

**CHEN GUANGCHENG AND GAO ZHISHENG:
HUMAN RIGHTS IN CHINA**

HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HEALTH,
GLOBAL HUMAN RIGHTS, AND
INTERNATIONAL ORGANIZATIONS

OF THE

**COMMITTEE ON FOREIGN AFFAIRS
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HUMAN RIGHTS IN CHINA**

TUESDAY, APRIL 9, 2013

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

The subcommittee met, pursuant to notice, at 2 o'clock p.m., in room 2172, Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. The subcommittee will come to order, and I want to welcome all of you to this extremely important hearing. Today we are here to listen and learn from the brave men and women from China who have been and are at the forefront of advocating for freedom and human rights and against the tyranny and oppression of the state. Today we seek advice and counsel as to what can and must be done by the Congress, by the President, the American people, and all people of goodwill worldwide to mitigate the hate and gross mistreatment meted out by the Government of China against its own citizens.

Today we appeal to Beijing, ease up, respect fundamental human rights and the sanctity of human life, and honor your commitments and the rule of law. Chen Guangcheng and his equally courageous wife Yuan Weijing have paid and continue to pay an extraordinarily high price for their benign defiance of a dictatorship that violates human rights with impunity and crushes human dignity. Not only have the Chens endured numbing isolation and unspeakable torture over the course of several years, but now as we all know in a pathetic display of PRC governmental revenge, Chen's nephew, Chen Kegui, languishes in a Chinese prison while other members remain at risk. Shockingly, young Chen Kegui has been brutally tortured and threatened, as Guangcheng notes today in his testimony, with life imprisonment if he appeals his conviction. Undeterred, Mr. Chen Guangcheng continues to gently raise his clear and consistent voice on behalf of all victims while pushing systemic reform of egregiously flawed political institutions and people who persecute and repress.

Blind since childhood, Mr. Chen bore all the burdens and disadvantages that a disabled person faces in rural China. Confronted with the denial of his rights, he developed an intense interest in law and challenged the local government, winning his case. Hearing of Mr. Chen's success, other individuals in Shandong Province

were inspired to seek his legal assistance in securing redress and vindication. Almost everywhere corrupt officials made and continue to make life miserable for those struggling to survive. Mr. Chen informed many of their rights and helped them seek durable remedies. He helped many of them see that the rule of just and compassionate law wasn't just for the privileged few but for everyone. Victimized, yet unbroken by beatings and torture, 51 months of nightmarish incarceration preceded by house arrest and followed by 18 more months of house arrest, cut short only by his escape, Chen Guangcheng tenaciously defended Chinese women and babies oppressed by China's draconian one-child policy. Mr. Chen's brilliant mind, his indomitable spirit and unimaginable courage exposed pervasive forced abortion, deemed a crime against humanity at the Nuremberg Nazi war crimes tribunal and was relentless in using his self-taught legal skills to protect the innocent, especially women. Unfazed by both the difficulty of the task or the inherent risks, Mr. Chen employed legal strategies to combat this insidious government cruelty toward women and children and argued that his clients in Linyi, and all women in China for that matter, have rights that prohibit such violence, that they, indeed, deserve better.

Chen in China became and remains their hero. It took a blind man to really see the injustice of a population control program that makes most brothers and sisters illegal and to hear the desperate cries of Chinese women. It took a blind man, the great Chen Guangcheng, to open the eyes of a blind world to these human rights violations systematically inflicted on Chinese women.

Mr. Chen's daring escape to the U.S. Embassy, his miraculous evasion of China's ubiquitous secret police en route, is the stuff of legend and superheroes. He offered dramatic testimony by telephone from hospital to two emergency hearings that I chaired and if it wasn't for Bob Fu, we would have never gotten through to him. Bob placed those calls during the course of a couple days, finally got through, and we heard Chen's voice right here in this room speak out and ask for freedom and ask to come to the United States.

