissidents to include the general public include religious and faith groups. The forced "disappearance" of the famous artist Ai Weiwei recently is a typical example. What is noteworthy is that, just as in the case of Li Zhuang in Chongqing, this case of Ai Weiwei is also supported by the highest-level Communist leaders. Thus, it soon will become a model for the whole country.

The characteristic of this case is that the authority publicly carried out its action of forced "disappearance". After it violated China's own Criminal Procedure Law and detained the person, the authority did not notify the family, yet released the related information publicly in the media by its official spokesman. This is equivalent to flouting laws in the open, and announces the fact that the will of the Communist Party is above the law. This is significantly different from the individual illegal activities during the Deng Xiaoping and Jiang Zemin eras. It also represents the transformation of the whole justice system towards the extreme dictatorship of the Nazi and Mao Zedong.

Two reasons producing these changes are noteworthy.

The first is that the Chinese Communist Party has lost its confidence in its own ruling capacity. Due to the increased opposition from the people, as well as the intensified internal struggle within the party, there are very few people who believe that the system of the Communist Party can continue. Besides returning to the lawless state of the extreme dictatorship, the Communist Party does not have a method for controlling the social crisis.

The second is that the international community, particularly the U.S. government, is showing its weakness to the Chinese government due to economic interests. This weakness has led, for a while now, to a rising defiance against the USA by the Chinese officials and the society at large. When the international society is concerned about human rights, it is considered as politicians staging a show for their own voters, in a way to deceive the people of their countries. Whoever pays attention to this international pressure would be ridiculed by the others.

So now it has even developed to the degree of directly ridiculing the U.S. Assistant Secretary of State for the Bureau of Democracy, Human Rights and Labor. This ridicule enabled the related Chinese officials gain some benefits of public opinion. The action of Hu Jintao humiliating the United States at the White House also won him rare praise within the Communist Party. This kind of attitude has been or will be applied to the Western businessmen and tourists in general. The U.S. Congress and the administration should not ignore such kind of developments.

---

Mr. SMITH. Mr. Wei, thank you so much for your testimony. Mr. Wu.

**STATEMENT OF MR. HARRY WU, EXECUTIVE DIRECTOR, LAOGAI RESEARCH FOUNDATION**

Mr. WU. Chairman and Vice Chairman and Congressmen. Let me say something about Chinese activities today in the human rights situation.

The Chinese Communist Party rose to power in 1949, and for about 62 years it has unrelentingly clung onto power by systematically repressing, disappearing and killing its people. The Party that originally proclaimed itself the savior of the common people has become one of the most repressive regimes in history.

By depriving its people of basic rights and freedoms and keeping its people in the dark and in a constant state of fear, the CCP has managed to maintain its sovereignty. Let me give you some examples. The Central Committee passed a resolution called 179 that said in government documents, or Communist Party documents, or in their policy they have to stop using Mao Zedong thought so this is separate from the central decisions because many people today are raising up trying to criticize the Mao Zedong thought.

Secondly, China is actually a country which has a special ruling. The Party set up so-called two certainty. It means in a certain time in a certain place the Chinese Communist Party members if they violate the law they have to make a confession.

Many governors of the province and many ministers, including in the Ministry of Transportation, were under arrest. There is no legal arrest but so-called discipline department officers. They have to make a confession before they go to the court. How many people were there? Two-point-two million. Two-point-two million Communist members were under so-called double certainty.

The third event I want to point out for you. In January 2011 in the Communist center, Tiananmen Square, the Chinese set up a Confucius statue. I was very surprised because Tiananmen Square is a political center and only the Communist Party, central party, can make a decision. They have Mao portrait, Marx portrait, Lenin portrait, and Stalin portrait.

Very confusedly they have a Confucius statue. So far we know Mao, when alive, seriously criticized Confucius, was against Confucius, opposed Confucius. Today in the political center in Tiananmen Square everybody is confused. Shall we follow Mao or follow Confucius? In this month, May, around 100 days later, Chinese quietly in the middle of the night removed the Confucius statue. It disappeared. So these events are telling you the Communist Party today is very confused and does not know how to handle the future.

Recently, Chinese Government has been increasingly vigilant in its efforts to suppress freedom of speech; not only do they control the media, but they block countless foreign Web sites and blogs through the use of a highly-intricate surveillance system called "Golden Shield."

In recent months, China has also been arresting and giving lengthy sentences to political dissidents. Ai Weiwei's father, was a famous poet, is highly recognized by the Chinese Communist Party but unfortunately he disagreed with the government and was arrested.

We do not know how many people have been arrested. So far we have more than 40 people disappeared. It's not only Liu Xiaobo, but also another dissent named Liu Xianbin. Liu Xianbin was arrested by the government twice. The first time he was sentenced to 2½ years. The second time 13 years. When he was released he was rearrested last month and sentenced to another 10 years.

The Chinese Constitution claims to grant its people freedom of speech and freedom of assembly, however, without a fair and just legal system to uphold these ideals, these so-called rights are just empty words. Yet these ideals are not absent from Chinese society; they are important enough for Liu Xiaobo and Liu Xianbin to speak out on behalf of the victims of the Tiananmen Square massacre.

They continually write and express their pro-democracy ideas, even at great risk to their own safety and the safety of their families. Admittedly, lack of free speech and the right to assembly has ensured that China's single-party dictatorship remains "stable." However, the longer the CCP refuses to properly and responsibly deal with the country's changing political, economic, and social conditions, the more likely another Tiananmen Square incident becomes.

The longer the CCP tries to keep a tight lid on the diversity of opinion and expression within society, the more violent the backlash will be. The reign of the CCP cannot and will not last forever. There will be a day when China will finally be a free country.

Recently the Chinese and America had a dialogue, the so-called the Strategic Economic Dialogue between the U.S. and China. Despite a promise of the U.S. officials to bring up human rights issues in the dialogue, the issue of human rights was barely touched upon and the U.S. and China merely agreed to continue in constructive dialogue of human rights. How come the U.S. claimed to be a leader of human rights and freedom in the world if it is continuing to turn a blind eye to the human rights situation in China?

Also, I would suggest President Obama and the Congress have to care about the American companies with their business inside China. At least they should not have relations with to Chinese military and security systems. I strongly urge President Obama and the U.S. Congress to be bold and take a firm stand against China's human rights abuses.

[The prepared statement of Mr. Wu follows:]

**Testimony of Harry Wu**
**Executive Director, The Laogai Research Foundation**

**Committee on Foreign Affairs**
**Subcommittee on Africa, Global Health, and Human Rights Hearing**
**"China's Latest Crackdown on Dissidents"**

**May 13, 2011**

The Chinese Communist Party rose to power in 1949, and for over half a century it has unrelentingly clung onto power by systematically repressing, disappearing and killing its people. The Party that originally proclaimed itself the savior of the common people has become one of the most repressive regimes in history. China has never been known as a defender of human rights as evidenced by the countless atrocities of the Cultural Revolution. But human rights violations are not limited to China's past- the abuses still go on today. The Chinese government continually ignores the deafening criticisms voiced not only by foreign governments, the U.N., and human rights groups, but also by its own people. By depriving its people of basic rights and freedoms and keeping its people in the dark and in a constant state of fear, the CCP has managed to maintain its sovereignty. Yet despite this, there are many brave souls in China who refuse to quietly accept this reality. They bravely speak out against the injustice and rampant corruption in China. As a reward for their efforts, they, their family and friends are harassed, threatened, placed under constant surveillance, arbitrarily arrested and detained.

As a country whose fundamental principles are based on freedom and individual rights for all, the U.S. should take a more proactive and firm stance against human rights abuses in all parts of the world, not just where it is politically advantageous to do so. As President

Obama has said before, "[Democracy] stands in opposition to aggression and injustice, and our support for universal rights is both fundamental to American leadership and a source of strength in the world." I urge President Obama to hold true to his word and push China to make a genuine improvement in its human rights.

This is especially critical in light of the recent Strategic and Economic Dialogue between the U.S. and China. Despite the promises of U.S. officials to bring up human rights issues at the Dialogue, the issue of human rights was barely touched upon, and the U.S. and China merely agreed to continue "constructive bilateral dialogue on human rights." The human rights talks held previously in Beijing were not particularly successful either. While they led to the release of Teng Biao, a prominent Chinese human rights lawyer, one cannot conclude that just because China released one human rights activist, China is indeed taking a closer step towards promoting human rights. Instead, this is merely a way for China to appease foreign governments while continuing to indulge in its prosperous economic ties with other countries. For instance, on the day that Mr. Teng was released, another prominent human rights lawyer, Li Fangping, was disappeared. Pushing for human rights should not be considered a weakness in U.S. foreign policy, nor should maintaining the status quo be its goal. Under the current human rights situation in China, the U.S. cannot and should not let economic interests take precedence over human rights. As President Franklin Delano Roosevelt once said, "Enduring peace cannot be bought at the cost of other people's freedom." How can the U.S. claim to be a leader of human rights and freedom in the world, if it continually turns a blind eye towards the abysmal human rights situation in China?

When Liu Xiaobo, a well know pro-democracy writer and advocate, was awarded the Nobel Peace Prize in 2010, the CCP reacted childishly, flying off the handle and cracking down even harder on its dissidents. This severe crackdown was a direct result of the CCP's paranoia of losing power. Thus, in addition to preventing over 200 people from leaving China to attend the ceremony, China also pressured other countries to boycott the awards ceremony in Oslo. At that time, President Obama called for Liu Xiaobo's immediate release and commented on the fact that although China has made much economic progress over the past 30 years, however, China's political reform has yet to catch up.

Another display of the CCP's paranoia came about during the recent pro-democracy wave of the Jasmine Revolution, which had spread throughout North Africa and the Middle East, the CCP saw its potential downfall as other autocratic regimes were being challenged or removed. As a result, China preemptively cracked down and smothered any and every trace of the Jasmine Revolution within its borders. This overreaction demonstrates just how desperate the CCP is to remain in power. It also shows just how paranoid the CCP is about its people rising up and taking a stand against the government. If there was ever any chance of a Jasmine Revolution in China, the CCP was effective in its efforts to stifle such an uprising.

In the midst of its recent international conflicts, the CCP has decided to promote its soft power by attempting to portray a peaceful and harmonious image. One way they did this was to establish many Confucian Institutes all around the world. In January of this year they even went so far as to erect a 31-foot tall Confucius statue in Tiananmen Square.

However, recently the CCP stealthily removed the statue, which seems to suggest it is confused about what image it wants to portray to its own people.

Recently, China's government has been increasingly vigilant in its efforts to suppress freedom of speech; not only do they control the media, but they block countless foreign websites and blogs through the use of a highly-intricate surveillance system called 'Golden Shield.' In recent months, China has also been arresting and giving lengthy sentences to political dissidents- people who seek to expose government corruption and criticize the policies of the CCP.

The most common crime that critics of the CCP have committed is voicing their dissatisfaction with the CCP and its policies, and as such, they have been arbitrarily arrested and detained. Those who seek justice on behalf of their fellow citizens are not only met with threats, but constantly face the prospect of being locked up for an undetermined period of time according to the whims of a tyrannical regime. For example, advocates Ai Weiwei and Tan Zuoren tried to create a list of all the children lost during the Sichuan earthquake as they attempted to expose the shoddy architecture of the schools that collapsed and killed thousands. Both Mr. Ai and Mr. Tan are now being detained by the CCP, however the current whereabouts of Mr. Ai still remain a mystery.

China's constitution claims to grant its people freedom of speech and freedom of assembly, however, without a fair and just legal system to uphold these ideals, these so-called rights are just empty words. Yet these ideals are not absent from Chinese society; they are

important enough for Liu Xianbin and Liu Xiaobo to speak out on behalf of the victims of the Tiananmen Square massacre. They continually write and express their pro-democracy ideas, even at great risk to their own safety and the safety of their families. Admittedly, lack of free speech and the right to assemble has ensured that China's single-party dictatorship remains "stable." However, the longer the CCP refuses to properly and responsibly deal with the country's changing political, economic, and social conditions, the more likely another Tiananmen Square incident becomes. The longer the CCP tries to keep a tight lid on the diversity of opinion and expression within society, the more violent the backlash will be. The reign of the CCP cannot and will not last forever. There will be a day when China will finally be a free country.

For 19 years, I personally witnessed and experienced the human rights abuses in China. When I finally came to the U.S. in 1985, although I was already 48 years old, that was the first time in my life that I felt truly free. That is a feeling that I will never forget, and one that I wish the Chinese people and people around the world could feel in their own countries. I strongly urge President Obama and the U.S. Congress to be bold and take a firm stand against China's human rights abuses.

---

Mr. SMITH. Mr. Wu, thank you very, very much.
We now ask Ms. Zhang to present her statement.

**STATEMENT OF MS. JING ZHANG, DIRECTOR OF OPERATIONS, ALL GIRLS ALLOWED**

Ms. ZHANG [via translator]. All Girls Allowed is a non-profit Christian organization registered in the U.S. and founded by Chai Ling, two-time Nobel peace prize nominee and former leader of the 1989 Tiananmen Square Democracy Movement.

AGA's mission is to restore life, value and dignity to girls and mothers, and to reveal the injustice of China's one-child policy. As you may know, and as Congressman Smith referenced, there are many human rights abuses that are occurring as a result of the policy. With the love of Christ and the power of God, AGA is taking on this massive issue, with faith that this will come to an end. Today I have the privilege of translating for Jing Zhang, director of operations at All Girls Allowed.

In February 2011, inspired by the wave of democratic movements in the Arab World, the Chinese-language Internet community gave birth to messages of the Jasmine Revolution. The Chinese Government reacted in panic with a severe crackdown, in blatant violation of the Chinese Constitution and the U.N. Charter.

It dismissed international condemnation and arrested hundreds of dissidents, civil rights attorneys, and artists including Jiang Tianyong and Ai Weiwei. Even members of the public in the streets who happened to be carrying jasmine flowers were arrested.

Through AGA's communication with house church networks, we know of increased persecution of the Shouwang Church in Beijing, whose members have been systematically threatened, arrested, and questioned. In the Guizhou province, since March 18th, more than a dozen dissidents have been arrested without reason and detained for over a month.

One of them, Ms. Wu Yuqin, had cancer; her 80-year-old mother was also arrested for defending her daughter. Two other women, Wang Lihong and Liang Haiyi, were arrested and charged for expressing opinions related to the Jasmine Revolution. The Chinese Government has also put non-governmental organizations and their workers under surveillance. The work of All Girls Allowed suffered drastically because of threats and harassment from agents of the Ministry of State Security.

Today, China's cruel control of its own people continues to deepen. This year's Chinese domestic security budget reached 624.4 billion Chinese yuan, exceeding the military budget of 601.1 billion yuan. This huge spending on domestic security control and the founding on March 4th of a new National Internet Information Office lead us to believe that the Chinese Government has little intention of allowing greater freedom to its people.

The first of AGA's programs, the Baby Shower program, aids rural Chinese mothers and baby girls. Every month, AGA workers distribute stipends to mothers of baby girls; these stipends of about $20 are used to buy baby formula, food and clothing for their daughters. The purpose of the stipend is to save the baby girls from sex-selective abortion, infanticide or abandonment. The stipend also increases the perceived value of girls and gives dignity to mothers who might otherwise hang their heads in shame for having a baby girl.

Over 550 girls and families have benefitted from this program. Surveys of sponsored families have shown a drastic change in culture: Despite getting an illegal ultrasound to verify the gender of their current child, the vast majority of families who participated in the Baby Shower program expressed that they would not abort or abandon their next child, even if it were a girl a remarkable success and breakdown of thousands of years of oppression against girls and women.

Unfortunately, since March, AGA workers have been harassed by local police and security agents. Some workers have been detained and interrogated multiple times and forced to divulge every detail of the program. Officials of local towns and villages have disseminated rumors that workers were trouble makers who would be arrested by the police, which troubled and inconvenienced mothers who received aid through the program.

In one instance, police not only conducted forced interrogations, but also sent two agents to record the aid distribution by video. (In order to protect the personal safety of our workers, we will not identify the specific location.) These agents followed the AGA workers on their visits to families in remote villages, recording the conversations between our workers and the beneficiary families.

While AGA workers and local families were talking at the doorstep, they stood nearby. When our workers entered local houses, the police would enter and sit down as well. One may well imagine the anxiety and oppression felt by the AGA workers and rural families. Some families requested to stop receiving aid in order to escape police attention, fearing that the attention would have long-lasting ill effects on the entire family.

Many volunteers also decided to stop contributing their time to this charitable program. They had volunteered with AGA to serve the local community, but found themselves treated as suspected felons under open police surveillance. Neighbors of AGA workers also became suspicious and began opposing their work.

In another instance, a farmer whose family receives our aid was forcibly pushed into a police vehicle for interrogation. His cell phone was confiscated and he was threatened by the police. They asked him whether the aid carried any conditions, what the volunteers said to him, and whether there was any encouragement to join Falun Gong. After hours of interrogation, he was released.

As a result of police harassment, some field workers and aid-receiving families have requested an early termination of the Baby Shower program. Consequently, hundreds of baby girls and their families have lost the monthly assistance, which carried no conditions except that the family must have a newborn daughter. To a family whose monthly income was only between 300 to 500 Chinese yuan ($46–$77), this represents a grave loss.

A field worker told me,

> "It's hopeless. If we continue the program, we might end up in prison. If the government wants to arrest someone, there's no shortage of made-up charges. In China, it's not easy to do good even if you want to. The government wants to watch everything. They don't want to overlook any detail, even your thoughts. They have all the money and all the manpower. That's what it means to have a strong and glorious country."

The openings of the People's Congress and the Political Consultation Congress in March coincided with the Jasmine Revolution, when the government's surveillance and oppression became even more rampant. Police arrested all "questionable personalities" found in sensitive locations in Tiananmen Square and kept them in detention centers such as Jingjiuzhuang in Beijing.

Ms. Nie Lina, a woman from Henan province, contacted AGA because of her difficulties. She is currently 5-months pregnant. Her family's house was forcibly demolished, but she could get no redress from the local government. She had no option but to petition the central government in Beijing, and was beaten many times as a result.

She was then put into administrative detention in Beijing's Jingjiuzhuang center.

On March 28, 2011, Ms. Nie was transferred from Jingjiuzhuang to her local detention center for 10 days, during which time she suffered beatings to her head and body at the hands of government agents.

On April 19th, Ms. Nie was again arrested and kept in a detention center in Xiangcheng, Hunan. Seven to eight male government agents undressed her in the court yard of the detention center in front of 60 onlookers, leaving only her bra on her upper body. Afterwards, she was dragged to ultrasound exams and threatened with forced abortion. She was extremely frightened and greatly humiliated. After she reached out to AGA our team mobilized hundreds of others to pray for her safety.

God answered these prayers, as she was spared a forced abortion in the end because none of the authorities dared sign their name to authorize it. During her 3 day detention, she was given no food or water by the authorities. Because she was not fed, she suffered severe stomach pain; only a woman working in the kitchen had compassion, sneaking her some bread.

The government agents warned her, "We'll kill you if you go to Beijing to petition again. The police in Beijing told us to arrest you." I asked if she had visited sensitive locations with connection to the Jasmine Movement. She answered that she had no idea about any "jasmine." Her only purpose was to uphold her rights by petitioning in Beijing.

In another case, a victim of the Family Planning Policy was detained in Jingjiuzhuang in March 2011. (She has agreed to publicize these details on condition of anonymity.) Several years ago, a farmer's wife from Nanping, Fujian, was forced to undergo tubal ligation surgery, a forced sterilization.

The doctor mistakenly severed the ureter tract of one kidney, leading to infections in her kidney system. Even when Beijing hospitals proved that the ureter tract had been medically severed, the local government and hospital refused to compensate her, leaving her no option but to petition the central government.

Local law enforcement agents threatened that if she petitioned the government again, her death would occur under "murky" circumstances. She only recently discovered that the nervous atmosphere was the result of something called "jasmine."

Another of AGA's programs is our Orphan Scholarship program. As a result of the one-child policy and the traditional bias against girls, many newborn girls are abandoned by parents quickly after birth. AGA stepped in to provide not only shelter and care but also scholarships for the girls, who are now attending elementary, secondary or undergraduate schools.

Among these orphans are Shi Minjie, who was found nearly frozen in a basket 18 years ago, but who is now able to attend college with the help of AGA's scholarship; and "Little Thing" who was found last year and received lifesaving medical treatment through AGA's assistance.

Since the beginning of 2011, the nuns suddenly became unenthusiastic about AGA's assistance, nearly terminating all aid in February and March. After a special investigation, we discovered that the nun in charge of processing the funding, a member of the Tongcheng Buddhist Association, had received pressure through

"talks" with local authorities. She was no longer willing to have any connection with economic aid from abroad, even charitable foreign Christian donations.

In conclusion, All Girls Allowed testifies that the recent crackdown has included not only political dissidents, civil rights advocates and Internet opinion, but also the Chinese Government has been restricting the purely humanitarian activities of organizations such as All Girls Allowed and continues to persecute our workers. Because AGA works mainly to benefit girls and mothers, such restrictions have led to the direct suffering of the most vulnerable communities.

We urge American leaders to stand in solidarity with girls and mothers in China by continuing to support humanitarian organizations such as AGA, and also to act in the following ways: (1) Appoint a special investigator to determine the extent of human rights violations as a result of the one-child policy; (2) apply diplomatic pressure to the Chinese Government and issue a Congressional Resolution condemning the one-child policy; (3) partner with the Chinese Government to develop an alternative solution to population growth that is humane and effective.

Thank you.

[The prepared statement of Ms. Zhang follows:]

# Chinese Government Crackdown Extends to Humanitarian Workers Helping Girls and Mothers

**All Girls Allowed**

Testimony before the House Committee on Foreign Affairs
Subcommittee on Africa, Global Health and Human Rights
China's Latest Crackdown on Dissent

Friday, May 13, 2011

by Jing Zhang, Director of Operations

# Chinese Government Crackdown Extends to Humanitarian Workers Helping Girls and Mothers

by Jing Zhang
Director of Operations
All Girls Allowed

Friday, May 13, 2011

Hearing of the House Committee on Foreign Affairs, Subcommittee on Africa, Global Health and Human Rights: China's Latest Crackdown on Dissent

**Preamble**

All Girls Allowed is a non-profit Christian organization registered in the U.S., founded by Chai Ling, two-time Nobel peace prize nominee and former leader of the 1989 Tiananmen Square Democracy Movement. AGA's mission is to restore life, value and dignity to girls and mothers, and to reveal the injustice of China's One-Child Policy. As you may know, there are many human rights abuses that are occurring as a result of the repressive One-Child Policy, a policy that President Hu Jintao recently confirmed would continue. These human rights abuses include the gendercide of girls, infant abandonment, child trafficking, and forced abortions and sterilizations. Each day under the Policy, over 35,000 abortions occur (many of which are forced or coerced), 500 women commit suicide, and 1 out of every 6 girls will not make it to life. Today, the Chinese government reports that there are 37 million more men than women.

With the love of Christ and the power of God, AGA is taking on this massive issue, with faith that this will come to an end. AGA is supported through donations from the public, which fund our advocacy work in the U.S. and our humanitarian work in China. AGA has dozens of indigenous Chinese workers on the ground who carry out our four rescue programs. Similar to Mother Theresa, whose love for Jesus motivated her service to the poor, the AGA team's love for Jesus is the motivation to restore life, value and dignity to girls and mothers in China and throughout the world. It is through the work of God and by his transformative power that we will see lasting change in China.

In February 2011, inspired by the wave of democratic movements in the Arab World, the Chinese-language internet community gave birth to messages of the Jasmine Revolution. The Chinese government reacted in panic with a severe crackdown, in blatant violation of the Chinese Constitution and the U.N. Charter. It dismissed international condemnation and arrested hundreds of dissidents, civil rights attorneys, and artists—including Jiang Tianyong and Ai Weiwei. Even members of the public in

the streets who happened to carry jasmine flowers were arrested. Through AGA's communication with house church networks, we know of increased persecution of the Shouwang Church in Beijing, whose members have been systematically threatened, arrested and questioned. In Guizhou province, since March 18th, more than a dozen dissidents have been arrested without reason and detained for over a month. One of them, Ms. Wu Yuqin, had cancer; her eighty-year-old mother was also arrested for defending her daughter. Two other women, Wang Lihong and Liang Haiyi, were also arrested and charged for expressing opinions related to the Jasmine Revolution. The Chinese government has also put non-governmental organizations and their workers under surveillance. The work of All Girls Allowed suffered drastically because of threats and harassment from agents of the Ministry of State Security.

Today, China's cruel control of its own people continues to deepen. This year's Chinese domestic security budget reached 624.4 billion Chinese yuan, exceeding a military budget of 601.1 billion yuan.[1] This huge spending on domestic security control and the founding on March 4th of a new National Internet Information Office lead us to believe that the Chinese government has little intention of allowing greater freedom to its people.