Geng He is here today to remind us and the world of another brave and extraordinary hero, her husband Gao Zhisheng. With great love and a broken heart, this remarkable woman has worked unceasingly to secure the freedom of her husband. Gao Zhisheng is an attorney who played a leading role among Chinese human rights lawyers that defended those that the Chinese Government persecutes most harshly, conducting their defense by demanding that the prosecution conform to law. Mr. Gao is a quintessential example of a human rights defender. In 2005 after he took on politically sensitive cases, Mr. Gao wrote open letters to both the National People's Congress and the leadership of the Chinese Communist Party calling for an end to the torture of members of persecuted religious groups. Mr. Gao's license to practice law was subsequently revoked, his law firm shut down, and his family placed under police surveillance. In August 2006, Mr. Gao was apprehended and then charged with "inciting subversion." He was convicted and given a suspended 3-year sentence with 5 years probation, effectively placing him under house arrest.

In September 2007, Mr. Gao wrote an open letter to the United States Congress in which he described widespread human rights abuses in China in which he called China's birth control policy the largest genocide in the history of mankind and related the government's harsh treatment of him and his family. He was consequently detained and tortured for 50 days. His captors called him a traitor, and they warned him that he would be killed if he told anyone about being abducted and tortured.

In February 2009, Mr. Gao was forcibly taken away from his home in Shaanxi Province by public security personnel. He briefly resurfaced only in late March 2010, more than a year later. During his brief reappearance, however, Mr. Gao gave several interviews to foreign media, disclosing the details of his torture. The next month he disappeared again.

In testimony at a Congressional-Executive Commission on China hearing that I chaired last February, Geng He said that for her daughter Grace, Gao Zhisheng's absence has caused her severe emotional anguish. She often dreams that her father is dead. She said, my son has tears in his eyes on Father's Day. We were forced to endure rumors that the guards had tortured Zhisheng to death.

In late 2011, Gao was secretly transferred to a distant Shaya County prison in the Aksu district of Xinjiang. He has seen his family only twice in 16 months and for only 30 minutes each visit. Police have prohibited family members from asking him any information about him, but again, in the account of Mr. Gao's torture that was made public by the Associated Press in January 2011, he disclosed to the reporter the excruciating details of his detention and said, in part, that the police stripped him bare and pummeled him with handguns in holsters. For 2 days and nights they took turns beating him and doing things he refused to describe. He recalled that for 48 hours his life hung by a thread. Authorities reportedly threatened to kill Mr. Gao and to dump his body in a river and authorities taunted him by saying, "You must forget that you are human." Well, we don't forget, and to President Xi, we will not forget Gao Zhisheng, not now, not ever, and we appeal to you to release him, to ease up, and respect fundamental human rights.

I now yield to my friend and colleague Ms. Bass for any opening comments she may have.

Ms. BASS. Thank you. Thank you, Mr. Chairman. Thank you for convening today's hearing on a topic of utmost importance. You continue to demonstrate your commitment to human rights issues, particularly in China. I want to offer my gratitude to today's witnesses for your testimony. I am particularly pleased that Mr. Chen was able to join us, and I hope that you found some level of peace during your stay here. Mr. Chen, I don't have to remind you that at this time last year we all watched news reports of your situation with deep interest. While you are safely with us today, your extended family and fellow countrymen and women experience terrible human rights violations that remind us that there is still work left to do.

The current human rights situation in China is precarious. An increasing number of individuals and organizations risk police monitoring, detention, and arrest simply for seeking an open, free, and just society. Internet and press censorship are widespread, cor-

ruption continues to run rampant, and minority social groups often lack access to legal redress. The measure and health of a society is based on the treatment of its citizens, and it is my hope that as China continues to expand its global presence that it will openly and honestly address human rights as a top government priority. It is the responsibilities of governments everywhere to uphold the basic rights of liberty, life, and justice. Whether we are American, Chinese, or otherwise, it is our duty as representatives of government to ensure that our citizens never have to suffer persecution or censure for what they believe.

International compacts such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights share a vision of a free world in which every man, woman, and child can practice their beliefs openly, freely, openly call for transparent and responsible government, and have access to justice systems that uphold the rule of law for all parties. Such compacts must guide us in ensuring that the rights of all people are upheld. One critical way to promote global human rights is by investing in the United Nations. I am strongly committed to ensuring and preserving this participation.