**AGA Workers Under Surveillance and Beneficiaries Questioned**

The first of AGA's programs, the Baby Shower program, aids rural Chinese mothers and baby girls. Every month, AGA workers distribute stipends to mothers of baby girls; these stipends of about $20 are used to buy baby formula, food and clothing for their daughters. The purpose of the stipend is to save the baby girls from sex-selective abortion, infanticide or abandonment. The stipend also increases the perceived value of girls and gives dignity to mothers who might otherwise hang their heads in shame for having a baby girl.

Over 550 girls and families have benefited from this program. Surveys of sponsored families have shown a drastic change in culture: despite getting an illegal ultrasound to verify the gender of their current child, the vast majority of families who participated in the Baby Shower program expressed that they would not abort or abandon their next child, even if it were a girl—a remarkable success and breakdown of thousands of years of oppression against girls and women. Unfortunately, since March, AGA workers have been harassed by local police and security agents. Some workers have been detained and interrogated multiple times and forced to divulge every detail of the program. Officials of local towns and villages have disseminated rumors that workers were trouble makers who would be arrested by the police, which troubled and inconvenienced mothers who received aid through the program.

In one instance, police not only conducted forced interrogations, but also sent two

[1] Reuters Report: http://www.reuters.com/article/2011/03/05/china-unrest-idUSTOE72400920110305

A sampling of the baby girls and families who have received aid through All Girls Allowed's Baby Shower program.

agents to record the aid distribution by video. (In order to protect the personal safety of our workers, we will not identify the specific location.) These agents followed the AGA workers on their visits to families in remote villages, recording the conversations between our workers and the beneficiary families. While AGA workers and local families were talking at the doorstep, they stood nearby. When our workers entered local houses, the police would enter and sit down as well. One may well imagine the anxiety and oppression felt by the AGA workers and rural families. Some families requested to stop receiving aid in order to escape police attention, fearing that the attention would have long-lasting ill effects on the entire family. Many volunteers also decided to stop contributing their time to this charitable program. They had volunteered with AGA to serve the local community, but found themselves treated as suspected felons under open police surveillance. Neighbors of AGA workers also became suspicious and began opposing their work.

In another instance, a farmer whose family receives our aid was forcibly pushed into a police vehicle for interrogation. His cell phone was confiscated and he was threatened by the police. They asked him whether the aid carried any conditions, what the volunteers said to him, and whether there was any encouragement to join Falun Gong. After hours of interrogation, he was released.

As a result of police harassment, some field workers and aid-receiving families have requested an early termination of the Baby Shower program. Consequently, hundreds of baby girls and their families have lost the monthly assistance, which carried no conditions except that the family must have a newborn daughter. To a family whose monthly income was only between 300 to 500 Chinese yuan ($46-$77), this represents a grave loss.

A police agent followed an AGA worker as he distributed aid to Baby Shower recipients, recording his every action. (Background deliberately blurred to obscure location.)

A field worker told me, "It's hopeless. If we continue the program, we might end up in prison. If the government wants to arrest someone, there's no shortage of made-up charges. In China, it's not easy to do good even if you want to. The government wants to watch everything. They don't want to overlook any detail, even your thoughts. They have all the money and all the manpower. That's what it means to have a strong and glorious country."

**Arrests in Tiananmen Don't Spare Pregnant Woman**

The openings of the People's Congress and the Political Consultation Congress in March coincided with the Jasmine Revolution, when the government's surveillance and oppression became even more rampant. Police arrested all "questionable personalities" found in sensitive locations in Tiananmen Square and kept them in detention centers such as Jingjiuzhuang in Beijing. Ms. Nie Lina, a woman from Henan province, contacted AGA because of her difficulties. She is currently five-months pregnant. Her family's house was forcibly demolished, but she could get no redress from the local government. She had no option but to petition the central government in Beijing, and was beaten many times as a result. She was then put into administrative detention in Beijing's Jingjiuzhuang center. On March 28, 2011, Ms. Nie was transferred from Jingjiuzhuang to her local detention center for ten days, during which time she suffered beatings to her head and body at the hands of government agents.

On April 19th, Ms. Nie was again arrested and kept in a detention center in Xiangcheng, Henan. Seven to eight male government agents undressed her in the court yard of the detention center in front of sixty onlookers, leaving only her bra on her upper body. Afterwards, she was dragged to ultrasound exams and threatened with forced abortion. She was extremely frightened and greatly humiliated. After she reached out to AGA,

On March 15, 2011, Nie Lina was beaten and forcibly arrested by government agents and the police.

our team mobilized hundreds of others to pray for her safety. God answered these prayers, as she was spared a forced abortion in the end because none of the authorities dared sign their name to authorize it. During her three day detention, she was given no food or water by the authorities. Because she was not fed, she suffered severe stomach pain; only a woman working in the kitchen had compassion, sneaking her some bread. The government agents warned her, "We'll kill you if you go to Beijing to petition again. The police in Beijing told us to arrest you." I asked if she had visited sensitive locations with connection to the Jasmine Movement. She answered that she had no idea about any "jasmine". Her only purpose was to uphold her rights by petitioning in Beijing.

In another case, a victim of the Family Planning Policy was detained in Jingjiuzhuang in March 2011. (She has agreed to publicize these details on condition of anonymity.) Several years ago, a farmer's wife from Nanping, Fujian, was forced to undergo tubal ligation surgery—a forced sterilization. The doctor mistakenly severed the ureter tract of one kidney, leading to infections in her kidney system. Even when Beijing hospitals proved that the ureter tract had been medically severed, the local government and hospital refused to compensate her, leaving her no option but to petition the central government.

After multiple arrests, beatings, and detainment, she was used as an example of an "arrested illegal petitioner" in the local TV station's program, which led to the eroding of her reputation and collateral punishment to her children and family. When she was taken into the hospital in March for forced "treatment", she lost all freedom. She was followed by agents even when she returned home to pick up clothing. Local law enforcement agents threatened that if she petitioned the government again, her death would occur under "murky" circumstances. She only recently discovered that the nervous atmosphere was the result of something called "jasmine". She said that one of her kidneys had already been completely destroyed, and that her head had also been beaten. She estimated that she would not have long to live and had no desire to

continue in this life. We believe, however, that our God is capable of bringing healing and restoration to her and to others in similar suffering. We continue to invite the public to support these courageous women in prayer.

**Cutting Off Foreign Funding for Orphans**

Another of AGA's programs is our Orphan Scholarship program. As a result of the One-Child Policy and the traditional bias against girls, many newborn girls are abandoned by parents quickly after birth. The latest estimates are that up to one million babies are abandoned each year, most of them girls. A number of poor Buddhist nuns in Tongcheng, Anhui, have adopted several dozen abandoned girls. They provide shelter and care, but cannot afford to send them to school. AGA stepped in to provide monthly scholarships for the girls, who are now attending elementary, secondary or undergraduate schools. Among these orphans are Shi Minjie, who was found nearly frozen in a basket eighteen years ago, but who is now able to attend college with the help of AGA's scholarship; and "Little Thing", who was found last year and received life-saving medical treatment through AGA's assistance.

Shi Minjie (left) was rescued 18 years ago and is now attending Anhui Agricultural University. "Little Thing" (right) was rescued last year and received life-saving medical care.

Since the beginning of 2011, the nuns suddenly became unenthusiastic about AGA's assistance, nearly terminating all aid in February and March. After a special investigation, we discovered that the nun in charge of processing the funding, a member of the Tongcheng Buddhist Association, had received pressure through "talks" with local authorities. She was no longer willing to have any connection with economic aid from abroad, even charitable foreign Christian donations.

Many months ago, the central government announced a program to assist orphans

who did not already receive government funding.[2] This funding was supposed to be retroactive back to January 2010. However, in our March 2011 special investigation, we discovered that even provincial-level welfare agencies had not received any such funding, let alone city-, county-, and township-level agencies. Among the Tongcheng nunneries, not one has received any assistance.

We do not know whether AGA's Orphan Scholarship program had any connections with the government crackdown during the Jasmine Revolution, nor do we know the exact content of the conversations between Tongcheng police and the nuns, but the sudden change in the nuns' attitudes towards AGA's assistance speaks to the pressure they received. It also speaks to the government's suspicion of foreign charities and donations. This suspicion completely dismisses the needs of the most vulnerable group, the abandoned orphans.

**Conclusion and Action Steps**

In conclusion, All Girls Allowed testifies that the recent crackdown has included not only political dissidents, civil rights advocates and internet opinion, but also the Chinese government has been restricting the purely humanitarian activities of organizations such as All Girls Allowed and continues to persecute our workers. Because AGA works mainly to benefit girls and mothers, such restrictions have led to the direct suffering of the most vulnerable communities. Perhaps more importantly, the strict One-Child Policy continues to control the entire population, disproportionately oppressing girls and mothers, bringing about tremendous loss of life and creating an atmosphere of fear among the people.

What can and should be done in response to this evidence? In a statement earlier this week on May 9th, Secretary of State Hillary Clinton said, "China and the United States face a wide range of common regional and global challenges. How our two countries work together to meet those challenges will help define the trajectory, not only of our relationship going forward, but the future peace, prosperity, and progress of the world." We at AGA agree, and we believe that the future peace, prosperity and progress of the world depend on the moral uprightness of an emerging China. As China begins to grow in its influence in the global network, now is the time to confront them on their treatment of their own people.

While detractors may say that China does not respond to outside pressure, we have observed that drawing attention to these abuses have resulted in greater justice for the victims. One example is that of Xiao Aiying, a woman who was forced to abort her second child while eight-months pregnant. Shortly after her forced abortion, she was interviewed by Al Jazeera TV, and AGA's human rights lawyers immediately contacted her to defend her case. Through this exposure, the local government apologized and

[2] China's Legal Evening News Report: http://news.163.com/10/1231/14/6P84M0L800014AED.html

gave financial compensation and free housing to the couple. This is but one example of the importance of speaking up on behalf of these, the most vulnerable in society.


A screen capture of Xiao Aiying, as filmed by Al Jazeera TV immediately following her forced abortion.

We urge American leaders to stand in solidarity with girls and mothers in China by continuing to support humanitarian organizations such as AGA, and also to act in the following ways:

1) Appoint a special investigator to determine the extent of human rights violations as a result of the One-Child Policy.
2) Apply diplomatic pressure to the Chinese government and issue a Congressional Resolution condemning the One-Child Policy.
3) Partner with the Chinese government to develop an alternative solution to population growth that is humane and effective.

All Girls Allowed has collected the signatures of over 2,000 people who are asking you, their representatives in government, to perform these actions and any others in your power, in order to bring an end to this inhumane policy. In the short period of AGA's existence, we have seen God's hand at work in remarkable ways to rescue girls and mothers. With your help, we believe we will see an end to these grave human rights violations in China. Thank you very much for your attention.

---

Mr. SMITH. Thank you very, very much.
I would like to now yield to Steven Mosher.

## STATEMENT OF MR. STEVEN MOSHER, PRESIDENT, POPULATION RESEARCH INSTITUTE

Mr. MOSHER. Thank you, Mr. Chairman, Mr. Vice Chairman, and thank you very much for holding this important hearing today.

I don't want to summarize recent events in China because there are people here who can more adequately do that than I. I do want

to put it in the larger perspective, however, because it seems to me that the aborted Jasmine Revolution is only the latest chapter in Beijing's long and increasingly sophisticated campaign to quell all manner of dissent and to control all important aspects of civil society.

It's not surprising the Chinese dissidents sought to follow in the footsteps of democratic activists in Tunisia and Egypt. But the Chinese Government was way ahead of them. It preempted their actions at every stage. On Saturday, for example, February 19th, the organizers of peaceful demonstrations in China announced a very specific plan for demonstrations the following day, February 20th.

Even 10 days before that Chinese President Hu Jintao as the commander of chief of the PLA and the chairman of the Chinese Communist Party had already issued a directive to the military to be prepared for contingencies. This is well in advance of any call for peaceful demonstrations.

The directive issued on February 10th specifically instructed party cells within the military to study a document called Regulation Governing the Works of the Party Committees in the Military whose purpose was to strengthen the Party's control of the military.

The explanatory note that came along with this regulation said that each one of the 33 articles centers on ensuring the absolute control of the Party over the military. You can understand why a one-party dictatorship would be concerned that in the event of peaceful demonstrations military would be absolutely obedient to its dictates.

In fact, the document goes on to remind the military that all of its members owe their allegiance first and foremost to the Party, then to the socialism, then to the state, and finally, and only lastly, to the people. If the Party finds itself in a confrontation with the people, this prioritization intimates, the military is to support the Party at all cost. We know what that meant in Tiananmen some 20-odd years ago.

And then on February 19th, the same day that the dissidents issued a detailed plan for peaceful demonstrations in 13 major cities Hu Jintao, held a meeting of top officials to combat the perceived threat of unrest. According to the officials Xinhua News Agency, the meeting not only included all nine members of the CCP's powerful Politburo Standing Committee, but also provincial heads, ministry chiefs and senior military officials.

Such a high-level meeting could not possibly have been convened overnight. Obviously this was in planning for a long time suggesting again suggesting again the preemptive nature of the Chinese Government's response to the upheavals in the Arab world and to their possible spread to China.

In his surprisingly blunt address, Hu Jintao stressed that the Chinese Communist Party must strengthen its "management of society" in order to stay in power.

The "management of society" is a phrase that I haven't heard before. Chairman Mao Zedong, one of the founders of the Chinese community party, always talked about serving the people. Now Hu Jintao is talking about managing the people. This formulation marks a major departure from standard Communist rhetoric.

The purpose of this societal management, according to Hu, is to "maximize harmonious factors and minimize non-harmonious ones." In other words, those who adhere to the Party line are to be encouraged, while those who depart from it are to be crushed. I suppose there are many "non-harmonious" factors languishing in jail as we speak today being minimized, sometimes unto death.

The following day, the very day, in fact, slated for the demonstrations, the Politburo member in charge of national public security weighed in. Zhou Yongkang called on the Party not just to serve the people, but to manage the people as well, and announced specific ways in which this new "management" scrutiny would be carried out.

He announced a national database containing information on everyone in the country, including specific groups of people which is code for people are religious, minorities, political dissidents, other people who question the Party's actions in anyway.

Second, with strong leadership from the Party, cyberspace was to be brought under even stricter government control with strict enforcement of anti-sedition laws. Third, foreign non-governmental organizations in China will be subjected to a "dual system of supervision." I think this speaks to All Girls Allowed's problems in China where they are now being supervised out of business in effect.

This can only mean that all of these organizations, even foreign organizations that are simply there to do charitable work and have no interest in politics whatsoever, will be subjected to heightened scrutiny by several different Chinese Government agencies and perhaps closed down.

Fourth, an early warning system will be put in place to alert the authorities to social grievances, so as to allow them to defuse problems before they deteriorate into outright social unrest. Now, I would point out here that none of this is really new. It's an elaboration. It's a deepening of what has gone before.

I mean, the Ministry of State Security already has compiled extensive files on Chinese who have in the past questioned this or that government policy. The Chinese Government's monitoring and control of the Internet has been growing for years. Foreign organizations have always been viewed with suspicion, and Chinese citizens have always been monitored by Party-run social monitoring networks.

The amount of resources, the amount of money going into these actions is increasing at an enormous rate. Big Brother in China is getting ever bigger, not as we hoped 20 years ago ever smaller as civil society grew.

Even by the time of the Olympic Games in 2008, we saw a five-tiered social monitoring network. It included camera surveillance in public areas. It included Internet surveillance, regular police patrols on the streets, monitoring by peers in the workplace, and monitoring by neighborhood committees. Of course, this wasn't created in 2008 for the Olympics. Some of these things had existed from the founding of the People's Republic of China, the neighborhood committees, for example, reporting on your fellow workers in the workforce.

This is not an over-reaction on the part of the regime to the so-called Jasmine Revolution. This is a misinterpretation of what happened. The government wasn't reacting to events at all. It was anticipating them. All of its actions were taken in advance of any major public demonstrations and are more properly characterized as a kind of preemptive suppression.

Now, we in the Population Research Institute have carried out investigations in China over the years as you know, Mr. Chairman. I want to talk about a couple of things that have come to light in our recent visits to China.

Well in advance of any unrest in the Arab world, the Chinese Government was tightening controls on civil society, especially in the last year or 2. Two examples. The intensifying persecution of Christians is one. As some of you may know, the Chinese Government has now reasserted control over the Catholic Church in China and has installed an illicit bishop as the head of the church organization run by the Chinese Government in China.

It has also actually put a man, Ma Yinglin, who has been excommunicated by the Vatican as the head of the Catholic Bishop Conference in China. Now an official non-Catholic is in charge of the Catholic Bishops in China. I don't think you can get more heavy-handed than that. That violates the unspoken concordant that we saw between the Vatican and the People's Republic of China over the last several years in a way that probably means there is no going back.

We also looked into the one-child policy on our recent visits to China and we've already heard some heart-wrenching stories today about particular instances of that. Our investigation was focused on what are called model birth county programs which are run by the U.N. Population Fund.

We have visited over the last many months six different counties which were identified by the United Nations Population Fund as model birth control counties where the UNFPA told us that targets and quotas had been lifted, that women were free to voluntarily select the timing and spacing of their pregnancies, and that abortion is not promoted as a method of family planning.

We found in those counties all the abuses that you mentioned in your opening remarks and that have been brought up here on a couple of occasions already. Let me just speak to a couple of points that haven't come up yet. We visited Fengning Manchu Autonomous County, Hebei province. That's a county right near the border with what we used to call Manchuria. It's a U.N. Population Fund Model Birth Control County. Many of its residents are of Manchu decent, hence its designation as a Manchu Autonomous County.

From the beginning of the one-child policy the Chinese Government has maintained that the policy does not apply to minorities like the Manchus, like the Uyghurs, like the Tibetans. In fact, the UNFPA, of course, has repeated those claims on many occasions.

We interviewed a number of Manchus who assured us that the one-child policy was being just as rigorously enforced on them, this minority, in this U.N. Population Fund Model Birth Control County. It was being enforced in the same way with targets and quotas and coercive sterilizations and, if need be, coercive abortions that it was being enforced everywhere else. The Chinese Government's

claim that all minorities are exempt from the one-child policy, which the UNFPA has at various times repeated, seemed simply not to be true, at least in this county.

The other thing I would like to talk about in conclusion is child abduction, child trafficking, and the one-child policy. We visited a county in Guangxi Province, Lipu County, which is not very far from the border with Hunan Province to the north. This is another U.N. Population Fund Model Birth Control County. We were told by local officials, "At the present time, if you don't pay the fine, they come and abduct the baby you just gave birth to and give it to someone else."

We have all just read in the last couple of weeks that this practice of child abduction has been reported in the Caixin Century magazine where authorities in the Southern Province of Hunan, just north of where we conducted our investigation, are looking into a report that population control officials seized 16 babies born in violation of strict family planning rules, sent them to state-run orphanages which then in turn sold them abroad for adoption. They quoted an individual saying, "Before 1997 they usually punished us by tearing down our houses for breaching the one-child policy but after 2000 they began to confiscate our children."

This is the same kind of thing that we found, Mr. Chairman, that they are not tearing down homes so much as collecting huge fines from parents. If they can't pay the fine, then the babies are taken away, abducted. The orphanage pays the population control officials a couple thousand renminbi for each child.

Then, of course, they in turn collect $3,000 to $5,000 for each child adopted overseas, money that is paid by the adoptive parents. It's worth noting that these two reports, our report and the report from China, came from the same general area of China and occurred at neighboring provinces.

Local officials, of course, have denied that they abduct children. They deny that they traffick in babies but it is well known that China's "job responsibility system" requires them to rigorously enforce the one-child policy and that their success or failure in this area determines future promotions or demotions.

Abducting and selling an illegal child or baby would not only enable an official to eliminate a potential black mark on his record, it will allow him to make a profit at the same time. In this way the one-child policy through its system of perverse and inhumane rewards and punishments rewards officials for violating the fundamental rights of parents to decide for themselves the number and spacing of their children.

Child trafficking has occurred in other countries that offer children for adoption in Cambodia, Nepal, Vietnam where the abuses are so rampant that the U.S. has put a moratorium on adoptions. I have always encouraged adoptions from China arguing that every baby adopted from China is a life saved but, Mr. Chairman, it may be time to consider a similar moratorium on adoptions from China. Thank you.

[The prepared statement of Mr. Mosher follows:]

**The Chinese Crackdown Carried Out by the Neo-Red Guards**

**Predates the "Jasmine Revolution."**

**Steven W. Mosher**

**President,**

**Population Research Institute**

**www.pop.org**

**Testimony Presented to the**

**House Committee on Foreign**
**Affairs, Subcommittee on Africa, Global Health, and Human Rights**

**May 13th, 2011**

**Introduction**

The revolution in Tunisia and, later, Egypt sparked hope in the hearts of Chinese democracy and human rights activists. They saw how online connectivity enabled people to overcome fear, rapidly organize, and bloodlessly, or nearly so, bring down a tyrannical regime within a few weeks. But when they attempted, rightly, to emulate this model they found that the Chinese government had preempted key elements of their plan and suppressed others.
It is clear that the government's response to the call for a Chinese "Jasmine revolution" was not *ad hoc*, but was a continuation of an ongoing campaign to suppress all expressions of civil society, including religious and ethnic affiliations, that could conceivably—at least in the minds of conspiratorially minded senior Communist Party officials—pose a threat to the power, wealth and privileges that they currently enjoy. The neo-Red Guards who dominate the upper reaches of the Party and government, because of their Maoist "education" in deadly power politics during their formative years, seem much more likely to brutally confront dissent than to compromise with it.

**China's Aborted Jasmine Revolution**

I will only briefly summarize recent events in China, not only because there are others testifying here today who will ably do so, but because it seems to me only *the latest chapter in Beijing's long and increasingly sophisticated campaign to quell all manner of dissent.*

The revolutions in the Middle East, especially the successful and largely bloodless outcomes in Tunisia and Egypt encouraged Chinese human rights activists to go and do likewise. Tunisia, which had languished in the grip of a dictator for 23 years, was especially instructive in illustrating how modern means of communications enabled the mobilization of tens of thousands of people who took to the streets, overcame fear through sheer numbers, avoided a Tiananmen-style massacre, and were successful in overthrowing the regime in 18 days.

It is not surprising that Chinese dissidents sought to follow this same formula in China. Sometime in mid-February—the exact date depends upon what news source you rely upon--the first call for a Jasmine Revolution for China appeared. In any case, on Saturday, February 19th, the organizers released a very specific plan for the following day. The plan named 13 Chinese cities and gathering places, directed participants to appear at 2p.m. on Sunday, February 20th, at 13 locations in as many cities. It even outlined specific slogans for them to shout, to wit:

"We want food, we want work, we want housing, we want fairness, we want justice, start political reform, end one-party dictatorship, bring in freedom of the press, long live freedom, long live democracy."

The regime responded quickly—so quickly, in fact, that it is clear in retrospect that contingency plans for just such an event had long been in place, dating back to at least the 2008 Olympics, and probably first devised, in their most rudimentary form, in the aftermath of the Tiananmen Massacre itself.

**Pre-emptive suppression**

Even before the first calls for a Jasmine Revolution for China were voiced, Chinese President Hu Jintao, as the Commander-in-Chief of the PLA *and* the Chairman of the Chinese Communist Party, had issued a directive to the military to be prepared for contingencies. The directive, issued on February 10, specifically instructed Party cells within the military to study a document entitled *Regulation Governing the Works of the Party Committees in the Military,* whose ostensible purpose is to strengthen the Party's control over the military. According to an explanatory note, "Each one of the 33 articles in the regulation centers on ensuring the absolute control of the party over the military."

In urging the military to study the regulation at that time, Hu was anticipating that the unrest in the Arab world might potentially spread to China. If circumstances required him to send in the military to put down demonstrations, he wanted his commanders ready to follow orders—whatever those might be. Was Hu concerned that some military commanders might refuse to enforce orders to fire on unarmed demonstrators, as they did initially in Beijing 22 years ago? Was Hu concerned that the military might shift allegiances in the event of a conflict and prove to be, as happened in Tunisia and Egypt, the most potent opposition weapon in overthrowing the current regime? Probably both. The document pointedly reminds the military that all its members owe their allegiance first and foremost to the party, and then to socialism, then to the state and, finally, to the people. If the Party finds itself in a major confrontation with the people, this prioritization intimates, the military is to support the Party at all costs, even to the point of shedding blood.

Then on February 19th--the same day that the dissidents issued a detailed plan for peaceful demonstrations in 13 major cities—Hu Jintao held a meeting of top officials to combat the perceived threat of unrest. According to the officials Xinhua News Agency, the meeting not only included all nine members of the CCP's powerful Politburo Standing Committee, but also provincial heads, ministry chiefs and senior military officials.