It is my hope that our witnesses will not only give us a better understanding of the situation in China but will also offer constructive ways that we can move toward the vision of an open, free, and just global society. Thank you, and I look forward to today's testimony.

Mr. SMITH. Ms. Bass, thank you very much for your eloquent statement. I would like to now yield to Mr. Meadows.

Mr. MEADOWS. Thank you so much, Mr. Chairman, for holding this hearing, and truly for each one of you to show up and testify and to illuminate this very disturbing trend. As we have a global economy, it is so important for us to look at the global situation as it relates to human rights. We can remember back in the 1700s there was a theologian and someone fighting against human rights violation of slavery in England, back then by the name of John Newton, and he penned a hymn called Amazing Grace which says I was blind but now I see. How fitting it is today to have someone who is blind who is helping us see the atrocities that are happening even today in this global economy, and I just want to thank you for your boldness, for your courage to stand up and make sure that those who have no voice have a voice today, and I look forward to your testimony.

I yield back, Mr. Chairman.

Mr. SMITH. Thank you very much, Mr. Meadows.

Mr. BERA?

Mr. BERA. Thank you, Mr. Chairman, and thank you for calling this hearing. I share your concern over human rights abuses as well as your commitment to fight these abuses worldwide, and one fundamental right is freedom over one's own body and the right of women to control their own reproductive decisions. That is an issue of individual liberty. As a doctor, this issue is particularly important to me. I took an oath to answer my patients' questions, to provide them with various options, to explain the risks and benefits of these choices, and then empower them to make the best decision that fits with their own faith, family, and personal circumstances.

This is fundamental to the doctor-patient relationship. That is why I have concerns about China's one-child policy. It goes against the fundamental value of individual liberty and freedom. While forced abortions and sterilization are illegal in China, they still happen with frequency, and the one-child policy perpetuates these practices. All champions of human rights should openly condemn China's one-child policy and the illegal practices of forced abortion and coerced birth control reported in some localities. The continued oppression of Chinese families through coercive reproductive policies must end, but claiming that the U.N. Population Fund supports these coercive practices and using the claim to oppose U.S. support of international family planning programs is disingenuous, unmerited in valid global health policy. In fact, the best way to promote the basic human right of individual choice is to invest in programs like the United Nations Population Fund.

UNFPA's programs save and improve the lives of millions of women and men worldwide. They enable couples to voluntarily determine the timing, number, and spacing of their children and voluntary birth control. Independent experts have confirmed that UNFPA does not support the one-child policy in China, nor does it support forced sterilization. UNFPA supports increased access to reproductive health services, improved approaches to adolescent reproductive health, and safe pregnancy and delivery. Its programs have reduced maternal mortality, provided emergency assistance in refugee situations, and prevented and treated HIV and AIDS. As a doctor and public health expert, this is good public health policy.

The U.S. should remain a strong supporter and leader within the global community in order to best promote women's rights and the freedom of every woman to make personal decisions about her health and her future. Individual liberty and freedom are American values that are worth fighting for, both here domestically and throughout the world.

Thank you, Mr. Chairman. I yield back.

Mr. SMITH. Thank you. I would like to now yield to Mr. Stockman.

Mr. STOCKMAN. Mr. Chairman, I just want to briefly say that I saw firsthand a clip of a late term abortion in China which was forced against the mother's will, and you can't watch this clip. One day I hope we can introduce it as evidence without weeping and crying. The mother was heartbroken. She wanted the child. And then they threw the dead baby on to the bed because they weren't allowed to pay for the burial and threw it on her bed and said you have to pay for it.

I am so honored that we are having this hearing and thank you, Mr. Chairman, for opening it up for many of the people. I hope the United States will tune in and listen to what is going on in China. I yield back the balance of my time.

Mr. SMITH. Thank you, Mr. Stockman.

Mr. Weber.

Mr. WEBER. Thank you, Mr. Chairman. I don't have a lot to add except to say thank you to Mr. Chen. Helen Keller once said that there is none so blind as he who will not see, and I do appreciate and echo my colleague Mark Meadows' comments about we are

glad he is here to help us see. We look forward to the testimony and I yield back.

Mr. SMITH. Thank you very much. I would like to now yield to the co-chairman of the Tom Lantos Human Rights Commission but also the chairman of the Subcommittee on Commerce, Justice, Science, and Related Agencies of the House Appropriations Committee, Congressman Frank Wolf, who has been a long-time leader in the area of human rights, especially as it relates to China.

Mr. WOLF. Thank you, Mr. Chairman. I will just submit my statement. I thank you for having the hearing, and I want to thank Mr. Chen and the rest of the witnesses for being here, and I look forward to hearing what they have to say. I yield back. Thank you.

Mr. SMITH. Thank you very much, Chairman Wolf.

Let me introduce our witnesses in the order that I would ask them to present their testimony, beginning first with Chen Guangcheng. As we all know, blind from an early age and self-taught in law, Mr. Chen is frequently described as a barefoot lawyer who advocates for the victims of forced abortion and sterilization and the welfare of women, the poor, and for those who are disabled.

On April 22, 2012, Mr. Chen escaped house arrest and fled to the U.S. Embassy in Beijing. After negotiations with the Chinese Government, he left the Embassy for medical treatment on May 2, and on May 19, Mr. Chen and his wife and children were granted U.S. visas and departed Beijing on a commercial flight, arriving in New York City on the same day. He currently resides in New York City with his family and is a huge giant when it comes to human rights advocacy, as we all recognize around the world.

We will then hear from Pastor Bob Fu, who is one of the leading voices in the world for the persecuted church in China. He was born and raised on mainland China, he graduated from the School of International Relations of People's University in Beijing. He later taught English to Communist Party officials at the Beijing Administrative College and Beijing Party School of the Chinese Communist Party from 1993 to 1996. He pastored a house church in Beijing until he and his wife were jailed for 2 months for what was called illegal evangelism in 1996. Mr. Fu and his wife Heidi fled to the United States as religious refugees in 1997. Mr. Fu founded the ChinaAid Association in order to draw attention, international attention to China's gross human rights violations against house church Christians. Pastor Fu is a research Ph.D. candidate at Durham University, and he has been awarded a number of important citations for his work on behalf of human rights.

We will then hear from Geng He, who is the wife of human rights lawyer Gao Zhisheng. Ms. Geng completed her university studies in accounting in China. She and Gao married in August 1990. Between 2000 and 2006 she worked as a paralegal and accountant at a Beijing law firm, a law firm founded and directed by her husband. In March 2009, a month after Chinese officials reportedly detained her husband, Ms. Geng escaped from China with their two kids. Since arriving in the U.S., she has advocated tenaciously on behalf of her husband and other victims of human rights violations in China through interviews, appeals, and appeared before the Congressional-Executive Commission on China last Feb-

ruary. So thank you for coming back to again appeal for your husband.

We will then hear from Jared Genser, who is the founder of Freedom Now, an independent nonprofit organization that works to free prisoners of conscience worldwide. Mr. Genser has taught semester-long seminars on the U.N. Security Council at the Georgetown University Law Center and the University of Michigan and the University of Pennsylvania Law Schools. His pro bono clients have included former Czech Republic President Vaclav Havel and Nobel Peace Prize Laureate Aung San Suu Kyi, Liu Xiaobo, Desmond Tutu, and Elie Wiesel. Mr. Genser holds a BS from Cornell and an MPP from Harvard's John F. Kennedy School of Government, and a JD, cum laude, from the University of Michigan Law School. He is also a member of the Council of Foreign Relations and is also representing Mr. Chen's nephew as well as Gao Zhisheng.