Such a high-level meeting could not have been organized overnight, suggesting again the preemptive nature of the Chinese government's response to the upheavals in the Arab world and to their possible spread to China. Hu referred to "new changes in domestic and foreign situations" and to the need for senior CCP cadres to adopt a unified response from the outset. The divisions in the top leadership that had for a time blunted the response of the CCP to the Tiananmen demonstrations were to be avoided.

In his surprisingly blunt address, Hu stressed that the Chinese Communist Party must strengthen its "management of society" in order to stay in power.
Hu defined the "management of society" to be "managing the people as well as serving them." This formulation marks a major departure from standard Communist rhetoric, first devised by Mao Zedong, that the CCP exists to serve the people. The purpose of this societal management, according to Hu, is to "maximize harmonious factors and minimize non-harmonious ones." In other words, those who adhere to the Party line are to be encouraged, while those who depart from it are to be crushed.

Hu went on to outline specific ways in which the "management of society" could be strengthened. These included heightened control over cyberspace, specifically better monitoring and control over Internet-transmitted information and improved guidance of public opinion over the Internet. He also called for the establishment of a national database of migrant workers and of "specific groups of people," which is communist parlance for political dissidents, religious leaders, and other questionable groups, so that these groups could be better "managed."

The following day—the very day, in fact, slated for the demonstrations—the Politburo member in charge of national public security weighed in. Echoing Hu Jintao, Zhou Yongkang called on the Party not just to serve the people, but to manage the people as well, and announced specific ways in which this "management" would be carried out. First, a national database containing information on everyone in the country, with a special focus on Hu's "specific groups of people," would be set up. Second, with strong leadership from the Party, cyberspace was to be brought under strict government control with strict enforcement of anti-sedition laws. Third, foreign non-governmental organizations in China will be subjected to a "dual system of supervision," which can only mean that they will be subjected to heightened scrutiny by several different Chinese government agencies. Fourth, an early warning system will be put in place to alert the authorities to social grievances, so as to allow them to defuse problems before they deteriorate into outright social unrest.

None of this is really new, but rather merely an elaboration and deepening of what has gone before. The Ministry of State Security already has extensive files on Chinese who have in the past questioned this or that government policy. The Chinese government's monitoring and control of the Internet has been growing for years. Foreign organizations have always been viewed with suspicion, and Chinese citizens have always been monitored by Party-run social monitoring networks.

Take social-monitoring networks, for example. From the beginning of the People's Republic of China, the state has kept an eye on the masses by means of regular police patrols on the streets, mutual monitoring by peers in the workplace, and surveillance by neighborhood committees.

By the time of the Olympic Games, this three-tiered system had morphed into what China's Public Security Minister, Meng Jianzhu, called a five-tiered social-monitoring network, which included: Camera surveillance in public areas and Internet surveillance, as well as regular police patrols on the streets, mutual monitoring by peers in the workplace and monitoring by neighborhood committees. This was not, as has sometimes been reported, an ad hoc system created in 2008 to ensure security during the Olympic Games and the subsequent Shanghai Expo but an elaboration of what has been a constant feature of life in the PRC from the beginning. Those who argue that China's economic reforms would lead to political liberalization need to take note.

**The Preemptive Strike**

As these policy pronouncements were being made, the Chinese authorities were already preemptively moving to suppress dissent by arresting human rights lawyers, shutting university students in their campuses, banning the use of keywords on mobile phone messages, and by deploying an overwhelming police presence. The China Support Network reported that some dissidents were taken away, while others were placed under house arrest. According to the Hong Kong Information Center for Human Rights and Democracy, over 100 people were detained in this way. Other dissidents were warned against attending any of the demonstrations, and questioned about their possible role in organizing them. The word "jasmine" was blocked by Internet filters. According to the Associated Press, service was suspended in Beijing for multi-recipient text messages. The 13 protest sites were cordoned off by hundreds of plain clothes and uniformed police. On the day of the planned demonstrations, small crowds gathered in Beijing and Shanghai. In the other cities the massive police presence seemed the only response to the Internet calls for protests.

Some foreign observers have called these moves on the part of the regime an "over-reaction" to events. This is a misinterpretation of what happened. The government wasn't reacting to events at all, but rather anticipating them. These actions were all taken in advance of any major public demonstrations, and are more properly characterized as a kind of "preemptive suppression." The speed and thoroughness of the Chinese government's action suggests years of planning and preparation for just such a potential mass uprising, as much as it does the determination of those in power to squelch all dissent using all of the manifold tools of "social management" at their disposal.

This interpretation is also supported by the speed at which the Chinese government went on the offensive, attacking websites overseas that carry information about, or in any way encourage, a Chinese-style Jasmine Revolution. Online calls for a "Jasmine revolution" in China apparently first appeared at the web site Boxun.com. A few days later, Boxun announced that it would no longer carry Jasmine-related information, because of actions taken by the Chinese government against their servers, and threats made against their staff and their families. In response, a federation of dissident websites announced in early March that they would carry such material. The eight web sites of the federation are:

Jasmine on Facebook: facebook.com/chinarevolution
China Affairs: chinaaffairs.org

Huang Hua Gang magazine: huanghuagang.org
Fire of Liberty: fireofliberty.org
Wolfax: wolfax.com
Future China Forum: bbs.futurechinafourm.org
Chinese Human Rights: CNRights.com
China Support Network: chinasupport.net

These web sites in turn have experienced cyber attacks emanating from Beijing. By March 11, the Future China Forum website was down, and attempts to access CNRights.com returned a blank page. The front page at wolfax.com is not served until the user solves a "captcha" puzzle. The other five sites remained up. The pro-Jasmine web sites continue to experience denial-of-service attacks. Organizer Tang Baiqiao praised the enthusiastic response to date, and vowed that all obstacles will be overcome until a Chinese revolution successfully establishes democracy in that land.
(http://www.chinauncensored.com/index.php?option=com_content&view=article&id=332:web-presence-of-chinese-jasmine-revolution-under-attack&catid=25:real-china&Itemid=77)

**Actions Prior to the Jasmine Revolution**

Well in advance of any unrest in the Arab world, the Chinese government was tightening controls on civil society using its five-tiered social monitoring network. This can be seen from the increased persecution of Christians in China, including the Catholic Church and the House Church Movement, as well as in the continuing vigorous enforcement of the most intrusive and barbaric population control program the world has ever seen.

**The Intensifying Persecution of Christians**

In the case of the Catholic Church, the Chinese government over the past couple of years has moved away from an accommodative stance to a more dictatorial one.
On November 20th, the Chinese Communist Party broke its tacit agreement with the Vatican not to attempt to ordain bishops without papal approval. The incident occurred in the county town of Pingquan in northern Hebei province, where a Father Joseph Guo Jincai was installed as the "Bishop" of the Diocese of Chengde.

Attempting to give a semblance of legitimacy to the illicit proceedings, the government went to great lengths to assemble as many bishops as possible to conduct the ordination. Days before the event, a number of North China bishops in communion with Pope Benedict XVI were placed under house arrest, then taken under guard to the Pingquan church. Eight laid hands on Father Guo during the sham ordination, reported the Asian church news agency UCA News, though with what mental reservations we can only imagine. Others, like Bishop John Liu Jinghe of Tangshan, refused to attend despite all the pressure, and the government has since announced that he has been removed from his post—an act comparable to that of attempting to install an illicit bishop.

Hong Kong Cardinal Joseph Zen Ze-kiun, who attended the pope's creation of 24 new cardinals at the Vatican Nov. 20, said he was saddened that some bishops had been forced to participate in "Bishop" Guo's ordination. When Beijing last carried out illicit ordinations, Cardinal Zen told me that the attending bishops, "were not there not there by choice, and most contacted the Holy See as soon as they could to apologize and ask forgiveness for their actions."

It was a bizarre parody of an ordination in other ways as well. A good many of those present were government officials and plainclothes police. The laity in the congregation were subdued, which may have had something to do with the fact that the church was surrounded by about a hundred uniformed and plainclothes police, that cameras were banned in the church, and that mobile phones were electronically jammed.

I visited this area last year, and I have no doubt that the laity and the priests are strong in their faith and loyal to the Pope. Still, it would be dangerous for them to in any way protest Beijing's heavy-handed actions. One Pingchuan Catholic did offer a veiled protest to UCA News by saying "After all, Guo's reputation among the local faithful is not bad." In Chinese, saying someone or something is "not bad" is tantamount to damning it with faint praise. Note also his omission of the ersatz bishop's new title. In a country where titles are extremely important, such lapses do not happen by chance. It suggests some skepticism as to Guo's legitimacy.

Why would Beijing proceed with actions that Jesuit Father Federico Lombardi, Vatican spokesman, had criticized in a statement released on November 18th "as grave violations of freedom of religion and freedom of conscience. ... [and] as illicit and damaging to the constructive relations that have been developing in recent times between the People's Republic of China and the Holy See."

It seems to me to be part and parcel of the gradual tightening of social controls that we have seen over the past few years. One reason why the government suddenly elevated Father Guo to a bishopric without a papal mandate became crystal clear two weeks after his illicit ordination when on December 8th he was unanimously elected the secretary general of the Bishops Conference of the Catholic Church in China (BCCCC). Since this position is reserved for a bishop, and since Beijing wanted someone they could control, Beijing decided to elevate Guo, with or without Rome's approval

As secretary general, Guo will be based in Beijing and will run the day-to-day operations of the Bishops Conference. Note that, unlike bishop's conferences elsewhere, the BCCCC is what is called in Chinese Communist parlance a front organization. Like its sister organization, the Chinese Catholic Patriotic Association (CCPA), the Bishops Conference is for all intents and purposes run by the Chinese Communist Party. This is why neither organization is recognized by the Vatican.

Guo has a long history of collaboration with the party. Previously, he served as vice secretary-general of the Chinese Catholic Patriotic Association. Pope Benedict's letter to Chinese Catholics of 2007 indicates that holding the CCPA position was incompatible with Church doctrine. He was also appointed to the National People's Congress, China's rubber-stamp parliament, as a "Catholic representative." All in all, an impressively meteoric rise for a young man only ordained in 1992.

I am not suggesting that Guo is an underground member of the Chinese Communist Party, although it would be surprising if the Chinese Ministry of State Security, like the former Soviet KGB, did not have some agents posing as priests. More likely, he has merely proven a willing accomplice to CCP longstanding desire to create a schismatic church in China answerable not to Rome but to Beijing. This, after all, was the reason the Patriotic Association was set up in 1957.

His election took place at the recently concluded Eighth National Congress of Catholic Representatives, which was as carefully choreographed as a Broadway musical. Aside from the 45 bishops present, there were 268 carefully selected and vetted priests, nuns and laypersons. The Party had done its work well. There was only one candidate for each position, and the voting, which was by a show of hands, was nearly unanimous.

Those few who abstained from voting for the Party-approved candidates will undoubtedly have to account to their Party handlers for their actions. But their problems are minor compared to those of Bishop Joseph Li Liangui of Cangzhou, who went missing rather than participate in this charade. His whereabouts are still unknown. After ordaining Father Guo, Beijing in December chose a man the Vatican had excommunicated, Ma Yinglin, to head the country's Catholic bishops.

The increased scrutiny and control of the Catholic Church in China over the past two years is of a piece with the larger crackdown on home churches that is underway in China. People of all Christian faiths often meet in people's homes because of a shortage of churches, which the government is reluctant to give permission to build. Such meetings are being subjected to an ever greater degree of scrutiny, with meetings often invaded and participants arrested. This will have a chilling effect on evangelization, since many parishes send out missionaries to meet in peoples' homes and share the Gospel. If the Chinese Communist Party is not trying to drive Chinese Catholics back into the catacombs, it is trying to keep them corralled in the state churches, discouraging them from sharing their beliefs with others.

**The One-Child Policy, Minorities, and Child Abduction**

Beijing continues to vigorously pursue its infamous one-child policy, ignoring the massive human rights abuses that this entails, and the labor shortages that it has produced.
Over the past two years, PRI's investigative teams have spent a total of two weeks in China visiting UNFPA Model Birth Control Counties. During this period, the teams spent over 80 hours interviewing several dozen witnesses to, or victims of, China's coercive one-child policy. Over 30 hours of testimonies were recorded on audiotape, and approximately 5 hours of testimonies were recorded on videotape. Additional photographic evidence of birth control directives was obtained.

The term Model Birth Control Counties originated with the UNFPA, which in 1998 formally communicated to the U.S. House of Representatives that it had reached an agreement with the Chinese government to take over the management of birth control (*jihua shengyu*, in Chinese) programs in 32 counties. In these Model Birth Control Counties, the UNFPA assured the Congress that the program would be "fully voluntary" and untainted by coercion. UNFPA also made even more specific guarantees. It stated that in these counties that (1) targets and quotas have been lifted, (2) "women are free to voluntarily select the timing and spacing of their pregnancies", and (3) abortion is not promoted as a method of family planning.[1] Several years later, maintaining that the original program had been a success, the UNFPA added another 40 counties to the list of model birth control counties, bringing the total to 72.

The goal of PRI's independent investigative teams was to carry out an in-depth analysis of several UNFPA "model birth control county" programs. We deliberately limited our recent visits to counties that had been included on the original 1998 list, where the UNFPA would have had more than a decade to end abuses and bring the birth control programs into line with generally accepted international standards of human and parental rights.

The county programs selected for investigation were:

Fengning Manchu Autonomous County, Hebei province.
Luan County, Hebei province.
Wenshui County, Shanxi province.
Sihui County, Guangdong province.
Lipu County, Guangxi province.

Our complete report will be published shortly. Here I summarize two important findings of our research. First, contrary to the claims of the Chinese government, minorities appear not to be exempt from the one-child policy. Second, the extraordinary police powers given to the population cadres have resulted in numerous abuses, including the abduction and selling of "illegal" children.

**Minorities Are Not Exempt from the One-Child Policy**

Fengning Autonomous Manchu County, in northern Hebei Province near what used to be called Manchuria, is officially designated as a UNFPA "Model Birth Control County." Many of its residents are of Manchu descent, hence its designation as a "Manchu Autonomous County."

From the beginning of the one-child policy, the Chinese government has maintained that the policy does not apply to minorities like the Manchus, the Uyghurs, and the Tibetans. Members of such groups, instead of being restricted to one child, are supposedly allowed to have two or even three. The rationale is obvious: Imposing a one-child policy on a minority group would shrink its numbers over time, and could even prove genocidal. The outside world has generally bought into this generous-sounding claim.[ii]

PRI conducted interviews with several dozen Manchus and Han Chinese. We conclude from these interviews that the one child policy is just as rigorously enforced in this UNFPA county as in other non-UNFPA counties. Moreover, we conclude that the same childbearing regulations that are enforced on the Han Chinese are also enforced on the Manchu minority. For example, we interviewed a Manchu dairyman who, despite being a member of a minority group, was only allowed to have one child:

> PRI: "Do you have any children?"
> Manchu man: "We have one child, a son. He is in school right now."
> PRI: "Would you like to have more children?"
> Manchu man: "Of course we would like to," he shrugged. "But that is not allowed."
> PRI: "What happens if you have an illegal child?"
> Manchu man: "It depends on your income, but it can run into the tens of thousands of Chinese Yuan."
> PRI: "And you are Manchus?
> Manchu man: "Yes, we are."

The Chinese government claim that all minorities are exempt from the one-child policy, which the UNFPA has at various times repeated, is false. This is relevant because that UNFPA is also helping to fund "family planning" services not just in Fengning but in other minority regions as well.[iii] This provides, *inter alia,* yet more evidence that the UNFPA's claims that it is a moderating force in China do not accord with the reality of its complicity in coercion.

**Child Abduction, Child Trafficking, and the One-Child Policy**

It is well known that those who violate the one-child policy have sometimes been subjected to coerced abortions or, if they have already given birth, have been forced to pay punitive fines *and* have been sterilized. But it has also recently come to our attention that Chinese villagers who cannot afford to pay these fines have their "illegal" children abducted and sold by Chinese population control officials.

The birth control regulations posted in one town warned that those who violate the one-child policy shall be contracepted or sterilized:

> Under the direction of the birth control bureaucracy and the technical personnel (assigned thereto), those married women of childbearing age who have already had one child shall be given an IUD; *those couples that have already had a second or higher order child shall be sterilized.* (Italics added.)

This sterilization directive was confirmed in conversation with villagers. One woman, a Chinese minority, told us that the consequence of having a third child would be that the government "would take measures to sterilize you."

The fines now imposed on violators of the one-child policy are, by any standards, enormous. In one UNFPA "Model Birth Control County," we photographed a billboard of birth control regulations that warned:

> Those who illegally reproduce ... will be assessed, when their illegal behavior is discovered, a "social compensation fee" based on a unit calculated from a year's salary for urban dwellers and based on a year's income after expenses for rural dwellers;
>
> Those who illegally give birth to one child, will be assessed a fine 3 to 5 times their annual income; those who illegally give birth to a second child will be assessed a fine from 5 to 7 times their annual income; those who illegally give birth to a third child will be assessed a fine from 7 to 9 times their annual income; those who give birth to 4 or more illegal children will be assessed a fine extrapolated from the above schedule of multiples; Those who illegally take in a child, have an extramarital birth, have an out of wedlock birth, both parties involved will be assessed a "social compensation fee" according to the above schedule of (income) multiples.

That these fines were actually imposed was clear from our discussions with ordinary Chinese. We were told again and again that violators are fined "tens of thousands of *renminbi*," or "20,000 or 30,000 *renminbi*." These are enormous sums of money by Chinese standards. One woman reported that she and her husband had been forced to take out a 10-year loan to pay the 25,000 *renminbi* fine that had been assessed for each of her two illegal daughters. To pay off this "child mortgage," her husband had been forced to go to work in the city.

When we asked what would happen if a couple couldn't afford to pay the fine, we were told that offenders would be visited by population control officials who would "seal off" their homes, and possibly even destroy them, as punishment for non-payment.

In Lipu county, another UNFPA Model Birth Control County, located in northern Guangxi province, we were told by a village officials that "At the present time, if you don't pay the fine, they come and abduct the baby you just gave birth to and give it to someone else."

This practice of child abduction has recently been confirmed by the Chinese government. According to a report in the *Caixin Century* magazine, authorities in the southern Chinese province of Hunan have begun investigating a report that population control officials had seized at least 16 babies born in violation of strict family planning rules, sent them to state-run orphanages, and then sold them abroad for adoption. "Before 1997, they usually punished us by tearing down our houses for breaching the one-child policy, but after 2000 they began to confiscate our children," the magazine quoted villager Yuan Chaoren as saying.

The children, reportedly from Longhui county near Hunan province's Shaoyang city, had been abducted by who accused their parents of breaching the one-child policy or illegally adopting children. The local family planning office then sent the children to local orphanages, which listed them as being available for adoption, the report said, adding the office could get 1,000 *renminbi* or more for each child. The orphanages in turn receive $3,000 to $5,000 for each child adopted overseas, money that is paid by the adoptive parents. The magazine reported that al least one migrant worker said she had found her daughter had been adopted abroad and was now living in the United States.

It is worth noting that these two reports come from the same general area of China and occurred in neighboring provinces. Lipu county, where we heard about the practice of abducting and selling "illegal" children, is located in northern Guangxi province not far from the Hunan border, while Shaoyang is located near the southern border of Hunan not far from the Guangxi border.

Local officials deny any involvement in child trafficking. But it is well known that the so-called "job responsibility system" requires them to rigorously enforce the one-child policy, and that their success (or failure) in this area will determine future promotions (or demotions). Abducting and selling an "illegal" baby or child would not only enable an official to eliminate a potential black mark on his record, it would allow him to make a profit at the same time. In this way the one-child policy, through its system of perverse and inhumane rewards and punishment, encourages

officials to violate the fundamental right of parents to decide for themselves the number and spacing of their children.

Child trafficking has occurred in other countries that offer children for adoption, most notably in Cambodia, Nepal and Vietnam, where the abuses are so rampant that the U.S. has put a moratorium on adoptions. It may be time to consider a similar moratorium on adoptions from China.

**Neo-Red Guards Rule China**

The recent crackdown on dissent in China is only the latest chapter in an ongoing effort by the current leadership of China to assert total societal and political control over the Chinese people. I am of the opinion that the one-party dictatorship that rules China is quite likely the most totalitarian-minded—in the sense of seeking total social control—in the history of mankind. This is in large part because those who currently rule China are schooled in the art of power politics in a way that no other leadership cadre has ever been.

Forty-five years ago, at Chairman Mao Zedong's instigation, the Red Guards launched the Cultural Revolution to "crush an old world and construct a new one." Schools throughout the country were closed down in 1966, and for the next few years high school and college students received an alternative education in radical ideology, political movements, and factional fighting. Large armed clashes between factions of Red Guards occurred throughout the county.
Today, 45 years later, these former Red Guards are now in their sixties, and they run China. Both China's current president, Hu Jintao, and premier, Wen Jiaobao, were Red Guards in the late 1960s. Hu was a member of Tsinghua University's "4.14" Red Guard group, while Wen was in Beijing Geology College's "East is Red" organization. A majority of the 11 new officials appointed to China's elite 25-member 17th Communist Party Politburo in 2007 are part of this same Cultural Revolution generation.

The same story could be repeated at lower levels of government. Tibet, for instance, is ruled by a group of aging Red Guards consisting of Mr. Meng Jianzhu, the Minister for Public Security, Mr. Zhang Qingli, the head of the Chinese Communist Party in Tibet, and Mr. Qiangha Puncog, the head of the Tibetan Government. This is the group which, supported by the People's Liberation Army (PLA), increasingly dictates the ongoing suppression of Tibet.

These are the same people who tore down and ransacked placed of worship throughout China, struggled, tortured, and in some cases killed their own professors and leaders, and fought bitter battles with other student groups for power in their cities and provinces. These experiences of their formative years have left an indelible stamp on their characters. They may, for reasons for national and personal aggrandizement, be committed to market-oriented economic reforms, but they are at the same time cunning political manipulators and are capable, when necessary, of great brutality.

Eventually the increasingly severe methods being used to police the Chinese population and suppress all dissent will create a backlash. Many of the conditions that resulted in the collapse of the Soviet Union and the communist regimes of Eastern Europe exist now in China. But we cannot expect a Gorbachev to emerge in China, at least from this leadership cadre. Rather, look for one dramatic event to ignite the discontent that now festers throughout China. There will be more Tiananmen demonstrations, and next time they will result in real change.

---

[i] See: "UNFPA's County Program in China: Providing Quality Care, Protecting Human Rights," UNFPA, August 10, 2001.

[ii] If you Google "China's One-Child Policy and Minorities," as I have, you will find dozens of sites blithely repeating Beijing's mantra that the policy does not apply to minorities. I had doubted this claim from the beginning, and for good reason. Back in the eighties, I collaborated with an American doctor who

documented the forced abortion and sterilization of Tibetan women who threatened to violate the one-child policy.

[iii] See MDGF-1692: The China Culture and Development Partnership Framework, accessed on June 21, 2009, at http://sdnhq.undp.org/opas/en/proposals/suitable/189. Here the U.N. Population Fund in involvement in a project to promote family planning among minorities. Their goal is and "Increased proportion of clients seeking MCH/FP counseling services in program locations."

Mr. SMITH. Thank you very much, Mr. Mosher.
Mr. Kine.

**STATEMENT OF MR. PHELIM KINE, ASIA RESEARCHER, HUMAN RIGHTS WATCH**

Mr. KINE. Thank you very much, Chairman Smith, Vice Chairman Fortenberry, and other distinguished members of the committee and subcommittee. Human Rights Watch first wishes to thank the Committee on Foreign Affairs for convening this timely hearing. It is a privilege to participate along with such distinguished panelists.

I just want to talk very quickly about the questions before us; what's going on, why it's happening, and what the U.S. should be doing about this. What we have documented since mid-February along with other international and domestic human rights organizations is the Chinese security forces arresting, detaining, and disappearing dozens of human rights defenders, lawyers, civil society activists, artists, and bloggers.

I think the thing that is really notable in this case, obviously the very moving testimony of Mr. Wu and Mr. Wei Jingsheng is that the Chinese Government is no stranger to using repression against its people, but what we've been seeing in recent weeks is a real ratcheting up in terms of the unlawfulness and the sheer thuggishness of the Chinese Government and the security forces' methods against its people.

The use of enforced disappearances are particularly frightening. Individuals such as the artist Ai Weiwei, lawyers like Liu Shihui, Li Tiantian, these are individuals who have been disappeared without any recourse, due process of law, no protection, incommunicado at high risk of torture in custody.

These individuals are suffering these excesses for doing no more than asking the Chinese Government to abide by its own laws and to grant them the rights and freedoms enshrined in the Constitution of the People's Republic of China.

Perversely, these things are happening in a background in which the Chinese Government and senior leaders are evermore ready to use quite lofty rhetoric on human rights in sharp contrast to the grimmer reality on the ground. It's worth noting that in December 2010, Liu Xiaobo became the world's first and only imprisoned Nobel Peace Prize laureate.

The Chinese Government marked the conclusion of its very first 2-year national human rights action plan, a very aspirational docu-

ment that was supposed to address these types of issues. With your permission I would like to enter into the record a Human Rights Watch Report, "Promises Unfulfilled," an assessment of China's very first national human rights action plan.

Mr. SMITH. Without objection, so ordered.

Mr. KINE. Thank you very much, sir.

So that's the situation on the ground. Now, why is this happening? Well, obviously the immediate cause is the events in the Middle East and in North Africa have sent a chill through the regime. They recognize that there is a potential threat to their legitimacy.

Now, what is the longer term? What is the wider view on this? Well, the fact is that the Chinese Government is doing this because they know they can get away with it. The Chinese Government in recent years has run a cost benefit ratio on repression. They have concluded that it pays.

Why do I say that? Well, echoing comments by my fellow panelist, Mr. Mosher, we and other organizations have chronicled a steady tightening and repression against human rights defenders, civil society organizations, NGOs, journalists, control of the Internet since the year before the 2008 Olympics.

Now, over this 5-year period while repression was steadily increasing, the engagement on human rights by China's key bilateral partners, the United States, the European Union, the UK, other countries, the engagement on human rights has been increasingly marginalized.

It's been pushed to the edges through this annual bilateral human rights dialogues where human rights are taken out of the box once a year for a couple days, dusted off, and put back. In these things very often human rights are discussed without really talking about human beings. They are toothless and, to a large extent, they have rendered no effective recourse or impact on human rights in China.

Now, so what is the lesson that we should take from this? Well, the fact is that the Chinese Government listens carefully to the messages from the U.S. Government. They know that the U.S. Government cares a lot about what the U.S. Government classifies as key bilateral issues and human rights have not been on that table. That is both short-sighted and unfortunate both for the victims of human rights abuses in China, but also for the United States.

Why do I say that? The fact is that in this increasingly globalized world the victims of the Chinese Government's human rights abuses are no longer just Chinese citizens. It increasingly spills over its borders. I think the best example of that is the fact that in 2002/2003 when China's pernicious controls over media censorship and freedom of expression prevented news of SARS being transmitted. As a result, SARS spread to more than a dozen countries and killed more than 700 people worldwide.

What we're saying is actually there are key elements of the U.S./China bilateral relationship which have a human rights core. I'll just briefly lay out three of them. Food safety. In recent years we've had a catalogue of these really distressing issues such as poison dog food, toxic toys, poison melamine milk. These are issues which

enter the export stream and end up on the shelves of U.S. supermarkets. Why?

These are issues that if China had a functioning free media, if whistleblowers were not victimized, these issues would be treated, identified, and resolved at the local level but they're not. Instead we learn about them when it's on the front page of the New York Times because something has arrived on U.S. shores. This is a very important issue of visceral importance to U.S. consumers which has a human rights core in China.

Another issue is a very important issue of investment and trade relations with China. Well, I think it's extremely worth noting that a long-term sustainable trade and investment relationship with China requires three things; a level, fair playing field, predictability, and transparency. This is the essence of rule of law. In China rule of law is under attack.

Today the victims in China of rule of law are people like Ai Weiwei, Li Shihui, Li Tiantian and the other disappeared and arrested lawyers and civil society organizers. Tomorrow it could be U.S. corporations trying to do business in China. These issues eventually are going to leak up to the sanctity of contracts. It's only a matter of time. The other issue I want to mention is environment. China obviously has in many cases epic environmental problems that are increasingly spilling over its borders.

We can't have any type of meaningful environmental dialogue or agreement with China until whistleblowers at the grassroots who are trying to expose the local state-owned factory pouring benzene into the river or the lake, until they know that they will be protected from vindictive reprisals from state security officials. These are three issues which are of intense importance to the U.S. Government and U.S. citizens which have a human rights component.

I want to conclude by saying that we were encouraged early this week that Vice President Joseph Biden stated that the U.S. Government and the Chinese Government have a vigorous disagreement on human rights and the fact that he stated that it is impossible for the U.S. and China to have a long-term sustainable relationship based on a false foundation.

What we need moving forward is there needs to be truth and candor and there needs to be a greater emphasis on human rights not because it's the right thing to do, not because it's our obligation to be defending universal rights and freedoms, but because it has impact on our lives here in the United States.

You know, I think it's really important to send the message both to our Government and to the Chinese Government that it shouldn't matter how many U.S. Treasury bonds the Chinese Government purchases. Those purchases should not buy U.S. silence on key human rights abuses underway in China.

Thank you very much for your time.

[The prepared statement of Mr. Kine follows:]


**Testimony of Phelim Kine, Asia Researcher, Human Rights Watch**
**May 13, 2011**

**Committee on Foreign Affairs**
**Subcommittee on Africa, Global Health and Human Rights**

Chairman Smith, Vice-Chair Fortenberry, and other Distinguished Members of the Committee and Subcommittee.

Human Rights Watch first wishes to thank the Committee on Foreign Affairs for convening this timely hearing. It is a privilege to participate along with such distinguished panelists.

There are three key questions before us today. The first is the nature of the recent sharp spike in repression in China, the second is why it's occurring, and the third is what steps the international community, particularly the United States government, can or should take in response.

The answer to the first question is that since the uprisings began in the Middle East in late 2010 and Chinese President Hu Jintao's state visit to the US in January 2011, the Chinese government has cracked down on dissent in an effort to crush any possible domestic move towards a "Jasmine Revolution."

Since early February, Human Rights Watch has documented the enforced disappearances and arbitrary detention of dozens of lawyers, bloggers, and activists. Those abuses underline how the Chinese government has yielded to the demands of a security apparatus that has been radically empowered since the staging of the 2008 Olympic Games. Just weeks after imprisoned Chinese dissident writer Liu Xiaobo became the world's sole imprisoned Nobel Peace Prize laureate in January 2010, the Chinese leadership launched an assault against all government critics.

Liu Xiaobo's plight is not unique. Most human rights advocates, defenders, and organizations endure varying degrees of surveillance, harassment, or suppression by police and state security agencies. The Chinese government's response to the country's domestic "rights defense movement" – an informal movement connecting lawyers, activists, dissidents, journalists, ordinary citizens, and farmer and workers' advocates – has been to silence their calls for rule of law and respect for China's constitution.

The thuggish lawlessness of this current crackdown has been breathtaking. The nongovernmental human rights organization Chinese Human Rights Defenders has documented at least 20 enforced disappearances of lawyers, civil society activists, bloggers, and other human rights defenders in China since February 16, 2011. Those who remain disappeared, and thus denied the protection of due legal process and highly vulnerable to torture in custody, include:

**Gao Zhisheng (高智晟),** a human rights lawyer who has been missing for most of the past two years.

**Ai Weiwei (艾未未),** a high-profile Beijing-based activist, Ai disappeared into police custody at Beijing Capital Airport on April 3 and has been incommunicado ever since.

**Ceng Renguang (曾仁广),** a Beijing-based human rights activist, missing since February 22, 2011.

**Hu Di (胡荻),** a Beijing-based blogger and writer, missing since March 13, 2011.

**Hu Mingfen (胡明芬),** an artist and accountant to activist Ai Weiwei, missing since April 8, 2011.

**Lan Ruoyu (蓝若宇),** a Chongqing-based graduate student, missing since February 27, 2011.

**Li Tiantian (李天天),** a Shanghai-based human rights lawyer, missing since February 19, 2011.

**Liu Dejun (刘德军),** a Beijing-based blogger, missing since February 27, 2011.

**Liu Shihui (刘士辉),** a Guangzhou-based human rights lawyer, disappeared after being brutally beaten by a group of unidentified individuals at a bus stop on February 20, 2011.

**Liu Zhenggang (刘正刚),** designer who works with Ai Weiwei, missing since around April 12, 2011.

**Wen Tao (文涛),** former journalist and Ai Weiwei's assistant, missing since April 3, 2011.

**Yuan Xinting (袁新亭),** Guangzhou-based editor and activist, missing since early March, 2011.

**Zhang Haibo (张海波),** a Shanghai-based blogger, missing since February 20, 2011.

**Zhang Jinsong (张劲松),** Ai Weiwei's driver, missing since April 10, 2011.

**Zhang Yongpan (张永攀),** a Beijing-based legal activist, missing since April 14, 2011.

**Zhou Li (周莉),** a Beijing-based activist, missing since March 27, 2011.

**Zou Guilan (邹桂兰),** a Wuhan-based petitioner, missing since April 17, 2011.

The Chinese government's motivation for such abuses? An attempt to reassert control over an increasingly assertive civil society.

The authorities' methods are distinctive this time around. Gone is the reliance on short-term detention and house arrest; instead, security forces have opted for a mix of arrests on state security charges and extrajudicial tactics such as disappearances, physical intimidation, or beatings by plain-clothes thugs, as well as threats of torture and retaliation against family members and work associates.

The current crackdown is more than a routine weeding out of critics; it is an effort to redefine the limits of permissible expression and roll back the advances made by Chinese civil society over the past decade. The lesson Beijing has taken from the Middle East uprisings is that the Internet can be the starting point of large-scale popular protests and that it has indeed contributed to the spread of "global values," such as freedom of expression and human rights. In the minds of the leadership, these factors generate an urgent need to reassert control.

This crackdown has not gone unnoticed by the US government, which has characterized these developments in China as "serious backsliding." On April 28, 2011, US Assistant Secretary of State for Democracy, Human Rights, and Labor Michael Posner described Chinese government responses to queries at the US-China Human Rights Dialogue on individual cases as providing "no sense of comfort."

The Chinese government's attack on human rights poses a serious challenge to how the US engages with China on human rights. The annual US-China Human Rights Dialogue has effectively moved human rights to the margins of the US-China relationship and sent the signal to the Chinese government that such issues are not a core US interest. That status quo will not advance either human rights or US interests.

The US can send an important signal to the Chinese government about the need for prioritizing human rights in the bilateral relationship through the following means:

- Forming an interagency working group to spot opportunities to raise rights issues with Chinese officials both privately and publicly.
- Using its influence to encourage key allies such as the European Union, Japan, Australia, and Canada to also adopt a more robust engagement with the Chinese government on human rights issues.
- Publicly commemorating in both the US and at its embassy and consulates in China the 22nd anniversary of the 1989 Tiananmen massacre on June 4, 2011.

Moving forward, the US government should demonstrate its concern over the Chinese government's crackdown on dissent by integrating human rights onto the agendas of ongoing bilateral discussions of key strategic and economic issues. Such an approach dovetails with what a number of US officials have characterized as a "whole of government" strategy in engagement with China on human rights. This approach recognizes that many US interests are fundamentally premised on the establishment of an independent judicial system, the free flow of information, and tolerance of criticism of government policies and practices in China.

Human Rights Watch urges that the US adopt this approach by tasking the following agencies with raising relevant human rights issues with their Chinese counterparts, such as:

- The Department of Commerce and the Office of the US Trade Representative should express concerns about the lack of progress in legal reforms, many of which are linked to World Trade Organization commitments designed to create a more predictable business environment; about ongoing efforts by the Chinese government to surveil and censor the Internet, which poses a threat to the freedom of expression; and about the dangerously

ambiguous Law on Guarding State Secrets, which has been used against Chinese government critics and members of the international business community;

- The Department of Health and Human Services, and particularly its Food and Drug Administration, should express concerns about the corrosive influence of Chinese state censorship and the Chinese government's persecution of whistleblowers, which prevents timely reporting on food and product safety and public health;
- The Department of Education should express concern about the systemic discrimination against the children of Chinese migrant workers that limits access to education, and the effects that this will have on China's development, particularly as it moves out of low-skills production in future years and requires a more skilled labor force;
- The Department of Energy should not only raise the case of Xue Feng, an American geologist serving an eight year sentence on state secrets charges for his participation in the sale of a database regarding China's petroleum agency, it should also urge the US-China Oil and Gas Industry Forum to adopt international standards and safeguards on human rights and transparency in their exploration, extraction, and infrastructure projects;
- The Environmental Protection Agency should ask for greater transparency regarding environmental crises in China and for the Chinese government to cease its persecution of environmental activists such as Wu Lihong, who after being tortured during his three-year incarceration has virtually ceased his advocacy work, and Karma Samdrup, a Tibetan environmental philanthropist now serving a 15-year sentence on trumped up charges;
- The Department of Defense should raise not only concerns about the use of military forces in domestic Chinese policing operations but also the Chinese government's unwillingness to address the root causes of unrest in Tibet and Xinjiang, which fundamentally compromise the country's stability; and
- The Department of Justice should raise its concerns about disappeared, detained, and disbarred Chinese human rights lawyers and what such tactics mean for Chinese officials' claims to abide by the rule of law.

The Chinese government takes careful note of which US officials and agencies do and don't talk about human rights. Therefore, showing commitment requires across-the-board coordination. If the people who deal with China on trade, financial, and defense matters raise concerns, the Chinese government will sit up and take notice.

---

Mr. SMITH. Thank you very much, Mr. Kine.
Professor Worden.

**STATEMENT OF MS. ANDREA WORDEN, ADJUNCT PROFESSOR OF LAW, AMERICAN UNIVERSITY WASHINGTON COLLEGE OF LAW**

Ms. WORDEN. Chairman Smith, Ranking Member Payne, distinguished members of the subcommittee, it is an honor to appear before you today. Thank you so much for convening this hearing on such an important topic.

There is much to say about China's current human rights situation but given time constraints I will focus briefly on three interrelated aspects of the crackdown that began in mid-February.

First, as some of my colleagues have mentioned, the prevalence of enforced disappearances is particularly disturbing. Second, the likelihood of torture. Third, the silencing of human rights lawyers.

First, I would like to begin with a little background and context. China is a very complex and complicated country. The Chinese

Government and the Communist Party are not monolithic. There are people inside the system at all levels working to strengthen and promote rule of law and good governance.

When threats to "social stability" appear, however, there is a singular focus on maintaining stability and one-party rule. These are the party and the government's most important priorities; everything else is secondary. To the Chinese leadership, "maintaining social stability" means, among other things, squashing dissent, keeping an ever-expanding list of so-called sensitive cases and issues from making their way into courts or onto the Internet, and detaining people, called petitioners, who seek to exercise their right to present grievances to governmental authorities.

With no meaningful avenue for redress of grievances, it is not surprising that there are so many protests in China each year. 127,000 mass protests involving more than 12 million people were reported in 2008. It appears that the Chinese Government is fearful that the millions and millions of people with grievances across China will organize. The most likely leaders of such a movement would come from the weiquan or "rights defense" movement.

Perhaps a viable opposition might even emerge. The Chinese leadership is undoubtedly very concerned about what is happening in the Middle East and North Africa as evidenced by the preemptive strike against even the idea of a Jasmine Revolution in China. Fearful that the weiquan movement could become the platform for a Chinese Jasmine Revolution, the leadership is now set on eviscerating it.

Even though the putative protests scheduled for February 20 and subsequent Sundays really turned out to be nonevents in China, the Chinese leadership decided to, as Mr. Mosher said, do sort of a preemptive strike against activists, lawyers, bloggers, netizens, and "mavericks," as the Chinese state media has dubbed the artist and activist Ai Weiwei. In other words, anyone whom they believe could organize, lead, inspire, or assist such an effort in China needed to be struck out against.

Now I will say a few words about the issue of enforced disappearances. The United Nations has noted that enforced disappearances are frequently used "as a strategy to spread terror within the society." I appears that the Chinese Government has now adopted this strategy.

As of May 10th, according to the NGO Chinese Human Rights Defenders, since mid-February 2011 at least 23 activists, lawyers, netizens, and others have been disappeared. The prominent human rights lawyers Teng Biao and Jiang Tianyong were disappeared for over 2 months. The current whereabouts of 16 of those disappeared since mid-February, including Ai Weiwei, remain unknown. Gao Zhisheng, who has been disappeared and tortured several times since September 2007, remains missing.

With the possible exception of the disappearances of Uyghurs following the unrest in Xinjiang in July 2009—as Human Rights Watch has documented—the recent wave of disappearances is, as far as we know, unprecedented. Enforced disappearances violate international human rights law as well as China's domestic law.

The United Nations Declaration on the Protection of all Persons from Enforced Disappearance prohibits enforced disappearances,

defining the term as the deprivation of a person's liberty by a state actor or someone acting directly or indirectly on behalf of the government or with its consent, followed by the government's refusal to acknowledge such deprivation of liberty or disclose the fate or location of the disappeared person—which places the person outside the protection of the law.

China's Constitution, its criminal procedural law, and criminal law all have provisions that prohibit state actors from arbitrarily depriving citizens of their personal liberty. The U.N. Working Group on Enforced or Involuntary Disappearances issued a statement on April 8th expressing "serious concern" over the recent wave of enforced disappearances in China. The working group noted that, "Even short-term secret detentions can qualify as enforced disappearances. . . . There can never be an excuse to disappear people, especially when those persons are peacefully expressing their dissent with the government of their country."

Next I will say a few words about torture. Torture is a widespread and persistent problem in China. Although the Chinese Government has undertaken a variety of legislative and regulatory measures over the years in an effort to curb the problem, torture continues, both in lawful detention facilities and in secret detention centers such as "black jails," which are predominately used to detain petitioners.

Not surprisingly, torture frequently accompanies enforced disappearance. The disappeared are held incommunicado. They have no access to counsel or family and they live in constant fear for their lives. They are deprived of all of their rights and are completely outside the protection of the law.

The prominent professor and human rights lawyer Teng Biao was disappeared from February 19th to April 29th. He has not communicated with the outside world since his release. We have no idea what happened to him during his disappearance or of the current status of his mental and physical health. It is more likely than not, however, that he was mistreated and warned not to communicate anything about what happened to him.

A month-and-a-half before he disappeared for 70 days, Teng Biao published an op-ed in the Wall Street Journal in which he described beatings and threats he received during a brief encounter with China's domestic security police last December after attempting to visit the home of another human rights lawyer, Fan Yafeng.

An officer threatened that they would treat him as they treat Falun Gong practitioners—that is with torture. And then one police officer said to another, "Why waste words on this sort of person? Let's beat him to death and dig a hole to bury him in and be done with it." The police officer then addressed Teng Biao. "Think your family can find you if you're disappeared? Tell me, what difference would it make if you vanished from Beijing?"

Few of those who have been released after being detained or disappeared during the current crackdown have spoken publicly about being tortured or mistreated while in custody of the police or other government agents, for fear of reprisals. There are unconfirmed reports of beatings and other cruel and humiliating treatment. One confirmed report involves Jin Guanghong, a lawyer based on Beijing, who disappeared for approximately 10 days in April. He was

held in a psychiatric hospital for part of this time, where he was tied to a bed, subjected to beatings, and forcibly medicated.

Next to wrap up I will address the silencing of human rights lawyers, again related to the first two points of enforced disappearance and torture. Another alarming feature of the Jasmine crackdown is the targeting of China's brave and beleaguered human rights lawyers.

The harassment and persecution of human rights lawyers by Chinese authorities is by no means new. What is new, however, as some of the other panelists have already mentioned, is the scope and prevalence of the use of extra-legal and criminal methods to suppress them.

In addition to the examples of disappearances and torture of human rights lawyers mentioned above, and by my fellow panelists, at least one prominent human rights lawyer has been criminally detained during the Jasmine crackdown. On April 7th, Ni Yulan, a Beijing-based human rights lawyer and housing rights activist, who has been detained and tortured multiple times over the past decade, was taken into police custody along with her husband for "creating a disturbance."

To conclude, I am an optimist by nature and wish I could end my remarks on a positive note but the reality is that the human rights situation has gone from bad to worse since the run-up to the 2008 Beijing Olympics, when many hoped that the repressive measures taken before the Olympics would ease after the conclusion of the Games. But then came Charter '08 in December 2008 and then 2009 was the year of many sensitive anniversaries. Then in 2010 the Nobel Peace Prize was awarded to Liu Xiaobo.

Crackdowns and repression have become the new normal with 2011 the worst in many, many years. There is no reason to think that things will improve. The leadership transition next year will again provide a justification to keep a tight lid on any and all "non-harmonious" activity. But there are some things the administration and Congress can do.

Also, Ranking Member Payne, I very much appreciated your comment on their courage is cause for hope. I do agree with that as well. I have recommendations in my written statement but one recommendation that I wanted to particularly flag at this moment is the U.S. China Legal Experts Dialogue, which will be held in Washington in June, just next month.

I urge the U.S. delegation to raise specific cases of lawyers who have been disappeared, detained, or subjected to unlawful home confinement during the Jasmine crackdown and before. Still missing lawyers include Gao Zhisheng, Li Tiantian, and Liu Shihui. Chen Guangcheng and Zheng Enchong are still unlawfully confined to their homes.

I would hope that the U.S. delegation would inquire after Teng Biao, Jiang Tianyong, Li Fangping, and other human rights lawyers who were recently disappeared and released but who are now silent. Dialogue participants should also address a fundamental issue that is recognized by prominent legal academics and others in China as well as some of my fellow panelists—that rule of law in China is regressing.

Thank you very much.

[The prepared statement of Ms. Worden follows:]

Prepared Statement of Andrea Worden
Adjunct Professor of Law, American University Washington College of Law

House Committee on Foreign Affairs, Subcommittee on Africa, Global Health and Human Rights

May 13, 2011

---

**The Jasmine Crackdown: Disappearances, Torture, and the Silencing of China's Human Rights Lawyers**

Introduction

The Chinese government's current crackdown on human rights lawyers, activists, artists, bloggers and others whom Chinese leaders perceive as a threat to Communist Party rule or "stability" is arguably the bleakest moment for human rights in China since the 1989 Tiananmen Square massacre and the arrests and convictions of activists and workers that followed.

In late February of this year, anonymous messages circulated on the Internet calling for Tunisian-style "Jasmine" protests in China. Uniformed and plainclothes police swarmed the sites designated for protests, international journalists were prevented from reporting (a few were beaten up), and several onlookers were detained. Even though these putative protests turned out to be non-events, the Chinese leadership – profoundly troubled by the pro-democracy uprisings in the Middle East and North Africa –have moved preemptively against activists, lawyers, and "mavericks" (as the Chinese state media dubbed the artist and activist Ai Weiwei), in other words, anyone whom they believe *could* organize, lead, inspire, or assist such an effort in China.

As of May 10, 2011, the NGO Chinese Human Rights Defenders had documented a total of 42 individuals who had been criminally detained since mid-February for peacefully exercising their rights to freedom of association, expression or belief (or, in other words, for simply being an activist, human rights lawyer, citizen journalist, or "maverick").[1] 23 cases of enforced disappearance have been documented; at least 16 individuals remain missing as of May 10. These numbers are not exhaustive; they reflect only the cases that have been documented. There have been some reports of torture. An estimated additional two hundred or so Chinese citizens have been affected by the Jasmine crackdown – unlawfully confined to their homes, interrogated, and/or threatened into silence.

[1] As of May 10, 2011, of these 42, seven have been formally arrested, two were sent to Re-education through Labor facilities, eight remain detained, and the rest have been released from custody, but many were released conditionally (on bail awaiting trial). Chinese Human Rights Defenders, "Individuals Affected by the Crackdown Following the Call for 'Jasmine Revolution'" (updated as of May 10), available at http://chrdnet.org/2011/04/15/jasmine_crackdown/.

Torture, disappearances, and the political use of criminal law to suppress dissent are certainly not new phenomenon in China. Peruse earlier editions of, for example, the annual reports of the Congressional –Executive Commission on China (CECC), or the China section of Human Rights Watch's annual World Report, or reports issued by the UN treaty bodies on China's compliance with the human rights conventions China has ratified, and it is apparent that the Chinese government has used many of the same repressive tactics for years. The severity and scope of the Jasmine crackdown, along with the government's increasing reliance on extralegal measures and its targeting of prominent figures in the "rights defense" (*weiquan*) or human rights movement, suggests that the Chinese leadership is now set on eviscerating the movement, fearful that it could become the platform for a Chinese Jasmine Revolution.

There is much to be alarmed about by the current human rights situation in China, which Secretary of State Hillary Clinton recently described as "deplorable," and much that could be said. In this submission, I will focus on three aspects of the 2011 Jasmine crackdown: 1) disappearances; 2) torture, and 3) the silencing of China's human rights lawyers.