We will then hear from a man who is no stranger to this committee, a good friend, T. Kumar, who is the director for International Advocacy at Amnesty International USA. Mr. Kumar has served as a human rights monitor and as a director of refugee camps around the world. He often testifies before the Congress and lectures at the Foreign Service Institute, where U.S. diplomats are trained. He has also served as a professor at Washington College of Law's Humanitarian and Human Rights Academy. He has monitored elections with former President Carter around the world and served as judge of elections in Philadelphia. He also served as a consultant to the U.N. Quaker Mission. Mr. Kumar was a political prisoner for over 5 years in Sri Lanka for his peaceful human rights activities. He started his legal studies in prison and eventually became an attorney at law and devoted his entire practice to defending political prisoners.

The floor is yours, Chen Guangcheng.

STATEMENT OF MR. CHEN GUANGCHENG, CHINESE HUMAN RIGHTS ACTIVIST

[The following testimony was delivered through an interpreter.]

Mr. CHEN. The Honorable Chairman Smith, honorable members of the Committee on Foreign Affairs, ladies and gentlemen, friends, greetings. This room makes, helps me remember things from the past. I am very grateful that this year I am actually here. I request to include this list of names of persecutors to be excluded from entering the United States and be reinforced. The names are—[holding up paper with names listed]. The officials whose name are on this list have continuously, have continuously in the past persecuted me and my family.

These corrupt officials, they have this blood on their hands in all these forced abortions, 130,000.

Last year around this time my entire family was in the midst of grave danger. At the end of April 2012 I escaped from the valley of the shadow of death and after multiple twists and turns, I fled to the U.S. Embassy in Beijing to seek emergency refuge from danger.

On May 2, after Sino-U.S. negotiation had reached an agreement to guarantee my safety, I left the U.S. Embassy in Beijing. At that time the U.S. officials taking part in the negotiations told me that

the agreement they had reached would be written down in Sino-U.S. diplomatic documents.

My main requests were contained both in my letter to then Premier Wen Jiabao and in my prerecorded video that was released to the public. The requests in short were this: An immediate end to all illegal acts of persecution against me, my family members, and my supporters, protection of all our civil rights, and a thorough investigation into the illegal and criminal acts of persecution by the Shandong authorities over many years against me and my family and a public resolution to the matter.

Regardless of how high ranking these officials involved were or how many officials were involved, if they had committed a crime, they must be held accountable. And compensation should be made for the losses incurred. Regrettably, to date, not only has the Chinese central government not honored its commitment to the U.S. Government, it has instead illegally detained and put on trial my nephew Chen Kegui and on November 30, 2012, convicted Chen Kegui on the charge of so-called intentionally inflicting injuries and sentenced him to a prison term of 3 years and 3 months. Moreover, Chen Kegui has been sent to the same prison in Linyi City where I was tortured when I was illegally sentenced on trumped-up charges in 2006.

On April 26, 2012, at midnight, after local government officials discovered that I had escaped, the deputy Communist Party secretary Zhang Jian of Shuanghou who was in charge of politics and law led a few dozen club wielding men in climbing over the courtyard wall of my elder brother's home. They broke the lock of the courtyard gate from inside and letting in more men and broke down all the doors in the house. They let in more men after they broke the lock. They dragged my elder brother, who was still in his pajamas, from his bed, put a black hood over his head and twisted his arm and stuffed him into a vehicle and took him to the criminal police section of the Yinan County Public Security Bureau. No legal procedures were enforced. They tortured him for several dozen hours. According to the accounts of some residents in the vicinity of the police station, they overheard my elder brother's screams as they tortured him that night. They were still looting my elder brother's home at the time. They beat Chen Kegui and his mother Ren Zongju in different rooms and they grabbed Ren Zongju's hair and beat her so badly. Kegui was beaten in so many places and there were bruises over his body.