1. Enforced Disappearances

As of May 10, according to Chinese Human Rights Defenders, since mid-February 2011 at least 23 activists, lawyers, netizens, and others have been disappeared. The prominent human rights lawyers Teng Biao and Jiang Tianyong were disappeared for over 2 months. The current whereabouts of 16 of those disappeared since mid-February, including Ai Weiwei, and Shanghai lawyer Li Tiantian, remain unknown. Renowned human rights defender Gao Zhisheng, who has been disappeared and tortured several times since September 2007, remains missing. With respect to the myriad methods used by the Chinese government to threaten and punish Chinese rights defenders, this recent wave of disappearances is unprecedented.[2] In its Fact Sheet on enforced disappearances, the UN Office of High Commissioner of Human Rights notes that enforced disappearance "has frequently been used as a strategy to spread terror within the society" and is not limited to the disappeared individual or his or her family.[3] It appears that the Chinese government has adopted this strategy, and determined that enforced disappearance is an effective tool for suppressing and intimidating human rights defenders, their families, would-be activists, and anyone else that might be paying attention.

Enforced disappearances violate international human rights law, as well as China's domestic law. The UN Declaration on the Protection of all Persons from Enforced Disappearance prohibits enforced disappearances, defining the term as the deprivation of a

[2] Disappearances have been used elsewhere in China, in different contexts. Human Rights Watch documented at least 43 cases of Uighur men and teenage boys who were disappeared after the ethnic strife in Xinjiang in the summer of 2009. See Human Rights Watch, "We are Afraid to Even Look for Them": Enforced Disappearances in the Wake of Xinjiang's Protests, October 20, 2009, available at http://www.hrw.org/en/reports/2009/10/22/we-are-afraid-even-look-them-0

[3] Office of High Commissioner of Human Rights, *Enforced or Involuntary Disappearances*, Fact Sheet. No. 6/ Rev. 3, p.2, available at http://www2.ohchr.org/english/issues/disappear/members.htm#facts.

person's liberty by a state actor or someone acting directly or indirectly on behalf of the government or with its consent, coupled by the government's refusal to acknowledge such deprivation of liberty or disclose the fate or location of the disappeared person, which places the person outside the protection of the law.[4] Enforced disappearances also violate rights contained in the Universal Declaration of Human Rights, including, for example, the right to liberty and security of person, the right to be free from arbitrary detention and torture and mistreatment, as well as fair trial rights. With respect to China's domestic law -- the Constitution, the Criminal Procedure Law and Criminal Law all have provisions that prohibit state actors from arbitrarily depriving citizens of their personal liberty.[5]

The UN Working Group on Enforced or Involuntary Disappearances issued a statement on April 8 expressing "serious concern" over the recent wave of enforced disappearances in China. The Working Group stated, "Enforced disappearance is a crime under international law. Even short-term secret detentions can qualify as enforced disappearances. . . . There can never be an excuse to disappear people, especially when those persons are peacefully expressing their dissent with the Government of their country."[6]

Those who remain missing include, among others:

- *Ai Weiwei*, artist/activist (missing since April 3), and at least four people who work with him: his driver, *Zhang Jinsong* (April 10), assistant *Wen Tao* (April 3), designer *Liu Zhenggang* (around April 12), and accountant *Hu Mingfen* (April 8). (The disappearances of affiliates of Ai Weiwei suggest that the Chinese government is likely "creating" a case against him.[7] )

---

[4] Declaration on the Protection of All Persons from Enforced Disappearance (adopted by General Assembly resolution 47/133 of 18 December 1992), preamble, available at http://www2.ohchr.org/english/law/disappearance.htm.

[5] *See, e.g.*, PRC Constitution (1982), art. 37: "The freedom of person of citizens of the People's Republic of China is inviolable. No citizen may be arrested except with the approval or by decision of a people's procuratorate or by decision of a people's court, and arrests must be made by a public security organ. Unlawful deprivation or restriction of citizens' freedom of person by detention or other means is prohibited; and unlawful search of the person of citizens is prohibited.

The PRC Criminal Procedure Law (*see, e.g.*, arts. 64, 69, and 71) provides that within 24 hours of an individual being taken into custody, his or her family or employer (work unit) must be notified of the reasons for as well as the location of detention. The authorities must also issue a written detention warrant upon taking an individual into custody. After 37 days in custody, the individual must either be formally arrested (*daibu*) or released. Arrests must be approved by the procuratorate, a written arrest warrant must be issued, and notification to family of the reasons for the arrest and location of custody are required within 24 hours of the arrest. Both family notification provisions contain a cavernous loophole, however: notification is not required when it might "hinder the investigation."

Article 238 of the PRC Criminal Law criminalizes unlawful detention and other forms of unlawful deprivation of personal liberty, and provides for heavier punishment if such deprivation is perpetrated by a state functionary.

[6] "China: UN expert body concerned about recent wave of enforced disappearances," April 8, 2011, available at http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=10928&LangID=E

[7] *See, e.g.*, Andrea J. Worden, "'A Fair Game'? Of Law and Politics in China, and the "Sensitive" Case of Democracy Activist Yang Jianli," 40 *Georgetown Journal of International Law* 447, 464 and n.99 (Winter 2009)

- *Ceng Renguang* , Beijing human rights activist, missing since February 22.
- *Li Tiantian*, a Shanghai-based lawyer, missing since February 19 when she was taken from her home by police officers.
- *Liu Shihui*, Guangzhou human rights lawyer, missing since February 20.
- *Zhang Haibo*, netizen. He went to the designated site for the February 20 Jasmine protest in Shanghai, and was taken away by the police.[8]

In its April 8 press statement on the situation in China, the Working Group on Enforced or Involuntary Disappearances called upon China to "fully cooperate with" the Working Group and to "release all those who have been disappeared, to provide full information on the fate and the whereabouts of the persons who have allegedly disappeared."

2. Torture

Torture is a widespread and persistent problem in China. Although China ratified the UN Convention against Torture over 20 years ago and has undertaken a variety of legislative and regulatory measures over the years in an effort to curb the problem, torture continues, both in lawful detention facilities and secret detention centers such as "black jails."[9] In its December 2008 report on its review of China's compliance with the Convention against Torture, the UN Committee against Torture stated that it "remains deeply concerned about the continued allegations . . . of routine and widespread use of torture and ill-treatment of suspects in police custody." [10] It also noted that detention in secret detention facilities, such as black jails, constitutes per se disappearance.[11]

Not surprisingly, torture frequently accompanies enforced disappearance; the disappeared are held incommunicado, they have no access to counsel or family, and they live in constant fear for their lives.[12] Gao Zhisheng was tortured during prior disappearances.[13] If Gao is still alive, he undoubtedly is being tortured again.

---

(discussing how one of the "witnesses" against Yang Jianli had been detained in a Shanghai hotel solely for the purpose of extracting a false statement from him implicating Yang; he was told that he would not be released unless and until he provided the statement the police wanted.)

[8] Chinese Human Rights Defenders, "Individuals Affected by the Crackdown Following the Call for 'Jasmine Revolution'" (updated as of May 10), available at http://chrdnet.org/2011/04/15/jasmine_crackdown/.

[9] See Congressional Executive Commission on China (CECC), Annual Report 2010, at 88, 94-95 (October 10, 2010). "Black jails" are secret detention facilities that have no legal basis. They are primarily used to detain petitioners. *See also* Human Rights Watch, "*An Alleyway in Hell": China's Abusive "Black Jails*" (November 12, 2009), available at http://www.hrw.org/en/reports/2009/11/12/alleyway-hell-0.

[10] UN Committee against Torture, Concluding Observations: China, CAT/C/CHN/CO/4, December 12, 2008, ¶ 11.

[11] Id. ¶ 14.

[12] *See, e.g.*, Office of High Commissioner of Human Rights, *Enforced or Involuntary Disappearances*, Fact Sheet, No. 6/ Rev. 3, p. 1, available at http://www2.ohchr.org/english/issues/disappear/members.htm#facts.

[13] *See, e.g.* CECC Annual Report 2009, at 97-98; China Aid, Free Gao Website, http://www.freegao.com/ ; Working Group on Arbitrary Detention, Opinion No. 26/2010 (PRC) (finding Gao Zhisheng's detention to be arbitrary), Nov. 19, 2010, at ¶10.

The prominent professor and human rights lawyer Teng Biao was disappeared from February 19 to April 29. He has not communicated with the outside world since his release. We have no idea what happened to him during his disappearance, or the current state of his mental and physical health. It is more likely than not, however, that he was mistreated and warned not to communicate anything about what happened to him during his disappearance. A month and a half before he disappeared for 70 days, Teng Biao published an op-ed in the *Wall Street Journal*, titled "A Hole to Bury You," in which he described beatings and threats he received during a brief encounter with China's domestic security police (*guobao*) last December, after attempting to visit the home of another human rights lawyer, Fan Yafeng.[14] An officer threatened that they would treat him as they treat Falun Gong practitioners (*i.e.*, with torture), and then one police officer said to another: "Why waste words on this sort of person? Let's beat him to death and dig a hole to bury him in and be done with it. How lucky we've got a place to put him away here." The police officer then addressed Teng Biao: "Think your family can find you if you're disappeared? Tell me, what difference would it make if you vanished from Beijing?"

Few of those who have been released after being detained or disappeared during the current crackdown have spoken publicly about being tortured or mistreated while in the custody of the police or other government agents, for fear of reprisals. There are unconfirmed reports of beatings and other cruel and humiliating treatment. One confirmed reports involves Jin Guanghong, a lawyer based in Beijing, who disappeared for approximately10 days in April. He was held in a psychiatric hospital for part of this time, where he was tied to a bed, subjected to beatings, and forcibly medicated.[15]

3. The Silencing of Human Rights Lawyers

Another alarming feature of the Jasmine crackdown is the targeting of China's brave and beleaguered human rights lawyers. The harassment and persecution of human rights lawyers by Chinese authorities is by no means new; what is new, however, is the scope and prevalence of the use of extralegal and criminal methods to persecute and intimidate human rights lawyers. Teng Biao notes in his *Wall Street Journal* op-ed that when he began to challenge the domestic security police officer's conduct at Fan Yafeng's home, citing various Chinese laws, the officer retorted: "Don't talk so much about the law with me. Do you know where we are? We are on Communist Party territory!" Law, in other words, is subordinate to the Party and its policies.

In addition to the examples of disappearances and torture of human rights lawyers mentioned above, at least one prominent human rights lawyer has been criminally detained during the Jasmine crackdown.[16] On April 7, Ni Yulan, a Beijing-based human rights lawyer

[14] Teng Biao, "A Hole to Bury You," Wall Street Journal (Opinion Asia), December 28, 2010, available at http://online.wsj.com/article/SB10001424052970203731004576045152244293970.html. A fellow Beijing activist who is described in the article, Zhang Yongpan, has been missing since April 14.
[15] Chinese Human Rights Defenders, http://chrdnet.org/2011/04/28/china-human-rights-briefing-april-20-27-2011/.
[16] See China Human Rights Lawyers Concern Group web site for a list of human rights lawyers disappeared, detained, or under residential surveillance as of May 6, 2011, available at http://www.chrlcg-hk.org/

and housing rights activist, who has been detained and tortured multiple times by the police over the past decade, was taken into custody, along with her husband Dong Jiqin, for "creating a disturbance."[17]

During the summer of 2009, many Chinese human rights lawyers faced the prospect of losing their licenses during the "annual assessment and registration" process for the renewal of lawyers' licenses.[18] A group of lawyers issued a statement at the time declaring that "this was full-scale repression of rights defense lawyers to an unprecedented degree."[19] After much delay, most of the lawyers did eventually get their licenses renewed in 2009. But now, in 2011, we can only wonder what the silenced human rights lawyers in China would say about their current situation.

**RECOMMENDATIONS**

1. The Administration is to be commended for speaking out more forcefully on China's human rights situation during the past several weeks, beginning with the run-up to the US-China Human Rights Dialogue in Beijing in late April, through the Strategic and Economic Dialogue that concluded in Washington earlier this week. I would urge Administration officials and Members of Congress to continue raising human rights concerns in their meetings and dialogues with their Chinese counterparts, and specifically to continue to raise individual cases of the disappeared and those detained or imprisoned for exercising their fundamental human rights, such as Nobel Peace Prize Laureate Liu Xiaobo, and the activists and lawyers discussed in this statement.

2. The next round of the U.S.-China Legal Experts Dialogue will be held in Washington, D.C. in June. The U.S. delegation should raise specific cases of lawyers who have been disappeared, detained, or subjected to unlawful home confinement during the Jasmine crackdown, and before. Still missing lawyers include Gao Zhisheng, Li Tiantian, and Liu Shihui; Chen Guangcheng and Zheng Enchong are still unlawfully confined to their homes. Inquire after Teng Biao, Jiang Tianyong, Li Fangping and other human rights lawyers who were recently disappeared, released, but who now are silent. Dialogue participants should address a fundamental issue that is recognized by prominent legal academics and others in China-- that rule of law in China is regressing.

---

[17] China Aid, "Beijing Human Rights Lawyer Charged with 'Creating a Disturbance,'" April 16, 2011 http://www.chinaaid.org/2011/04/beijing-human-rights-lawyer-ni-yulan.html

[18] For more information on these events, please see the CECC Annual Report 2009, pp. 232-236, and the materials (including submissions by several Chinese human rights lawyers) available at the web page for the CECC roundtable "China's Human Rights Lawyers: Current Challenges and Prospects" (July 10, 2009) http://www.cecc.gov/pages/roundtables/2009/20090710/index.php . In addition, China Human Rights Lawyers Concern Group has published a book on the lawyers, titled A Sword and a Shield: China's Human Rights Lawyers (ed. by Stacy Mosher and Patrick Poon (2009).

[19] Quoted in CECC Annual Report 2009, at 233.

3. Continue to support the U.S. State Department's International Visitors Leadership Program and other programs that bring Chinese human rights lawyers, legal advocates, and scholars to the United States for study, exchange, and dialogue.

4. The U.S. should ask China to issue invitations for country visits to the UN Working Group on Enforced or Involuntary Disappearances, the UN Special Rapporteur on the Situation of Human Rights Defenders, and the UN Special Rapporteur on the Independence of Judges and Lawyers.

5. Increase support for civil society actors in China, including training opportunities in the U.S. in non-profit management, advocacy, and Internet security; the initiatives underway at the State Department with respect to Internet freedom and security should be supported and expanded.

6. Strengthen U.S. involvement in the UN Human Rights Council, and use the Council and other multi-lateral fora as additional mechanisms by which to press the Chinese government to adhere to its international obligations and commitments with respect to human rights.

Mr. SMITH. Thank you very much, Professor.

Thank you all for your very incisive testimony and recommendations. Frankly, I would announce that this is the first of a series of hearings on China. We will be focusing on a number of very specific abuses from labor rights which are crushed with impunity, to the one-child-per-couple policy which we've had hearings on in the past.

Obviously when an entire generation of women and young girls are being brutally destroyed, it warrants a separate hearing. We will be focusing on the rule of law and lawyers, especially those who have disappeared and are most likely, like Gao, being tortured horrifically. And a number of other issues that I think, Mr. Kine, you made a very good point about, the transparency, the predictability.

I have been arguing, frankly, with the business community for years that if they can crush human rights with nary a word of real dissent from the West, especially and including the United States, it's only a matter of time when contract law will be violated if it serves the interest of the dictatorship. I thought your point was very well made and certainly on the environment issues and health issues as well.

Wei Jingsheng, you pointed out that at the visit of Hu Jintao last January that the United States was humiliated. You said today how it was seen as a weakness in terms of how, unfortunately, the administration engaged Hu Jintao.

Mr. Kine, you talked about how the annual human rights dialogue is toothless. You used other words to describe how human rights needs to be on the table everywhere, not just in a hermetically sealed type of conversation.

Mr. Mosher, I think your point about Hu Jintao no longer talking about serving the people but managing them is right. Frankly, I think he's managing the world, and that includes Washington, DC. It includes both sides of the aisle. It includes the White House and Foggy Bottom.

When you said, Mr. Kine, about China buying silence, Wei and Harry have always talked about how people in prison are beaten more when we acquiesce and kowtow. To think that we're buying silence to sell our debt is unconscionable. It's not even a good reading of the real situation at hand.

The Chinese Government would have no place to go with their finished goods if the U.S. market were to crumble and no longer be available to them. We are symbiotically joined at the hip, if you will, in terms of our economic relationship. We, I think, have a much greater, I would say almost completely wide open, area to speak about human rights without the almost cowardly view that if we do so, they might retaliate. Well, let them retaliate. They will lose far more than the United States will.

When Mrs. Clinton went to Beijing for her first trip, she said, "I'm not going to allow human rights to interfere." Her words were carried by all the news media, with the climate change and with peddling U.S. debt. She set back human rights efforts of the U.S. Government significantly. I have raised that with her personally, so I don't need to say it here; I have done it at hearings where she has testified.

I raise that because I'm concerned about the on again/off again. You know, the Vice President says something that people take away as, "Now we're getting serious." An article appears in a periodical with Mrs. Clinton talking stronger. I would remind everyone, including my very distinguished colleagues on the subcommittee, that immediately prior to Hu Jintao's visit here Secretary Clinton made some very good statements that we were all saying, "Yes, we are going to be serious about human rights when Hu Jintao marches into Washington in January."

Regrettably, a week later, and the Washington Post actually did a very laudatory editorial noting that change, and then by January 19th, the following week after those statements, the Post made a very very—I would without objection ask that this editorial be made part of the record—the headline was, "President Obama makes Hu Jintao look good on rights."

It notes, very sadly and tragically, that the President's remarks were surprising because his administration had indicated before Hu Jintao's visit that he intended to make human rights a more central part of China policy.

In the press conference the President of the United States said, "China has a different political system than we do. China has a different state of development than we do. We have different cultures and a very different history." Frankly, I thought that was outrageous. Yes, they have a different political system. It's called dictatorship.

The Chinese people, and they showed it in the most robust fashion imaginable with people being killed and incarcerated at Tiananmen Square and all the dissidents who languish today being tortured, they are saying with their blood, with their sacrifice that they want a different political system that respects fundamental human rights. To say they have a different culture is very disturbing.

The Chinese, just like the people in the Middle East, just like people everywhere, yearn to be free. It's not a matter of some day 30 years from now maybe they'll get it. They deserve it right now. I was very disappointed. The President, according to the editorial, made no mention of Mr. Gao who has not been heard from since—we raised this issue. We've got his picture here—since his abduction and torture. Or Liu Xiaobo, who has succeeded Mr. Obama as the Nobel Peace Prize winner.

I would just say it's 5 months almost to the day, December 10th, that Liu Xiaobo got the Nobel Peace Prize. Anyone who might want to speak further on the lack of President Obama raising his voice? You do it. We do it. But where else is the call for this brave Nobel Peace Prize winner who was awarded in absentia in Oslo? We need to be ratcheting up as they are ratcheting up their repression. We ratchet up our voices and also connect this to other policies. You might want to speak to that and anything else that I just mentioned.

Finally, let me just say about the—I'll go on to the second question if any of you would like to speak to it.

Mr. Wu.

Mr. WU. I will talk a little bit about Liu Xiaobo's case. In the Chinese verdict the Chinese documented the name of our Web site

because Chinese Government identified three articles from Liu Xiaobo that were published on the Chinese Web site and charged him, sentencing him to jail for 11 years.

They intend to tell people that our Web site and Liu Xiaobo were involved in so-called intention to subvert, this is the claim. Unfortunately, today we try to contact Liu Xiaobo and Liu Xia. Liu Xia entirely disappeared. Even today nobody can contact Liu Xia whatsoever, by phone, by email, by personal contact, whatever. What is this? Home detention? Home arrest? Nothing. Chinese Government used security to lock up Liu Xia.

At the same time many people have the same situation. This is no talking about the law or whatever. They just do it. The government just does that. About Liu Xia we do not know. This is not talking about Chinese Constitution, talking about Chinese law or whatever. There is no law in the country. Whatever the government just did it. Thank you.

Mr. SMITH. Mr. Wei.

Mr. WEI. You had talked about what can we improve on human rights issue in China. I do have one suggestion. I remember back 10 years ago when PNTR, permanent normal trade relations, was passed in the U.S. Congress. There is an amendment as well as explanation for CECC, the Congressional-Executive Commission on China.

According to the Representative Levin who made the amendment, he was saying, "Look, the CECC is not only observing the situation in China, it could also make a recommendation to stop this PNTR when the situation gets worse." Now it's not just the issue of human rights in China that is deteriorating but also there is a huge trade deficit in between China and the USA. Now I really think CECC should play a function.

There is a tendency with the Chinese Communist Government nowadays it doesn't really care about what the United States or U.S. Congress cares about. I think when this CECC comes to play and gives some pressure to them, I think the Chinese Government will have to respond. Thank you.

Mr. SMITH. Yes, Mr. Kine.

Mr. KINE. Mr. Chairman, I just want to address your comments with regards to what the U.S. can do. I think what we're looking at is this is an extremely pragmatic government. I think it's worth noting this is the world's first 61-year-old evolutionary Communist Party and it is a government that has been able to pull and push an obdurate state bureaucracy into the World Trade Organization. It's linked into the global system.

When we speak to the Chinese Government on its points of interest, it gets it. Unfortunately, as I mentioned, to a large extent human rights have been marginalized. When and if we can start to talk to the Chinese Government and raise issues such as Liu Xiaobo's completely unjust conviction, the disappearance of these individuals, the arbitrary detention of Liu Xia, Liu Xiaobo's wife, and say these have ramifications for our understanding of rule of law and the sustainability of our economic and financial and trade relationship.

That's when heads come up and people get it. These are tools to a large extent which have been left in the tool box and they really

need to be taken out. I think that it's important to remember that if we don't do this, the price of silence is the status quo will continue and that's really to no benefit for either side. Thank you.

Mr. SMITH. Thank you. Let me just raise the issue, Mr. Mosher. You talked about your investigations and whatever you've published if you could make that available to the committee or the subcommittee I would appreciate it.

In denying U.S. funds to UNFPA in 2008 Deputy Secretary of State John Negroponte wrote, and I quote,

> "Chinese birth limitation programs retain harshly coercive elements in law and practice including coercive abortion and involuntary sterilization. . . . It is illegal in almost all provinces for a single woman to bear a child."

He also noted that the Chinese law is "the foundation of its coercive policies and practices and the UNFPA comports with and adheres to Chinese law."

So the Chinese law is paramount. Groups that operate there then comport to it but then they create a false impression, in my opinion, by suggesting that something more reform minded is happening in those areas. You have found, if I'm not mistaken, in the six counties that you investigated that is the case as well.

Why, in your opinion, is the UNFPA not on the side of standing with the girls that are being aborted simply because they are girls? They are missing as many as 100 million girls in China. Nobody knows the exact number but the gendercide is—the implications for trafficking, not only the loss of all of those young women who are now dead and their mothers wounded, but the trafficking problem.

Now apparently, and I read Reuters and AFP articles, as well, about family planning, people are allegedly selling children, even children who were born pursuant to the one-child-per-couple policy—so there are stolen children as well—and putting them onto a kind of black market. If you could speak to that, I would appreciate it.

Ms. Zhang, you might want to speak to it as well, or anyone else.

Mr. MOSHER. I think, Mr. Chairman, that we have to remember that this was an organization, the United Nations Population Fund, that was set up to do precisely the kinds of programs that the Chinese Government embarked upon back in 1979. That was the year I first went to China. That was the year the U.N. Population Fund went to China with its first $50 million of aid and support for China's one-child policy.

It took me about a few months to realize how coercive the policy was. I was an eyewitness to forced abortions and forced sterilizations in China. Surely, by the end of my year in China the U.N. Population Fund, which had been there an equal length of time, should have realized the policy was being carried out in a coercive fashion that was in fundamental violation of the UNFPA's own principle that couples have the right to determine for themselves the number and spacing of their children.

Yet, as you well know, we have never been able to convince the U.N. Population Fund to withdraw from China. They continue to get ever more deeply involved in China's one-child policy. This model birth control program which they announced, I believe, to

you back in 1998, was supposed to free at least 32, now 72 counties, from the more onerous restrictions of the one-child policy.

In those counties we were supposed to see an end to targets and quotas. Women were supposed to be free to determine the timing of their child bearing. We have repeatedly gone to China, we being the Population Research Institute, and found that isn't the case. In these counties so touted as models by the U.N. Population Fund as being models free of coercion, you find the same kinds and levels of coercion there that you find anywhere else.

So what use has the U.N. Population Fund been in ameliorating the bad aspects of China's one-child policy? It's been over 30 years since the UNFPA went into China. The abuses continue. Arguably they are as bad now as they ever were.

I mean, you can go into these model family planning counties and see openly posted on bulletin boards statements like, "Under the direction of the birth control bureaucracy and the technical personnel assigned thereto, married women of child-bearing age who have already had one child shall be given an IUD. Those couple who have already had a second or higher-ordered child shall be sterilized."

It doesn't say they should be, it says they shall be. This is an order. This is in a model family planning county. Those who illegally give birth to one child will be assessed a fine three to five times their annual income. A second illegal child assesses a fine five to seven times the annual income. A third child a fine seven to nine times their annual income. Put that in the context of the United States a fine 3 to 5 years a family's average income in the U.S. would be a fine of $150,000 to $200,000. It's an equivalent economic blow in China.