As a last resort he, in order to protect himself, Chen Kegui grabbed a knife in order to protect himself against the persecutors. Kegui was not actually attacking them. He was simply telling them that if you continue to beat me, I will have to counter attack, but Zhang Jian, the head of the Security Bureau, told the men around him to contain Kegui at the time. The club-wielding men attacked Kegui and tried to hit his head. Instead they missed him and then the club actually hit the table with a TV on it. The TV was smashed. In this kind of a situation Kegui responded and reacted and then scratched some of the men that were in the house with a knife. Kegui reported this incident to the police but the police never came. Later on they also beat up Kegui's mother, who was actually taking care of her grandson who was having a fever. They

grabbed her by her hair and grabbed her all the way to the floor and started beating her. My sister-in-law was beaten to a point, she yelled, "Help, help" and this man said, "So what does it do that you scream help?" The guards, since then the guards just continued to stay in the house. They stay on the sofa, on the bed, and they were not letting any citizens in the village to come in. There were thugs everywhere with clubs in their hands. The trumped-up charges were changed from attempting murder to intentionally inflicting injuries. He was cruelly tortured during this time, and while he was in prison he lost around more than 20 kilograms. Ma Chenlian and Yi Chuandong, the leader of the Security Bureau, threatened Chen Kegui many times while he was in prison. If you appeal you will be sentenced to life in prison, but if you listen to me, your sentence may be lighter and the lives of your children and your parents are in our hands. If you don't listen to us, once you are released from prison, you may never see them again. In light of this scenario, Chen Kegui decided not to appeal. The parents, Kegui's parents were contained in the National Security Bureau's car, vehicle, and they were not allowed to leave the vehicle. The pretext was that they were witnesses and they are not supposed to leave the vehicle, but later on they were not actually allowed to testify as witnesses. Up until now Chen Kegui is still under the threat that if he appeals he will be sentenced to life in prison.

In February, Chen Kegui told the world about what had happened to him and then he was threatened. On March 7 an official from the local family planning office, Xu Xicai, was asked by the local party committee leaders to go to the local kindergarten to remove Chen Kegui's 4-year-old son. Fortunately on that day, Kegui's father, which is my eldest brother Chen Guangfu, was one step ahead of him. When the principal of the school went, when they went to ask Xu Xicai who did this, Xu Xicai said it was the Communist Party secretary who asked him to do it.

On the morning of March 11, if I remember correctly, my brother Guangfu was taking the child to the school. They were followed by a man in a helmet. This is probably what they meant when they said that their lives are in their hands, my family's members' lives are in the hands of the authorities. Another child of a legal defender was also taken away about 9 days after my brother's son was almost taken. As you can see from the case of my brother, Gao Zhisheng's child being taken, and various other rights defenders children being taken, you can see that this is actually a planned incident. It was planned by authorities.

We cannot continue to tolerate the Chinese Communist authorities in continuing to go back on their words and deceiving the international community at will. When the Chinese Communist Central Party Committee can act like this in breaking its promises to me, to the United States, and to the whole world, and when it can willfully break agreements in a case that has attracted the world's attention, how can we expect it to improve the human rights situations in other areas and to take up its international responsibilities and obligations? The Chinese leaders, they have the title as leaders, but in fact they are thieves and robbers. We cannot—as Chinese citizens, we cannot tolerate they kidnap the country anymore. They restrict freedom of speech, they restrict freedom

of movement. We should break down the wall that the Chinese Communist Government has erected.

I hereby request, Mr. Chairman, the House Committee on Foreign Affairs, the House Committee on Oversight and Government Reform, and other related committees to formally obtain from the relevant departments of the administrative authorities and publish the written and oral diplomatic agreements between China and the United States with regard to this incident of mine, including my letter to Premier Wen Jiabao that I wrote while I was in the U.S. Embassy. I hereby urge the U.S. Government to solemnly demand that the Chinese Communist leaders do as they promised. Mr. Chairman, I hereby request that this testimony and other written documents I provided be entered into congressional records. Thank you very much.

[The prepared statement of Mr. Chen follows:]

Written Testimony of Mr. Chen Guangcheng

Hearing of the House Committee on Foreign Affairs
Subcommittee on Africa, Global Health, Global Human Rights
2 p.m., April 9, 2013.
Room 2712, Rayburn House Office Building, Washington D.C.