Again, these fines are imposed. These punitive fines are imposed in model family planning counties run by the U.N. Population Fund. I believe it should immediately withdraw from China in shame. Having failed to do that, we should withdraw our funding from this organization.

Mr. SMITH. Just let me ask Ms. Zhang if you would respond to this. About 1½ years ago we convened a hearing in the Tom Lantos Human Rights Commission. We heard from a woman named Wujian who is a student, an unmarried woman, a student in the United States, and she told her story. Without objection I would like to put her testimony into this record. It is entitled, "My 'Little Foot,' My Lifelong Pain."

She was forcibly aborted. She couldn't finish her testimony. She stood right over there behind a cloak, if you will, because the Chinese Government had a few thugs sitting in the back taking notes trying to discern her identity. She talked about how she was in a room full of moms who had just gone through forced abortions. They were crying and then it was her turn.

You can read it if you would like but it is absolutely chilling. She makes a point that, as the Chinese say, "If you have broken your tooth, you swallow it by yourself." She pointed out in her testimony, and I quote, "I have never shared this experience with anyone before because the scars in my heart are 1 million times more painful than the scars in my body."

She talked about how other Chinese women had this repressed trauma that is so profound and so devastating. Yet, they don't come forward necessarily because they just internalize it. I believe WHO is right when they say so many women are committing suicide. The number is about 500 per day.

We don't know how accurate that is but that is an estimate they've made. I mean, the women of China are traumatized but it is below the surface. I'm wondering what impact that's having on the women that your people on the ground are seeing with regard to the emotional health, the psychological health of the women in China.

Ms. ZHANG. For Ms. Wujian her pain has not stopped. All the Communist officials in her hometown keep on making trouble for her. Even now she is still in pain and her case is not yet finished. Ms. Wujian has come to the United States and she got asylum so she is not physically harmed anymore, yet in her hometown there are many people just like her who are are still suffering.

Mr. SMITH. Thank you. If I could just ask, Mr. Kine, has Human Rights Watch picked up information about the Reuters and the AFP articles about the sale of "illegal children"?

Mr. KINE. Chairman, we have noted those articles with great concern. This is an ongoing point of interest for our organization. We will continue to monitor and look for research opportunities.

Mr. SMITH. Thank you.

Let me ask with regard to the designations of Tier III, Tier I, Tier II under the Trafficking Victims Protection Act. The report will be coming in just a couple of weeks. The information seems to be overwhelming that China ought to be a Tier III country because of its huge trafficking problems and it manifests in so many ways. Women from North Korea who get across the border are sold into modern day slavery once they get across.

The magnet that the one-child-per-couple policy has caused with missing women, missing girls, is also exacerbating the problem. Bride selling. We've heard reports of areas in Hunan where there is huge coercive bride selling.

I'm just wondering what your recommendations, if any, might be to U.S. Department of State about whether or not China should be now designated a Tier III country because of its egregious abuse of modern day slavery, or embrace of it I should say. Would you like to comment?

Yes, Mr. Kine.

Mr. KINE. Chairman, I'd start with a more general comment. I would say that I think one thing that the U.S. Government could be doing is urging the Chinese Government to allow more openness. The trouble in terms of documenting these issues in China today, as I'm sure Mr. Mosher can attest to, is it's extremely difficult. We're in a time of very, very tight surveillance, control, retribution against people who are documenting and compiling information which the government considers "sensitive," dangerously ambiguous criterion.

I think it's notable that the senior Chinese official on Charlie Rose the other night said that Americans had a very simple idea about China due to the fact that the U.S. media didn't cover it in depth or was biased. The fact is that the U.S. media in China are

extremely controlled. They are under attack. In recent weeks we've had journalists be beaten and threatened with having their visas revoked. I think the first step is allowing the transparency in terms of what's going on.

Mr. SMITH. Let me also ask, if I could, your assessment as to how well or poorly the Human Rights Council has been, how robust has the United States been in raising China's human rights abuses within the Human Rights Council?

Professor Worden.

Ms. WORDEN. In fact, one of my recommendations is that we strengthen U.S. involvement in the U.N. Human Rights Council and that we use the Council and other multilateral fora as additional mechanisms by which to press the Chinese Government to adhere to its international obligations and commitments with respect to human rights.

I do want to point out that the U.S. was instrumental in establishing a new mechanism, a new special procedure on freedom of association and assembly. The U.S. was very much involved in that effort and this obviously will have a great impact to help with the Chinese situation so I applaud the U.S. Government for that.

Mr. SMITH. Yes, Mr. Wei.

Mr. WEI. About the Human Rights Council, we have been meeting with them for many years so we do have some basic observations. The Chinese members are working in that council and they often are directed by the Chinese Government.

Not only that, even the staff from other countries they often receive a threat or corruption in this regard. To an organization like this they are so corrupted and their basic rule is that they are afraid of hooligans but they don't care about gentlemen. The problem with the United States is it's too gentleman toward it.

Of course, you know, I'm not saying gentlemen cannot deal with hooligans but still I think the fact the United States Government is the big financial support to this organization, to the United Nations, then I think in regard to the Human Rights Council we could present a demand in the way you give the money out.

Mr. SMITH. Thank you.

Ranking Member Payne.

Mr. PAYNE. Thank you very much. I certainly appreciate the discussion here and I would certainly like to once again commend you very courageous folks, Mr. Wei, Mr. Wu, and Ms. Zhang for what you've done in standing up for your rights. I think it's people like you that are the unsung heroes to see change.

I think, Mr. Wei, you brought up a very interesting point when you did raise the question about the PNTR. Many of my friends on the other side of the aisle push for permanent trade and normal trade relations, rather than the so-called most favorite nation status which was, in fact, the law. The difference between the most favored nation status was that it had to come up every several years for renewal.

I think that with a push to change that most favorite nation status to permanent normal trade relations which comes up no more, at least before we had a stick to hold over their head. When we look at the status of China today and how they have failed to change as they have become stronger economically, I think we have

to go back in history and find out who pushed to get them to the position where we are.

I see the articles that are written by Mr. Kine in the papers that they seem to end up in, the Forbes and the Financial Times, Far Eastern Economic Review, the Wall Street Journal, American Chamber of Commerce. I have a question about what the conversation is with them. I'll ask you later after I make a statement. I listened very carefully about the criticism of Mr. Obama and I do think it wasn't a strong enough statement.

However, I certainly think that the statements made by the Vice President, and I think Secretary Clinton, will also have some stronger statements coming up. We look back and look at the last 8 years of the Bush administration if you want to see the trade and balance deficit go through the roof. There is plenty of blame to go around if we want to start name calling.

I think we have a very serious problem but the problem that we have has been strictly pushed by the financial and the economic interest of our country. That's where we have such a trade deficit and we have allowed ourselves to be co-opted by the business community to where we find ourselves in the position that we're in and that didn't happen in the last 2½ years. Let me make that clear.

The fact that we have this unbelievable trade deficit and, secondly, the purchasing of our debt, I too feel that it ought to stop. I was opposed to it in the first place. That's why I was opposed to PNTR. My record is clear. You can look it up. I don't know the records of others who speak against the tyranny of China and what the record is. I hope it's the same as mine.

The fact that the Human Rights Council, I think, has to be strengthened. The Human Rights Council for the second term of it, it's been in for two kind of quadrenniums, first started with the U.S. nonparticipation and there were a number of recommendations made to change the manner in which the Human Rights Council functioned before you could get elected simply by your block of countries.

Now you have to get a world-wide consensus, therefore, eliminating some that could get the approval just by being in their own bat. My point was with the Human Rights Council is that we should have been participating in it from its inception because if you're sitting in an organization where you have no say, then who is there to counteract the terrible things that have been said during the first term of the Human Rights Council and the fact that just several weeks ago the Human Rights Council actually had a resolution against Syria where they are asking Syria to come up with justifications.

For the first time a Middle East country that has been doing terrible things like many of them have been doing for decades have been challenged by the Human Rights Council. I'm sure that's because the United States is there and had been able to raise the voice and actually got a unanimous vote on the condemnation of Syria in the manner in which they are treating their people. I think that is a giant step in the right direction and I hope it's the beginning of more equity and balance in the Human Rights Council as we move forward.

Also the question of torture that we hear happening so much in China. It's a horrible thing but then I get questioned about enhanced interrogation, "What does that mean? Water boarding, what is that?" Other countries say, "You do some things and we do things," therefore, try to make a moral equivalent which there is none.

I think we ought to be very careful of the policies that we have as a nation and defend as we go in and certainly criticize, as we ought to, other countries that do horrible things to their people. I think that we have a tremendous amount of work to do. We need to really put the economic pressure on China.

It makes no sense that if it were not for the United States, China would still be in the development stage and not the economic power that they are today. We need to look in the mirror to find out who helped create this situation of a nation that has strong legs and is moving forward. I have total concerns about the human rights violations. We ought to be firmer as we deal with them.

I do have a question, Mr. Mosher. You suggested that you think it's best that the U.N. Population Fund withdraw from China. Are there any positive things that in your opinion have happened? I haven't followed the work of that agency in China or other parts of the world but are there any positive things and if, indeed, they withdraw would that make things better in that area or do you just think that perhaps because they are unable to function, the way they ought to, they should simply withdraw?

Mr. MOSHER. Given that it's 2011 and given that the U.N. Population Fund has been in China, as I mentioned, since 1979, I think we've given the organization a reasonable length of time to try and affect positive change in China.

I have read the UNFPA reports regarding China. They claim that in some respects they have moderated the Chinese program, but if you look at China's economic advances, if you look at the increasing urbanization and industrialization and the length and the years of education that people spend in school, those are sufficient to account for the decrease in the birth rate to the increased use of contraceptives to all of the other things that the UNFPA would lay claim to.

Of course, that raises the larger point of the population control program in China in the first place which, of course, is a Western borrowing because the overpopulation crises, as some call it, myth as others would call it, originated in the West and was imported into China in 1979 when the Chinese Government became convinced that they would not be able to modernize unless they drastically reduced the birth rate of their population.

I think 30 years down the road we can see the fact that China has eliminated 400 million of the most productive enterprising, energetic people the world has ever known from their population is probably not a good thing. It's not a good thing for social stability in China. The Chinese Government claims to be very concerned about it's not a good thing because of the imbalance in the sex ratio and the tens of millions of young men who are buying brides because they cannot woo them. There simply aren't enough women to go around.

The social consequence of the one-child policy, no less than the economic consequences of the one-child policy, are proving devastating. China will have a nationwide labor shortage within the next 2 years as a result of this policy and the shortage of young people going into the workforce.

The role that the U.N. Population Fund has played in encouraging that policy in buying computers for the State Family Planning Commission so they can set targets for population growth shows a fundamental misunderstanding of the importance of human beings both in China and around the world. I do not think that the organization has played a positive role in China. I think it has encouraged the one-child policy in fundamental ways.

It has certainly acted as a cheerleader for the policy internationally and given important political cover to the Chinese Government. When the Chinese people complain about being restricted to one child, the Chinese Government can say, "Well, it's not just our policy. It's a policy that is supported by this prestigious international organization at the U.N., the U.N. Population Fund."

That, in turn, has stymied the legitimate call for the Chinese people to reassert control over there own fundamental right to decide how many children they should have, or not have as the case may be.

Mr. PAYNE. Also on the question—thank you very much—on your statement that you feel that adoptions should be ended. Could you explain that a little bit more? You feel it would be better for a family to take a child who might have a better situation and you think it should end.

Mr. MOSHER. Mr. Ranking Member, I have always encouraged adoptions from China of girls primarily, but also of handicapped little girls and boys because the death rates in Chinese orphanages are very high. Even the children that survive, of course, are stunted in some way developmentally because of the lack of human contact and love and compassion. Giving them a new life here is something that I have always encouraged.

But the thought that these children are not simply abandoned but have been taken by force from their parents and sold to a state-run orphanage which in turn, in effect, sells them to adoptive couples is intolerable. I think it would be intolerable for American couples who are considering adoption as well. How heavy would it lay on your heart the thought that the child you got and opened your home and your heart to was actually abducted from her parents instead of being abandoned. I think until we get to the bottom of this——

Mr. PAYNE. Do you think that the average adoptee is aware of the fact that they feel that child has been abducted and so forth? I mean, in your opinion.

Mr. MOSHER. I think the reports are just beginning to come out but the reports are of a piece with the kinds of abuses we've seen caused by the one-child policy in other areas, the buy and selling of women across national borders, the rising bride prices in China.

You would think as women became scarce that their value would go up, that their status in society would rise as they became more scarce. Instead, women in China are being treated more and more like a commodity. That's not just women. It's little girls. It's baby

girls. There is now in China the resurgence of a traditional practice called bringing in a little daughter-in-law.

Because of the shortage of little girls in China, because of the future shortage of brides that will translate into, you have couples now looking for a bride for their son when their son is 3 and 4 years old.

They will bring in a 2- or 3-year-old little girl and they will raise her as their little daughter-in-law. When she reaches marriageable age she will be married to their son. You know, it is a violation of the right of that girl to determine for herself her life's path. Her path is determined when she can hardly walk her dog.

Mr. PAYNE. There is no question that China is going to have a very, very serious problem, as has been already indicated, in the future not only because they are going to have this big disproportion of men who will become restless, and will become ornery. There will be increased idle time for recreation. There are going to be less things to do. They are not going to be able to have a spouse and be married so you find the negatives come in.

You find gambling increasing. You find drinking increasing. You find brawls on weekends where there is nothing else to do. There is going to be a very, very serious problem in China in the future. I hope the authorities understand that their policy is just—I mean, it's going to be serious. It's going to be a situation, in my opinion, that they are going to be unable to control. I couldn't agree with you more on the fact that this policy needs to end.

Ms. Worden, there are, as we know, a number of problems in China. I wonder if you could prioritize what you think would be the areas we should move more aggressively on or if you had a way to prioritize civil rights or political and minority rights, you know, political prisoners release, criminal law reform, Internet freedom, religious freedom, Tibet autonomy, rights of minorities. Don't forget the Uyghurs. I wanted to make sure I got them in. Where would you suggest if we tried to hone in on a couple of issues?

Ms. WORDEN. That's an excellent but very challenging question, indeed. I think that particularly in light of the current crackdown the issues that I discussed in my testimony—the disappearances, torture, also arbitrary, detention, all of these, of course, are fundamental human rights. These are really the very core.

Freedom of expression, of course, is another. It's really hard, I think, to prioritize. I'm very encouraged to hear about the set of hearings of which, I guess, this is the inaugural one. I'm certainly more than happy to brainstorm about certain issues.

As you know, I formerly was with the Congressional-Executive Commission on China. I think the work they do is excellent. I think if you consult their Web site and the annual report, there will also be some ideas, but they don't prioritize. If I may, I did want to mention a few things. You had mentioned Tibet and I know today the hearing is not targeted toward that issue but I did want to, if I may, just raise two thoughts, two recommendations.

As I imagine you know, the State Department has been trying for quite a while to get a consulate in Lhasa. I would just encourage you all to support that as a priority. The post is extremely important to improve reporting on the situation in Tibetan areas and to provide services to Americans.

The closest consulate is in Chengdu which is hundreds of miles away. As you know, both Tibet and Xinjiang have been essentially cordoned off so I think we should really try to enhance our efforts to have a presence in that part of China, as well as pushing the Chinese Government to insist on unrestricted diplomatic and journalist access to both Tibet and Xinjiang.

Mr. PAYNE. As a matter of fact, the Dalai Llama is going to be in my town all weekend. We have the Newark Peace Summit in New Jersey. I'll have the privilege to speak there tomorrow if I get out of here today. We are very pleased with that.

I just wonder, Mr. Kine, have you had any conversation with the business people since it seems like, although you are with Human Rights Watch, many of your articles appear in the financial publications. What do they say about—I mean, do they feel any guilt like criticism to them, for example, the fact the U.N. isn't doing all they can in China and, therefore, we should really make that clear and highlight that? What about our businessmen, our Fortune 500 and all that stuff? Growing up that sounded so good and right. That's where you want to be. I mean, what do they say?

Mr. KINE. Thank you very much, Mr. Ranking Member. That's a great question. I would answer it this way. I think probably the sustaining myth of corporate America's engagement with China over the last 30 years, the idea is that as China is more engaged with the world economy through investment and contacts with the U.S. firms, then it will logically over time result in a kinder, gentler Chinese regime that respects universal rights and freedoms.

That view has obviously taken a beating, literally and figuratively, in the last few months. You see more and more expressions of disquiet amongst foreign investors in China about the direction of Chinese policy and concern about this erosion in rule of law. There are perceptions that the Chinese Government is not living up to its World Trade Organization commitments, for example.

I would also add that one of the problems is that in terms of foreign firms and U.S. firms engagement with China is to a large extent depending on the sector there has been at least an implicit recognition or assumption that they need to do business in a way in China that they can't do at home. There needs to be a certain amount of ethical or moral sacrifices in order to do business. It must be done the Chinese way.

What's interesting is that we saw last year that Google took that on and said, "We will no longer buy into that. We will no longer do business the Chinese way. We will no longer self-censor our searches" which was an excellent example. It's interesting that Google still does business in China. It has a healthy footprint in China.

What's disconcerting is that Yahoo! and Microsoft's Bing search engines in China still do self-censorship. They have not learned this lesson. I think another very ominous development is within the last 2 or 3 weeks we've had a lobbyist for Facebook say on record that it's concerned that in certain countries it won't be able to—it's not willing or won't be able to provide the type of free content and expression that it does in other countries, particularly the United States.

In certain circumstances perhaps Facebook has allowed its content to be too free which is indicating at a time when Facebook is perhaps in conversations with a Chinese partner for finally accessing the Chinese market is sending a signal about how it wants to do business.

I just want to make two final comments about this. I think a specific interest and concern of the U.S. business community in China is something called the law on guarding state secrets. The state secrecy law is probably one of the most dangerously ambiguous laws on any country's books.

There is currently a U.S. citizen, Mr. Xue Feng, who is serving an 11-year prison term for buying on the open market, transparently, legally a database about China's petroleum industry and then finding out retroactively that according to the law that it was "secret."

He was reportedly the subject of torture while in custody and is now serving an 11-year prison sentence for buying and accessing material that in any free country would be easily and readily available.

The second thing I want to say is a good example. In 2009 the Chinese Government tried to roll out something called the Green Dam Software Initiative in which they were going to require all manufacturers of computers to China, foreign and domestic, to install something called the Green Dam Software Filter.

Now, experts recognize that this Green Dam Software Filter could also be used to filter out content which went beyond concerns such as pornography and illegal content. What happened is we saw something unprecedented in China. We saw Commerce, USTR, trade associations, and individual companies get up and say, "We can't do this. We're not willing to do this." Guess what? Within a month the Chinese Government blinked and said, "We won't do this."

So what's the example? If foreign investors including the U.S. business community with support of the U.S. Government, with support of international trade associations, if the pressure against initiatives which are against universal rights and freedoms, if that pressure is sustained and if it is broad-based and it's coherent, it can have impact. Thank you.

Mr. PAYNE. Thank you all very much. I appreciate your testimony.

Mr. WU. I'll just say a little bit about Cisco.

Mr. PAYNE. Yes.

Mr. WU. Well, China had a national project so-called Golden Shield security systems from 2000 and 2005 to set up an Internet system, the whole Internet system, including from the patrol car to the station and the local station to the supervision station.

Cisco signed many contracts with the Public Security Department to support the national project so-called Golden Shield. Today it's almost done. The whole project, the government said, cost more than $6 billion. We don't know exactly how many contracts there are between Chinese security department and Cisco. In a number of articles the Chinese Government said, "We very much appreciate Cisco's cooperation."

Particularly today, Chinese issued a charge against Nobel Peace Prize winner Liu Xiaobo. He was sentenced to 11 years there. The verdict named our Web site, and this Web site, Observe China—to which Liu Xiaobo sent more than 200, maybe 300 articles to our Web site, and Chinese picked three articles as a charge, Liu Xiaobo's so-called intent to subvert the government. Well, I think it is very clear that the Chinese Government really has the ability to do so because they have Cisco's support.

Unfortunately, last December when I was in Oslo participating in the Nobel Peace Prize awarded to Chinese dissident Liu Xiaobo, Cisco's CEO John Chambers was there—because Cisco is a major sponsor for the Nobel Peace Prize, which issued an award to China's Liu Xiaobo.

Two faces. Okay? They support the Nobel Peace Prize and sign a contract with Chinese security. I don't know what's going on but I do remember last year IBM apologized to German Jewish because 60 years ago IBM sold calculators to Germany's Hitler regime and 60 years later IBM apologized.

I do believe sooner or later Cisco will apologize to all the Chinese citizens because they sell the router and the equipment. They told the Chinese very clearly, "We can save your police power." Well, this is an American entrepreneur. They really have to do something different. Thank you.

Mr. PAYNE. Thank you very much. I couldn't agree with you more.

Mr. SMITH. Thank you, Mr. Payne. Let me just conclude unless anyone else has any further statements. You've been an outstanding panel. As I indicated, this is the first of a series of hearings. We will have another Internet hearing, for example. You might recall, because many of you were here, we had Cisco, Microsoft, Yahoo!, and Google all testify.

It's been an ongoing conversation with them on what they can do to disassociate themselves from the censorship and putting personally identifiable information outside the reach of the secret police in China or any Internet restricting country.

Your point, Mr. Wu, is so well taken with regards to the enabling of dictatorship. I opened up that first hearing with a book that I had just read called "IBM and the Holocaust" and it talked about how they enabled the Gestapo to find Jews throughout Europe in order to send them to Auschwitz and other terrible camps.

Let me also just make a point for the record. I wish Mr. Payne was still here but it ought to be noted that MFN was restored in 1980 under Jimmy Carter, retained during the Reagan and Bush administrations. President Clinton wisely linked most favored nation status with human rights but sadly, and regrettably, it was an empty promise because within 1 year he had completely shredded his own executive order.

In my opinion, and I believe this passionately, that was the year we lost—it was May 1994, May 26th to be exact. I actually did a press conference that is still on the archives of CSPAN, as is David Bonior's press conference and former Speaker Pelosi. We all said basically the same thing, that this is a major setback for all human rights across the board and that the dictatorship has taken the

measure of the U.S. and found us wanting and that profits trumped human rights.

I would also point out for the record that PNTR, which I also vigorously oppose, permanent normal trading relations went into effect and was signed by President Clinton in October 2000. Republicans and Democrats both voted for that legislation. Congressman Levin was referenced earlier by Mr. Wei Jingsheng.

But hopefully, the experiment "if we just trade more, they will matriculate from a dictatorship to a human rights respecting country" has been shattered because that is a myth and myths sometimes die slow, long, painful deaths. My hope is that more people will realize that it's time to look at engagement that has linkages to a penalty phase to hold countries to account.

Would anyone like to add anything further before we adjourn? If not, I thank you again and this hearing is adjourned.

[Whereupon, at 2:02 p.m. the subcommittee was adjourned.]

# APPENDIX

## Material Submitted for the Hearing Record

**SUBCOMMITTEE HEARING NOTICE**
**COMMITTEE ON FOREIGN AFFAIRS**
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-0128

**SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS**
**Christopher H. Smith (R-NJ), Chairman**

May 12, 2011

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

**DATE:** Friday, May 13, 2011

**TIME:** 10:00 a.m.

**SUBJECT:** China's Latest Crackdown on Dissent

**WITNESSES:** Mr. Wei Jingsheng
Chair
Overseas Chinese Democracy Coalition

Mr. Harry Wu
Executive Director
Laogai Research Foundation

Ms. Jing Zhang
Director of Operations
All Girls Allowed

Mr. Steven Mosher
President
Population Research Institute

Mr. Phelim Kine
Asia Researcher
Human Rights Watch

Ms. Andrea Worden
Adjunct Professor of Law
American University Washington College of Law

**By Direction of the Chairman**

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

# COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF SUBCOMMITTEE ON *Africa, Global Health, and Human Rights* HEARING

Day *Friday* Date *May 13, 2011* Room *2172 Rayburn*

Starting Time *11:21 a.m.* Ending Time *2:02 p.m.*

Recesses *0* (____to ____) (____to ____) (____to ____) (____to ____) (____to ____) (____to ____)

Presiding Member(s)

*Rep. Chris Smith*

*Check all of the following that apply:*

Open Session ☑
Executive (closed) Session ☐
Televised ☑

Electronically Recorded (taped) ☑
Stenographic Record ☑

TITLE OF HEARING:

*China's Latest Crackdown on Dissent*

SUBCOMMITTEE MEMBERS PRESENT:

*Rep. Chris Smith, Rep. Donald Payne, Rep. Jeff Fortenberry*

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

*Rep. Frank Wolf**

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

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

*Written Statement of Mr. Wei*
*Written Statement of Mr. Wu*
*Written Statement of Ms. Zhang*
*Written Statementof Mr. Mosher*
*Written Statement of Mr. Kine*
*Written Statement of Ms. Worden*
*Summary of Human Rights Watch report: Promises Unfulfilled: An Assessment of China's National Human Rights Action Plan*
*Washington Post editorial: "Obama makes Hu Jintao look good on rights"*
*Written Statement from Wujian*
*All Girls Allowed report on the One-Child Policy*

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *2:02 p.m.*

Subcommittee Staff Director

MATERIAL SUBMITTE FOR THE RECORD BY MR. PHELIM KINE, ASIA RESEARCHER, HUMAN RIGHTS WATCH


# Promises Unfulfilled

## An Assessment of China's National Human Rights Action Plan

## Summary

In April 2009, the Chinese government unveiled its 2009-2010 National Human Rights Action Plan (NHRAP), which sets forth both a program of goals and a timeline for acting on them.[1] The Chinese government's willingness to draft and publicly release a document which explicitly addresses important human rights issues in China deserves praise. Nearly two years on, however, deficiencies in the action plan and government failures to adequately implement some of its key commitments have rendered it largely a series of unfulfilled promises.

At the time of its release, the NHRAP appeared to mark another shift from the Chinese government's traditional posture of criticizing human rights as an imposition of "Western values"[2] to embracing them as a national goal to be realized through concrete assessment targets.[3] The NHRAP touches on many important rights issues while omitting some very notable ones. Its style is hortatory—asserting accomplishments and admitting some difficulties—but opaque. On most issues, the document lacks benchmarks or the kind of detail that would allow for meaningful assessment of progress. The question of whether the NHRAP is mainly an effort to deflect internal and external criticism or a tentative step toward taking rights more seriously is still an open question.[4] If the action plan is to serve a more useful role in the future, the Chinese government should update and revise it, including by addressing the shortcomings detailed in this report.

The NHRAP is China's first official human rights action plan, and reiterates the government's existing human rights commitments.[5] The NHRAP notes that the government "has a long

---

[1] *National Human Rights Action Plan of China (2009-2010)*, April 13, 2009, http://news.xinhuanet.com/english/2009-04/13/content_11177126_1.htm (accessed August 12, 2010).

[2] "China rejects Western standards on human rights, Vice FM says," Xinhua News Agency, July 30, 2010, http://english.peopledaily.com.cn/90001/90776/90883/7086326.html (accessed December 21, 2010).

[3] *National Human Rights Action Plan of China (2009-2010)*, April 13, 2009, http://news.xinhuanet.com/english/2009-04/13/content_11177126_1.htm (accessed August 12, 2010), introduction, para 2. This paragraph states: "It is worth mentioning that since the introduction of the reform and opening-up policy at the end of 1978, China has enshrined respect for and protection of human rights in the Constitution as a major principle of government, and has taken effective measures to promote the cause of human rights."

[4] The Chinese government described the NHRAP as a response to resolution No. 71 of the United Nations' 1993 World Conference on Human Rights, which recommends "that each state consider the desirability of drawing up a national action plan whereby that State would improve the promotion and protection of human rights." "China re-elected to UN Human Rights Council," Xinhua News Agency, May 12, 2009.

[5] Article 33 of the Constitution of the People's Republic of China asserts that "The state respects and preserves human rights." The Chinese government described the NHRAP as a response to resolution No. 71 of the United Nations' 1993 World Conference on Human Rights, which recommends "that each state consider the desirability of drawing up a national action plan whereby that State would improve the promotion and protection of human rights."

road ahead in its efforts to improve its human rights situation."[6] It also stresses the Chinese government's emphasis on prioritizing "rights to subsistence and development" over civil and political rights, but acknowledges that "all kinds of human rights are interdependent and inseparable," an important statement.[7] The plan does not have the force of law, but states that "Governments and government departments at all levels shall make the action plan part of their responsibilities, and proactively implement it."[8]

The NHRAP describes itself as the result of "broad participation" of 53 named government ministries, agencies, and government-organized nongovernmental organizations, along with academics from nine research institutions coordinated by the Information Office of the State Council and the Ministry of Foreign Affairs.[9] The Ministry of State Security, which oversees agencies frequently implicated in human rights abuses, such as the Public Security Bureau (PSB), is not among the state organs that were reported to be involved.[10]

The NHRAP is divided into five main categories, beginning with an introduction. Those categories are divided as follows: guarantee of economic and social rights; guarantees of civil and political rights; guarantee of the rights and interests of ethnic minorities, women, children, elderly people, and the disabled; education in human rights and performing international human rights duties; and conducting exchanges and cooperation in the field of international human rights. The NHRAP lists the specific rights included under each category, explains the Chinese government's assessment of historical progress to date in protecting those rights, and describes measures to improve that protection.

---

[6] *National Human Rights Action Plan of China (2009-2010),* April 13, 2009, http://news.xinhuanet.com/english/2009-04/13/content_11177126_1.htm (accessed August 12, 2010), introduction, para. 3.

[7] Ibid., introduction, para. 6.

[8] Ibid., introduction, para. 9.

[9] Ibid., introduction, para. 7. Those government ministries, agencies, and government-organized nongovernmental organizations include the Information Office of the State Council and Ministry of Foreign Affairs, the Legislative Affairs Committee of the Standing Committee of the National People's Congress, Committee for Social and Legal Affairs of the Chinese People's Political Consultative Conference National Committee, Supreme People's Court, Supreme People's Procuratorate, National Development and Reform Commission, Ministry of Education, State Ethnic Affairs Commission, Ministry of Civil Affairs, Ministry of Justice, Ministry of Human Resources and Social Security, Ministry of Health, China Disabled Persons' Federation, and China Society for Human Rights Studies, Nankai University, Shanghai Academy of Social Sciences, Shandong University, China University of Political Science and Law, Chinese Academy of Social Sciences, Beijing University, Wuhan University, Renmin University of China, and the Central Party School. The NHRAP states that several symposia on the drafting of the plan were convened with representation from over 20 organizations, such as China Law Society, All-China Lawyers' Association, China Legal Aid Foundation, China Environmental Protection Foundation, Chinese Society of Education, China Women's Development Foundation, China Foundation for Poverty Alleviation, China Foundation for Disabled Persons, and China Foundation for Human Rights Development.

[10] Ibid.

Near the half-way mark of the NHRAP period in December 2009, the Chinese government expressed confidence that it would achieve its goals and that "for most of the (NHRAP's) targets and tasks, which were stipulated in the action plan and expected to be finished in two years, 50 percent, or even 65 percent for some, have been accomplished so far," without providing any details related to those statistics.[11] That assessment, the Chinese government's only public review of the NHRAP's progress up to the time of writing of this report, was presented in a speech by Wang Chen, the minister in charge of the State Council's Information Office.[12] That assessment also noted that some unspecified NHRAP goals had not been achieved due to "some problems and defects" in implementation, including a tendency by unnamed local governments and departments to "have not actively included the human rights protection in their work."[13] The assessment did not elaborate on those failures.

The NHRAP's explicit two-year time frame for the achievement of specific goals was a welcome signal that the Chinese government intended to devote attention to its human rights record. This re-articulation from the Chinese government of its commitments to human rights already guaranteed by Chinese domestic law and international instruments has already proved valuable for human rights activists, both within China and abroad. The NHRAP is also a useful metric for the government's progress in actually honoring those commitments, and created an opportunity both inside and outside the country to discuss the development of human rights in China.

The NHRAP is also a useful counterpoint for the government in rebutting foreign criticism of its human rights record. China's English-language state media, including Xinhua News Agency, Xinhua's China Economic Information Service, Xinhua Electronics News, Xinhua China Money, Xinhua Business Weekly, *China Daily,* and *Global Times* published a combined total of 73 reports on the NHRAP's objectives between April 13, 2009, and December 14, 2009. However, only one of those reports assessed the Chinese government's performance in executing the plan.[14]

When the NHRAP was first announced in April 2009, Human Rights Watch noted that the plan could be an opportunity for more diverse voices to discuss human rights issues in China and

---

[11] "Full text: Speech on implementation of National Human Rights Action Plan of China (2009-2010) (4)," Xinhua News Agency, December 3, 2009.

[12] Wang Chen also serves as both deputy director of the Chinese Communist Party's (CPC) Publicity Department (formerly known as the Propaganda Department) as well as director of the CPC's External Propaganda Department.

[13] Ibid.

[14] "Full text: Speech on implementation of National Human Rights Action Plan of China (2009-2010)," Xinhua News Agency, December 3, 2010.

for some of these views to be channeled into an official document. Yet Human Rights Watch also raised questions about the utility of the NHRAP and the motivations behind it.[15]

As the NHRAP period draws to a close, this report critically assesses it, including areas of progress, deficiency, and missed opportunities over its two-year duration. This document does not provide an evaluation of China's overall human rights record, but rather assesses the extent to which the Chinese government delivered on its NHRAP objectives on key human rights from 2009 to 2010. The answer is mixed.

At the same time as the Chinese government has pointed to the NHRAP as evidence of its commitment to human rights, the government has systematically continued to violate many of the most basic rights the document addresses. It has taken unambiguous steps to restrict rights to expression, association, and assembly. It has sentenced high-profile dissidents to lengthy prison terms on spurious state secrets or "subversion" charges, expanded restrictions on media and internet freedom[16] as well as tightened controls on lawyers, human rights defenders, and nongovernmental organizations. It has broadened controls on Uighurs and Tibetans, and engaged in increasing numbers of enforced disappearances and arbitrary detentions, including in secret, unlawful detention facilities known as "black jails."[17]

The Chinese government's reaction to the Nobel Prize Committee's October 8 decision to award the 2010 Nobel Peace Prize to imprisoned writer and human rights activist Liu Xiaobo shows the chasm between the aspirations embodied in the NHRAP and the government's actual behavior. The Chinese government responded to the Nobel Peace Prize announcement with a wave of repression against perceived dissent. The Chinese

---

[15] Chris Buckley, "China sets human rights agenda for sensitive year," Reuters, April 12, 2009.

[16] Phelim Kine (Human Rights Watch), "China's Internet Crackdown, commentary, *Forbes.com*, May 27, 2010, http://www.hrw.org/en/news/2010/05/27/chinas-internet-crackdown.

[17] "China: Sham Trial of Veteran Rights Activist," Human Rights Watch news release, November 23, 2009, http://www.hrw.org/en/news/2009/11/23/china-sham-trial-veteran-human-rights-activist; "China: Liu Xiaobo's Trial a Travesty of Justice," Human Rights Watch news release, December 21, 2009, http://www.hrw.org/en/news/2009/12/21/china-liu-xiaobo-s-trial-travesty-justice; "China: New Restrictions Target Media," Human Rights Watch news release, March 18, 2009, http://www.hrw.org/en/news/2009/03/18/china-new-restrictions-target-media; Phelim Kine (Human Rights Watch), "China's Internet Crackdown, commentary, *Forbes.com*, May 27, 2010, http://www.hrw.org/en/news/2010/05/27/chinas-internet-crackdown; "China: Cease Attacks on Rights Lawyers," Human Rights Watch news release, July 17, 2009, http://www.hrw.org/en/news/2009/07/17/china-cease-attacks-rights-lawyers; "China: Chokehold on Civil Society Intensifies," Human Rights Watch news release, April 12, 2010, http://www.hrw.org/en/news/2010/04/11/china-chokehold-civil-society-intensifies; Human Rights Watch, *China – "We are Afraid to Even Look for Them": Enforced Disappearances in the Wake of Xinjiang's Protests*, ISBN: 1-56432-556-3, October 20, 2009, http://www.hrw.org/en/reports/2009/10/22/we-are-afraid-even-look-them; Human Rights Watch, *China – "I Saw it With My Own Eyes": Abuses by Security Forces in Tibet, 2008-2010,"* ISBN: 1-56432-666-7, July 21, 2010, http://www.hrw.org/en/reports/2010/07/22/i-saw-it-my-own-eyes-0; Human Rights Watch," *China – "An Alleyway in Hell": China's Abusive "Black Jails,"* ISBN: 1-56432-559-8, November 12, 2009, http://www.hrw.org/en/reports/2009/11/12/alleyway-hell.

nongovernmental organization Chinese Human Rights Defenders documented "100 reports of citizens who have been harassed, interrogated, subjected to surveillance, detained, or placed under 'soft detention' across the country" between October 8, 2010, and November 8, 2010.[18] They include Liu Xiaobo's wife, Liu Xia, and Liu Xiaobo's friend and fellow dissident, Yu Jie, who have both been placed under house arrest[19] in the aftermath of Liu's Nobel Peace Prize.[20] Other victims of the Chinese government's anger at the Nobel Peace Prize include a man named Guo Xianliang, who was arrested by Guangzhou police on "subversion" charges after he distributed leaflets about Liu Xiaobo.[21]

In this environment, it is difficult to see the NHRAP as an effective tool for minimizing human rights abuses, or its adoption as indicative of a serious shift in the Chinese government's approach to human rights protections. Even the senior-most officials are not immune. In an October 3, 2010 interview with CNN, Premier Wen Jiabao expressed strong support for greater respect for basic human rights:

> I often say that we should not only let people have the freedom of speech, we more importantly must create conditions to let them criticize the work of the government. It is only when there is the supervision and critical oversight from the people that the government will be in a position to do an even better job, and employees of government departments will be the true public servants of the people. All these must be conducted within the range allowed by the constitution and the laws. So that the country will have a normal order, and that is all the more necessary for such a large country as China with 1.3 billion people.[22]

Chinese government censors blocked all transmission of that interview and forbade circulation of the transcript inside the country.[23]

---

[18] "Nobel Laureate Languishes in Prison, Police Harassment of Activists Rages On," Chinese Human Rights Defenders press release, November 8, 2010, http://chrdnet.org/2010/11/08/nobel-laureate-languishes-in-prison-police-harassment-of-activists-rages-on/ (accessed November 9, 2010).

[19] House arrest, which Chinese police can impose arbitrarily and outside of any legal procedure, results in detention at home, with restricted and monitored internet and phone communications, and 24-hour surveillance by unidentified and often aggressive security forces.

[20] Tom Lassetter, "After Nobel prize to Liu, China's cracked down on dissent," *McClatchy Newspapers*, November 5, 2010.

[21] Ibid.

[22] Fareed Zakaria, "Interview with Premier Wen Jiabao," CNN, October 3, 2010, http://transcripts.cnn.com/TRANSCRIPTS/1010/03/fzgps.01.html (accessed October 7, 2010).

[23] Josh Chin, "Netizens React: Premier's Interview Censored," WSJ Blogs, China Real Time, October 6, 2010 (accessed November 5, 2010).

In addition to recommendations on specific topics in each of the chapters that follow, Human Rights Watch urges the Chinese government to address the failures of the NHRAP by:

1. Forming an independent NHRAP review commission to evaluate the success of the plan's objectives for addressing torture, illegal detention, fair trial, the rights of petitioners, the right to health, and other issues targeted in the NHRAP which have a direct impact on the physical safety, well-being, and quality of life of millions of Chinese citizens. The commission, composed of representatives of key government agencies, academic organizations, nongovernmental organizations, the Public Security Bureau—and in consultation of relevant United Nations special rapporteurs—should analyze the gaps between the NHRAP's objectives and their implementation. The commission should identify the NHRAP's shortfalls in order to create a revised NHRAP with benchmarks, timelines, and periodic assessments to evaluate its implementation;
2. Holding a public consultation that is open to the media on that audit's evaluation of the successes and failures of the NHRAP;
3. Using the results of that public consultation to develop a blueprint for a fresh, updated National Human Rights Action Plan designed to address the failings of the 2009-2010 plan with transparent benchmarks and timelines, and a public enforcement mechanism to ensure the plan's implementation;
4. Ensuring that a new, improved human rights action plan addresses significant omissions in the original NHRAP, including rights abuses related to the Chinese government's household registration, or *hukou*, system, and the omission of human rights guarantees for China's foreign policy, investment, and development initiatives.

MATERIAL SUBMITTED FOR THE RECORD BY THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY, AND CHAIRMAN, SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH, AND HUMAN RIGHTS

The Washington Post

## President Obama makes Hu Jintao look good on rights

Wednesday, January 19, 2011; 7:25 PM

THE MOST significant statements at the joint news conference of President Obama and Chinese President Hu Jintao on Wednesday came in response to questions about human rights. Asked how China's abuse of its own people affected relations between the two countries, one of the two leaders responded in a perfunctory manner, offered excuses for Beijing and concluded that disagreement on human rights "doesn't prevent us from cooperating in these other critical areas." The other forthrightly stated that "a lot still needs to be done in China in terms of human rights." Disappointingly, that first speaker was Mr. Obama; the relatively honest statement came from Mr. Hu.

The president's remarks were surprising because his administration had indicated before Mr. Hu's state visit that it intended to make human rights a more central part of its China policy. In a speech last week, Secretary of State Hillary Rodham Clinton argued forcefully that as long as China represses freedoms, it will be unable to realize its potential. She cited the cases of imprisoned Nobel Peace Prize winner Liu Xiaobo and missing human rights lawyer Gao Zhisheng and said "those who advocate peacefully for reform within the constitution . . . should not be harassed or prosecuted."

But Mr. Obama retreated to the administration's previous approach, which has been to minimize the issue. In his prepared remarks, the president said he had raised human rights with Mr. Hu, but when invited by an Associated Press reporter to expand on the subject, he began with what sounded like an apology for the Chinese regime. "China has a different political system than we do. . . . China is at a different state of development than we are. We come from very different cultures and with very different histories." The president then said that the United States believed in the universality of rights such as freedom of speech, and that he had been "very candid with President Hu about these issues."

Then came more excuses for Beijing's record: "There has been an evolution in China over the last 30 years. My expectation is that 30 years from now we will have seen further evolution." He concluded with the assurance that the United States and China cooperate on many issues, and that the issue of human rights "doesn't prevent" such cooperation. The president made no mention of Mr. Gao, who has not been seen or heard from since last April, or Mr. Liu, who succeeded Mr. Obama as the Nobel Peace Prize winner. Their families could only conclude that China will pay no price for its persecution of the two men in its relations with the United States.

Mr. Hu, by contrast, was more forthcoming. He said "China recognizes and also respects the universality of human rights," before conceding that it had more to do. "We will continue our efforts to promote democracy and the rule of law," he said, adding that China was prepared to reopen a dialogue with the United States on human rights issues. In fact, human rights have regressed under Mr. Hu's administration, so his promises don't have much credibility. Yet Mr. Hu at least formally recognized the need to move toward democracy. Mr. Obama's failure to do the same made him look more tolerant of dictatorship than the president of China.

**Testimony for Tom Lantos Human Rights Commission Hearing**
**November 10, 2009**
**Wujian, citizen of the People's Republic of China**

**- MY "LITTLE FOOT," MY LIFELONG PAIN -**

My name is Wujuan.[1] I was born in a small village in northern China. During my daily life, I tried to smile at everyone while at the bottom of my heart there is engraved a record of an unforgettable experience from hell.

It was the spring of 2004 when I found out that I was pregnant. It was beautiful to sense this life growing inside of me: what a miracle! Meanwhile, I was also very fearful since I did not have the Permit for Pregnancy the Birth Permit, which means, according to Chinese law, this baby was not allowed to be born into this world. This baby would have to die in my womb. During that time in my hometown, this was the law decided by the Chinese Family Planning policy which brought fear on every family. Not only were my parents and family at risk, but also my other relatives.

Time flew as the little baby grew daily in my womb. While the baby moved more and more actively in my body, the maternal love also increased. The word "MOM" was not just a word anymore; it became a reality in my life. My baby and I were one, sharing the same blood.

Pretty soon, my lower stomach began to bulge. In order to protect my baby, I had to hide myself in a very old, shabby house in a remote area. There was no electricity at all in the room, and it was very dark even during the day. Fear and loneliness filled me every day, but as long as I could have my baby, I could stand anything. Many times, I was wakened at night by nightmares, as I dreamed that I was hunted and arrested by the Family Planning government officials and forced to have an abortion.

Eventually, the Family Planning government officials found out about my pregnancy. So they searched all over trying to arrest me, and while they could not find me, then they caught my father instead. They put my father into the detention center and beat him every day. On the fourth day after they caught my father, one neighbor came and told me that my father was dying: they would continue beating my father – even to death – until I went to the local hospital to get abortion. My heart was broken into pieces as I faced this terrifying dilemma: either my father or my baby, one of them had to die, and I had to make the decision.

Very soon after this, the worst thing happened: when several Family Planning government officials broke into the house where I was hiding, and without any words, they drug me into their van.

As soon as I got into the van, I found that another Mom was already inside the van. She told me she was carrying her first baby, and that she was 28 years old. She did not have the Permit of Pregnancy or the Birth Permit, and she was 7 months pregnant. She was so eager to keep this baby that she was fighting with the government officers in the van. Suddenly, one government official at his 20's slapped her on the face and immediately her mouth began to bleed. Being thus insulted, she screamed like a lion and fought with the Family Planning government officials.

---

[1] an alias.

About one hour later, the van stopped in the hospital. As soon as I was drug out of the van, I saw hundred of pregnant Moms there – all of them, just like pigs in the slaughterhouse. Immediately I was drug into a special room, and without any preliminary medical examination, one nurse did Oxytocin injection intravenously. Then I was put into a room with several other Moms.

The room was full of Moms who had just gone through a forced abortion. Some Moms were crying, some Moms were mourning, some Moms were screaming, and one Mom was rolling on the floor with unbearable pain.

I was not very sensitive to the oxytocin injection, and then I was pulled into another small room. One nurse pulled out one, big, 8-inch long needle for intramuscular injection. I had never seen such big, long needle in my life. As soon as they pulled away my clothes, the nurse put her hand around my lower stomach; the fear and her cold hand caused my abdominal muscle to spasm. Because of that, for a while, the nurse could not do the injection.

At that moment, I was the only Mom in the room. I began begging the nurse while I cried, , "I have already had the oxytocin injection, please let me go; I will go as far away as possible and I will not tell anyone else what you had done for me and I will be grateful for you for the rest of my life." The nurse did not respond to my begging—she looked like wood.

Then I kept saying to her, "You are an angel, as a nurse or a doctor who is helping people and saving peoples' life; how could you become a killer by killing people every day?" I could hardly see her face because she wearied a big mask. Soon she became very angry at what I said, and told me that I talked too much. She also told me that there was nothing serious about this whole thing for her. She did these all year. She also told me that there were over 10,000 forced abortions in our county just for that year, and I was having just one of them. I was astonished by her words and I realized that my baby and I were just like a lamb on the cutting board. Finally, she put the big, long needle into the head of my baby in my womb. At the moment, it was the end of the world for me and I felt even time had stopped. I hardly knew that something worse would happen later.

After the injection, my baby became very quiet for a whole day. I was so naive that I thought I could leave the hospital because I had finished the forced injection. I wondered if perhaps my baby was lucky enough that s/he could survive.

To my great surprise, the next evening I was drug into a surgical room. I was asked to lie down on a surgical table; it was the Guillotine for me and for my baby. While I was lying down on the surgical table I found that there was bloody fingerprint on the wall, left by other Moms during their surgery of a forced abortion.

One doctor told me that I brought too much trouble to them already because my baby was supposed to flow out by itself after the injection. Since it did not come out as expected, they decided to cut my baby into pieces in my womb with scissors, and then suck it out with a special machine.

What I had done in my life that made me deserve this kind of punishment? What evil thing was this all about? Even a wild animal like a tiger will give her life to save their own baby tiger. As a Mom and a human being, could I not even protect the life of my baby?

I did not have any time to think as this most horrifying surgery began by force. I could hear the sound of the scissors cutting the body of my baby in my womb. I could feel that, little by little,

my baby was cut into pieces; s/he was separated from my body. S/he was the flesh of my flesh, the bone of my bone, a part of my body. That kind of pain not only killed my body, but also killed my emotions and my feelings.

"How could I be a Mom? What's wrong with me?" I cried while talking to my baby and I preferred to die together with my baby at that moment. Nothing sounded meaningful at all for me in this world: In fact, part of me had already died – part of me was already gone and gone forever!

Eventually the journey in hell, the surgery was finished, and one nurse showed me part of a bloody foot with her tweezers. Through my tears, the picture of the bloody foot was engraved into my eyes and into my heart, and so clearly I could see the five small bloody toes. Immediately the baby was thrown into a trash can...

Finally, I was allowed to go home from the hospital. I did not eat anything, or even drink any water, for several days. I barely talked with anyone. From time to time at home, I could hear the mourning of my father. He was released after I was caught, but he had been beaten terribly; it took him over a month to recover physically. Looking at my father, thinking of my dead baby, I cried day and night, and frequently the picture of the little bloody foot came up in my mind. Physically I recovered after about one month, but psychologically and spiritually – never!

At that time, I got a migraine headache, and it is with me up to today.

Some people have said that time is the best medicine and time can heal everything. But this is not the case for me: as time goes on, the suffering is getting worse and worse and memory is getting clearer and clearer.

Thank God I became a Christian; God did help me and healed me. The Bible teaches us that as long as we confess our sin, we will be forgiven. Frequently I come to the Lord, asking for forgiveness. I know God has already forgiven my sin, but very often I could not forgive myself. I do believe that I will meet my baby again in heaven. If God allows, I will ask the forgiveness from my baby when I see him/her in heaven.

As a Chinese saying says, whenever you have broken your tooth, you swallow it by yourself. I never shared this experience with anyone before, because the scars in my heart are one million times more painful than the scars on my body!

While I was writing this short testimony, several times I cried out and I could not continue writing. I knew that there are millions of Chinese sisters are suffering and will suffer the same thing that I suffered.

Who could help them? Who could save them? The one-child policy and forced abortion policy have killed millions of innocent lives in China. *How* could this inhuman crime be stopped? *When* could this inhuman crime be stopped?

May God forgive me, that on that day I will meet my baby in heaven!

All Girls Allowed

# (1) Baby Shower Gift Program

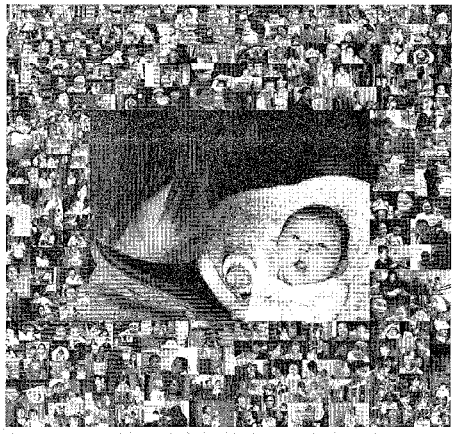
## Ending Gendercide in Rural China

### It's a Girl!

Due to gendercide, the three words, "It's a girl", are received with sadness and disappointment. In response, Chinese couples have resorted to gendercide, the act of eliminating girls based on their gender. As a result, 1.1 million more boys are born in China each year, and currently there are 37 million more men than women.

All Girls Allowed began the Baby Shower Gift Program to bring life, value and dignity to baby girls. Pregnant couples who enroll in this program receive a **$20/ month stipend** to support their baby girl through her first year of life. AGA workers keep families accountable to ensure that the stipend is used for the baby's nutrition, clothing and shelter.

Our goal is for "It's a girl" to be the best three words a mother hears!



### Culture Change

AGA is seeing culture change as families begin to desire baby girls. Although the birth of the girl didn't please her father-in-law, Shen Hongmei was still happy. Not only did she receive the monthly assistance from the Baby Shower Gift program, envy and talk of fellow villagers gave her encouragement. "Give birth to a girl, get assistance. It's great! **Our neighbor who had a son was very jealous of us**." said Shen.

Pregnant women in the village who find that they are carrying girls usually want an abortion. Shen said that it would never happen with her. "In my mind, **if I am to have a second one, and if the second one is a girl, I would still have her**. I don't care what others say."

### By the Numbers

AGA works in the provinces where gendercide is strongest (see table on next page for gender ratios). In the provinces where AGA works, the average gender ratio is 128+ boys for every 100 girls. Unfortunately, the reality is worse in many of the villages.

According to data gathered by AGA's statistician in Hubei Province, Huangshan Village had 24 births last year: 15 boys and 9 girls (born between 10/1/2009 and 9/12/2010). Since 9/12/2010, **14 mothers in Huangshan have decided to keep their baby girls** as a result of the Baby Shower Gift program!

Similarly, Taibai Village last year recorded 26 births: 20 boys and 6 girls. Since AGA's Baby Shower Gift program began there, **11 baby girls have been enrolled**. The numbers demonstrate that the culture of gendercide is changing to one that embraces baby girls!


## Sex Ratios by Age Group and Province

Data from the British Medical Journal (BMJ 2009; 338:b1211)

**Table 2**

Sex ratios (95% confidence interval) by age group and province, and excess males

| Region and province (population in millions) | No | Age group: <1 year | 1-4 years | 5-9 years | 10-14 years | 15-19 years | Excess males <10 years (%) | Excess males 10-20 years (%) |
|---|---|---|---|---|---|---|---|---|
| All | 4 784 512 | 119 (118 to 120) | 124 (123 to 124) | 119 (119 to 120) | 114 (114 to 115) | 108 (107 to 109) | 9.4 | 6.1 |
| North: | | | | | | | | |
| Beijing (14) | 35 957 | 114 (102 to 127) | 112 (105 to 118) | 110 (103 to 116) | 104 (100 to 109) | 111 (106 to 116) | 5.4 | 4.1 |
| Tianjin (10) | 29 170 | 114 (100 to 130) | 112 (101 to 126) | 115 (109 to 122) | 110 (106 to 115) | 90 (86 to 103) | 7.5 | 1.7 |
| Hebei (65) | 269 339 | 120 (116 to 125) | 122 (120 to 125) | 116 (113 to 117) | 111 (109 to 113) | 104 (102 to 106) | 8.4 | 3.2 |
| Shanxi (32) | 131 763 | 116 (110 to 123) | 112 (108 to 116) | 105 (101 to 111) | 100 (97 to 103) | 106 (104 to 108) | 5.1 | 3.6 |
| Inner Mongolia (23) | 78 693 | 114 (107 to 122) | 107 (103 to 111) | 106 (103 to 110) | 110 (107 to 113) | 107 (104 to 109) | 4.3 | 4.6 |
| Northeast: | | | | | | | | |
| Liaoning (42) | 118 918 | 113 (109 to 120) | 114 (111 to 117) | 111 (108 to 114) | 110 (108 to 113) | 108 (103 to 108) | 5.6 | 3.7 |
| Jilin (28) | 85 138 | 113 (106 to 121) | 112 (108 to 116) | 112 (110 to 117) | 110 (107 to 113) | 107 (104 to 103) | 5.9 | 3.8 |
| Heilongjiang (36) | 112 357 | 108 (103 to 113) | 111 (108 to 115) | 107 (104 to 109) | 108 (105 to 110) | 107 (105 to 109) | 4.1 | 3.4 |
| East: | | | | | | | | |
| Shanghai (17) | 37 408 | 117 (108 to 128) | 109 (103 to 116) | 111 (105 to 116) | 105 (103 to 113) | 96 (95 to 101) | 4.9 | 0.4 |
| Jiangsu (71) | 230 997 | 125 (120 to 131) | 125 (120 to 129) | 121 (119 to 124) | 116 (116 to 120) | 105 (103 to 109) | 10 | 5.9 |
| Zhejiang (43) | 150 126 | 114 (108 to 119) | 113 (111 to 115) | 113 (111 to 116) | 113 (111 to 116) | 109 (108 to 110) | 6.3 | 5.0 |
| Anhui (61) | 254 339 | 131 (126 to 137) | 129 (125 to 141) | 124 (122 to 127) | 115 (114 to 117) | 107 (106 to 109) | 12.9 | 5.5 |
| Fujian (33) | 129 149 | 122 (116 to 129) | 119 (118 to 122) | 124 (121 to 127) | 118 (118 to 124) | 101 (99 to 103) | 9.8 | 4.2 |
| Jiangxi (41) | 186 198 | 129 (121 to 137) | 143 (140 to 146) | 129 (128 to 130) | 119 (118 to 120) | 114 (112 to 116) | 14.9 | 7.9 |
| Shandong (91) | 303 287 | 114 (110 to 118) | 116 (114 to 118) | 116 (114 to 118) | 116 (114 to 117) | 106 (105 to 108) | 7.4 | 4.5 |

**Baby Shower Gift in Guizhou, Hubei and Jiangxi Provinces Educating Orphans in Anhui Province**

| Region and province (population in millions) | No | Age group: <1 year | 1-4 years | 5-9 years | 10-14 years | 15-19 years | Excess males <10 years (%) | Excess males 10-20 years (%) |
|---|---|---|---|---|---|---|---|---|
| Central: | | | | | | | | |
| Henan (95) | 386 594 | 122 (118 to 126) | 142 (140 to 144) | 134 (129 to 139) | 110 (118 to 121) | 110 (109 to 111) | 14.4 | 6.7 |
| Hubei (59) | 230 236 | 126 (122 to 135) | 120 (120 to 133) | 129 (129 to 132) | 123 (118 to 131) | 116 (117 to 120) | 12.6 | 6.7 |
| Hunan (64) | 232 936 | 122 (117 to 127) | 133 (130 to 136) | 122 (120 to 124) | 115 (113 to 117) | 112 (110 to 113) | 11.9 | 6.1 |
| Guangdong (79) | 304 845 | 119 (116 to 123) | 135 (131 to136) | 127 (120 to 129) | 116 (113 to 118) | 98 (95 to 97) | 12.3 | 2.2 |
| Guangxi (48) | 199 778 | 121 (118 to 126) | 122 (120 to 125) | 127 (125 to 130) | 122 (120 to 124) | 123 (121 to 125) | 11.0 | 10.2 |
| Hainan (7.8) | 39 437 | 123 (111 to 136) | 134 (127 to141) | 135 (129 to 141) | 120 (112 to 127) | 123 (116 to 128) | 8.2 | 9.9 |
| Southwest: | | | | | | | | |
| Chongqing (31) | 100 070 | 112 (104 to 120) | 110 (116 to 120) | 117 (114 to 120) | 113 (110 to 116) | 114 (111 to 117) | 7.9 | 8.2 |
| Sichuan (84) | 311 530 | 115 (110 to 119) | 118 (114 to 118) | 114 (112 to 116) | 111 (110 to 113) | 109 (108 to 109) | 8.8 | 4.9 |
| Guizhou (37) | 176 547 | 129 (112 to 134) | 127 (124 to 130) | 116 (113 to 117) | 112 (110 to 114) | 110 (117 to 122) | 9.0 | 7.2 |
| Yunnan (41) | 186 274 | 113 (108 to 118) | 116 (113 to117) | 112 (110 to 114) | 112 (110 to 114) | 112 (110 to 114) | 8.2 | 5.9 |
| Tibet (3) | 13 704 | 102 (86 to 120) | 104 (88 to 119) | 105 (88 to 112) | 102 (85 to 108) | 105 (86 to 112) | 2.1 | 1.9 |
| Northwest: | | | | | | | | |
| Shaanxi (36) | 141 804 | 134 (120 to 143) | 125 (121 to 123) | 123 (120 to 128) | 117 (115 to 119) | 112 (110 to 114) | 10.3 | 6.8 |
| Gansu (25) | 112 300 | 118 (108 to 124) | 120 (117 to 124) | 116 (113 to 119) | 109 (107 to 111) | 108 (104 to 109) | 8.9 | 3.1 |
| Qinghai (5) | 23 493 | 117 (103 to 133) | 111 (105 to 118) | 109 (104 to 116) | 104 (98 to 110) | 100 (95 to 106) | 5.0 | 0.1 |
| Ningxia (5) | 27 979 | 107 (98 to 119) | 112 (105 to 120) | 108 (103 to 113) | 101 (101 to 110) | 104 (99 to 110) | 4.5 | 2.3 |
| Xinjiang (17) | 87 919 | 105 (99 to 112) | 108 (102 to 115) | 104 (101 to 108) | 108 (103 to 113) | 107 (104 to 110) | 2.2 | 3 |

All Girls Allowed

# (2) Orphan Scholarships

## Sending Orphaned Girls to School

With at least **1 million orphans abandoned every year**, the vast majority of whom are girls, China is facing a crisis that must be addressed. In 2007, UNICEF reported that there were 17 million children aged 0-17 that were orphans in China. Due to lack of funding, these orphans receive little to no education, and once they reach adulthood they are cast onto the street with few options.

All Girls Allowed recognizes that a key step to ending gendercide is to raise the value of girls in the eyes of society. For this reason, AGA has begun partnering with a network of poor Buddhist orphanages to provide educational scholarships. The 25 orphans that are currently sponsored receive a **monthly scholarship of $40, $60 or $80** for elementary, secondary or undergraduate education. These girls now have hope for a future, and not only do they have increased dignity, but also they are showing those around them that girls are capable and can be positive contributors to society!

Shi Leilei was orphaned in 1999 and is now attending elementary school.

Shi Jiekong was orphaned in 1998 and now attends high school.

Shi Quanxing was orphaned in 1992 and is now attending college.

### China Responds Positively

Several years ago before AGA began supporting orphans at Buddhist monasteries in Anhui province, the Buddhist nuns were harassed by government officials for taking in orphaned girls. In one instance, the government even demolished part of an orphan home to build a road, without any warning or compensation.

In August 2010, an American journalist visited the orphanages to report on the work of AGA, along with a friend, an employee of the Clinton Foundation. Chinese security officials shadowed the visitors the entire time. Shortly after the visit, the local government announced that it would begin to provide monthly stipends for orphans who lived in orphanages not affiliated with the government! That was the very thing that AGA had been doing for months.

While we cannot confirm whether AGA's work and the visit by the Americans precipitated a change of heart in local government officials, we do applaud them for their positive response. Unfortunately, the local government has yet to make good on its promises. We call upon the central Chinese government to issue a mandate requiring all local governments to provide sufficient financial aid to every orphan for shelter, nourishment and education.

All Girls Allowed

## (3) Reuniting Families
### Curbing Child Trafficking

These are just some of the faces of the 70,000+ children who are kidnapped each year and trafficked to become child-brides, male heirs and sex slaves. All Girls Allowed has developed a website that hosts over 5,000 profiles of kidnapped children. Parents can upload information about their children to the database, which assists local community groups to find trafficked children.

The AGA anti-trafficking network has grown over the past year to include dozens of volunteers across China--mostly parents who have lost their children. The Chinese government has done little to help these parents, and so they have taken matters into their own hands.

In December 2010, AGA launched a search & rescue campaign to raise awareness of child kidnapping and to help reunite lost children with their searching families. The campaign was successful as the volunteers distributed **60,000 flyers**, **reunited 3 children with their families**, and provided information to authorities that resulted in the **arrest of 9 human traffickers**.

All Girls Allowed

## Discovery of Child-Bride Trafficking Hub in Fujian Province

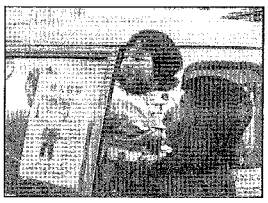
Ancient child-bride practices originated mainly from gender discrimination, resulting in some poor families, unable to raise her daughters, selling young women to be raised and married to the sons of rich families. With the development of modern culture, official governmental promotion of gender equality, and legally mandated monogamy, the practice of child-brides has attracted wide condemnation. However, in the 21st century, this vice continues in China. Not only has it persisted or been revived in some villages and municipalities, but it has actually intensified. Furthermore, the pattern of child trafficking has changed dramatically from buyers and seller families completing transactions directly by negotiating agreements, to today's organized trade in kidnapped girls, committed by rings of human traffickers who profit enormously. Among the areas where the phenomenon of child-brides is the most severe is in one metropolitan area of Fujian Province, where wide-spread human trafficking has been noted.

In the spring of 2011, All Girls Allowed launched a search and rescue campaign in this city, which is situated along the central coast of Fujian and has a population of 3.07 million. The city area has a large number of trafficked women, many of whom lived the life of a child-bride from a young age, and cannot find their loved ones in distant areas for various reasons. Some were sold when too young, and after years of helplessness, the memory of their original homes faded. In October, 2010, hundreds of women in this city spontaneously organized campaigns in Fujian to search for their families. These former child trafficking victims, who have become wives and mothers, continue to search for their families. Eight hundred child-brides recently registered on AGA's website dedicated to trafficking victims. They were all born from the 1970's to the 1990's and are determined to find their families.

In the 1980's and 1990's, rural families in this city had seven to eight children on average. The number could be even higher now. Over a quarter of the children were bought. Based on estimates taken from police reports as well as government census data, the city's child-bride population is estimated to range between 120,000 and 600,000. Even the lower estimate is shocking for a city of just over three million inhabitants. This number represents the suffering of 120,000 families and the sorrow of 120,000 girls and young women who lost their precious freedom. Unfortunately, local authorities have turned a blind eye to the problem--or worse, they have been complicit in the crime. All Girls Allowed is working with the media to expose this tragedy and to bring hope for these child-brides.

Child-bride victims in Fujian organized a campaign to find their families.

All Girls Allowed



Doudou with her father taking down her missing girl poster.

## 3 -Year Old Girl Stolen, Now Reunited With Her Family by All Girls Allowed

Doudou (Little Bean) was kidnapped at approximately 5 p.m., June 4th 2010, while playing in front of her own home. Her parents looked for her everywhere, and reported her kidnapping to authorities.

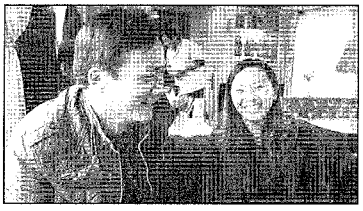
All Girls Allowed's anti-trafficking initiative, "Returning Home" sent out volunteers to dozens of counties and municipalities with pamphlets and information to find and help trafficked children. Prompted by a pamphlet, a sympathetic local resident of Shanxi Province called the Returning Home hotline with a tip. A girl of 3, a victim of child trafficking, had been sold into the village.

AGA volunteers confirmed that the little girl was indeed Liu Ying, nicknamed Doudou (Little Bean), who had been missing for seven months. On January 13th, the girl was rescued and reunited with her parents. During the investigations, the police arrested 9 traffickers: 4 'suppliers' and 5 'buyers'. The reunion was filled with happy tears.

## All Girls Allowed Brings Peng Qinglan Home After 22 Years

On November 16th, 2010, field staff at All Girls Allowed (AGA) received an email from a woman who had been abducted as a child:

*"Original name: Peng Qinglan. Date of birth: September 12th, 1979. Father: Peng Guanglin. Mother: Wang Xinmei. A brother named Xiaogui. Two sisters. At that time, because my father worked at a factory, he sent me to stay at the house of a neighbor whose husband and son were co-workers of my father's.* ***During our summer break in June, 1988, I went swimming with the neighbor's daughter. The two of us were kidnapped together.*** *I vaguely remember that I lived in Liuzhiping Village. I was in second grade at that time. The elementary school was across from my house, several rice paddies away. I also remember that there were many fireworks workshops in the village. Other than that, I couldn't remember much more information."*



The young woman wanted to be reunited with her family and was looking for help. Quickly, AGA called another volunteer, Mr. Chen, to help with this case. A parent himself of a stolen child, Mr. Chen had become a community organizer on behalf of AGA's *Returning Home (anti-trafficking)* initiative. Mr. Chen and the AGA team used the limited information Peng remembered, and an online map to find a village that could potentially be Peng's original home.

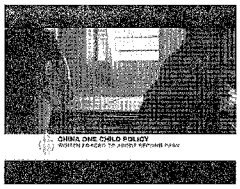
The search was not easy and the team almost gave up hope. Finally, they found a home in a village near Liuzhiping that could be Peng's. "I am at Peng Qinglan's home!" Mr. Chen said in a quick phone call to AGA staff. Mr. Chen handed the phone to Peng's relatives to confirm the findings. As soon as the elderly Mr. Peng received the phone he asked in a shaking voice, "Is it my daughter looking for us? Was she looking for us?"

"Where is she?" He asked in such desperation that there was no need of further confirmation. It had been a wait of 22 years. AGA gave him Peng Qinglan's number. Afterwards, her phone remained busy for the rest of the day. Peng reported that the call lasted uninterrupted for some twelve hours. When reunited with her family again, there were many hugs, kisses and happy tears.

All Girls Allowed

# (4) Defending Mothers

## Legal Defense and Advocacy Against Forced Abortion




### Forced Abortion Caught on Al Jazeera TV

In October 2010, Luo Yan Qua and Xiao Ai Ying told reporters about their tragic forced abortion: 8 months into Xiao's pregnancy, officials insisted her baby must be aborted because they had not completed the necessary process or paperwork for her new son's birth.

Though the couple asked for 24 hours, Chinese officials came, beat Xiao and carried her to an abortion clinic to forcefully abort her son. During the video, she is still pregnant, waiting to deliver her dead fetus. Completely heartbroken, they do not know what to tell their ten year old daughter, who has been "rubbing Mommy's belly" and saying, "Soon I'll have a new baby brother!"

This problem is not an isolated issue--similar incidents happen daily in China, with **35,000 forced and coerced abortions happening every day**. Because of the One-Child Policy, women across China are forced to abort their new babies, whether through financial pressure or direct intervention by government officials, who will show no mercy, but may beat family members or pregnant women and forcibly terminate pregnancies.

### Investigation and Compensation

Immediately following the forced termination of Xiao's pregnancy, AGA's lawyers tracked down the name of the family planning supervisor that perpetrated this horrific crime:

Lei Jingfeng 雷景峰
Cell Phone Number: 13306011388

Despite having brought this name to the authorities, sadly, nothing is being done to prosecute Mr. Lei.

Additionally, due to the media exposure that the case received to Al Jazeera's viewers as well as to AGA's supporters, the local government of Xiamen compensated the couple with a small financial sum and subsidized housing.

As this case demonstrates, increased media exposure and legal pressure are effective in holding the Chinese government accountable to fair and humane treatment of their own citizens.

### President Hu Denies Forced Abortions

Speaker of the House John Boehner and Chairwoman of the Committee on Foreign Affairs Illeana Ros-Lehtinen challenged Chinese President Hu Jintao about China's forced abortion policy when Hu was visiting Washington in January 2011. Said Ros-Lethinen: "Out of all the issues I raised, the only one which received a response from Mr. Hu was my statement urging the end of China's forced abortion policy. I was astonished when he insisted that such a policy does not exist."

This denial of forced abortions is inconsistent with the overwhelming evidence of their daily occurrence. All Girls Allowed calls for President Hu to make his words true and bring an end to the China's forced abortion policy.

All Girls Allowed

## Recommendations

We at All Girls Allowed believe with the deepest and most sincere conviction that the battle for the rights of girls and mothers is going to mark the 21st century, and we believe the largest battle raging today is in China, where girls and mothers are routinely stripped of their life, value and dignity as a result of the One-Child Policy and the ensuing gendercide.

There is no evidence that enforcement of the One-Child Policy is abating. Following the 30th anniversary of the One-Child Policy on September 25, 2010, the head of the National Population and Family Planning Commission, Li Bin, announced that China would continue the policy for several more decades. Other countries have begun to implement similar family planning policies in recent years, and so it has become all the more imperative that we act now.

Since its founding, the United States has been a champion of freedom throughout the world. We ask that you would continue to call for freedom around the world, particularly in those cases where the oppressed are the weakest of society: girls and mothers. In light of the above, All Girls Allowed recommends the following measures:

**1) APPOINT A SPECIAL INVESTIGATOR TO DETERMINE THE EXTENT OF HUMAN RIGHTS VIOLATIONS AS A RESULT OF THE ONE-CHILD POLICY**

While we believe there is substantial evidence to indicate the egregious violations of human rights as a result of the One-Child Policy, others may demand more evidence from a government-appointed investigation. Appointing a special investigator, either as a representative of the United States or of the United Nations, would demonstrate that we are serious about keeping China accountable to its treatment of its citizens, and the results of the investigation would serve to better inform our policy.

**2) APPLY DIPLOMATIC PRESSURE TO THE CHINESE GOVERNMENT AND ISSUE A CONGRESSIONAL RESOLUTION CONDEMNING THE ONE-CHILD POLICY**

We cannot stand by silently as China so brutally abuses its people. China has shown in the past that it does respond to outside pressure. A Congressional Resolution would be a show of support for the people of China, and it would begin the process of developing a more robust China policy that takes into account the horrific human rights record of the One-Child Policy.

**3) PARTNER WITH THE CHINESE GOVERNMENT TO DEVELOP AN ALTERNATIVE SOLUTION TO POPULATION GROWTH THAT IS HUMANE AND EFFECTIVE**

Academic research by demographers and economists has shown that a coercive family planning policy is not only inhumane, but it is also ineffective. Rather, the data clearly show that affluence and increased standard of living are the actual drivers for slowed population growth. As China seeks to limit its population, we urge you to enter into a dialogue of partnership with Chinese officials to develop an alternative to the One-Child Policy.

Over 2,000 people have signed a petition asking Members of Congress and President Obama to act on these three points in response to the brutal One-Child Policy. We are all deeply grateful for your consideration of these recommendations and look forward to working with you to find a compassionate and effective response to these problems of gendercide, infant abandonment, child trafficking and forced abortion in China.

All Girls Allowed | 617.492.9099 x236 | 101 Huntington Avenue, Suite 2205 | Boston, MA 02199