Dear Honorable Chairman Mr. Smith, honorable members of the Committee on Foreign Affairs, ladies and gentlemen, friends,

Last year at this time, my entire family was in the midst of grave danger. At the end of April 2012, I escaped from the valley of the shadow of death, and after multiple twists and turns, I fled to the U.S. embassy in Beijing to seek emergency refuge from danger. On May 2, after Sino-U.S. negotiations had reached an agreement guaranteeing [my safety], I left the U.S. embassy in Beijing. At that time, the U.S. officials taking part in the negotiations told me that the agreement they had reached would be written down in Sino-U.S. diplomatic documents. My main requests were contained both in my letter to then-Premier Wen Jiabao and in my pre-recorded video that was released to the public. The requests in short were these: an immediate end to all illegal acts of persecution against me, my family members and my supporters; protection of all of our civil rights; and a thorough investigation into the illegal and criminal acts of persecution by the Shandong authorities over many years against me and my family, and a public resolution to the matter. Regardless of how high-ranking the officials involved were, nor how many officials were involved, if they had committed a crime, they must be held accountable. And compensation should be made for the losses incurred. Regrettably, to date, not only has the Chinese central government not honored its commitment to the U.S. government, it has instead illegally detained and put on trial my nephew Chen Kegui and on November 30, 2012 convicted Chen Kegui on the charge of so-called "intentionally inflicting injuries" and sentenced him to a prison term of three years and three months. Moreover Chen Kegui has been sent to the same prison in Linyi city where I was tortured when I was illegally sentenced on trumped up charges in 2006 to four years and three months imprisonment.

On April 26, 2012, after local government official discovered that I had escaped, the deputy Communist Party secretary of the town of Shuanghou, Zhang Jian, who is in charge of politics and law, led a few dozen club-wielding men in climbing over the courtyard wall of my elder brother's home. After breaking the lock to the courtyard gate from the inside and letting in more men, they broke down all the doors in the house and dragged my pajama-clad elder brother from his bed, put a black hood over his head and twisted his arm and stuffed him into a vehicle that took him to the criminal police section of the Yinan County Public Security Bureau, where they tortured him for a several dozen hours. According to the accounts of some residents in the

vicinity of the police station, they all heard my elder brother's screams as they tortured him that night---! After my elder brother Chen Guangfu had been kidnapped and taken away, they continued to beat, smash and rob my elder brother's home, which is also the home of Chen Kegui. They beat Chen Kegui and his mother Ren Zongju in different rooms, and they grabbed Ren Zongju's hair and beat her so badly that she cried out wretchedly for help. Because club-wielding guards were closely monitoring the courtyard premises and surrounding area, the other villagers were not able to come to her rescue. Meanwhile, Chen Kegui was beaten to the ground several times in another room, sustaining multiple injuries, especially to his head, neck and legs which were all bleeding from multiple places. Finally, facing the possibility of being beaten to death if he did not resist, Chen Kegui grabbed a kitchen knife lying on a cutting board and scratched several of the thugs that had been beating him; actually, their injuries were very light. Right after that, Chen Kegui ran away and called the police to report the incident but several hours passed without any police showing up. Nonetheless, he was still arrested on the charge of intentional homicide, which was later changed to intentional injury, for which he was sentenced to a prison term of three years and three months. From the time of his arrest until the day of the trial, the lawyers hired by the family in accordance with the law asked for permission numerous times to meet with him, but they were never allowed to meet with Chen Kegui, never mind discussing his defense him. Even on the day of the trial, the court refused to allow his own parents to observe the proceedings. The reason given was that they were to be called as witnesses, but by the time the trial had ended, Chen Kegui's parents, who had been held the entire time in a police car, had neither been allowed to observe the trial nor been called as witnesses.

To date, the lawyers that the family has lawfully hired, Ding Xikui, Si Weijiang and others, are still being prohibited by the authorities from meeting with Chen Kegui, preventing the lawyers from representing him in his case in accordance with the law. It was not until a visit on February 28, 2013 that, with fear and trepidation, Chen Kegui brought up the fact that he had been tortured and threatened while at the Yinan County Detention Center. Ma Chenlian, secretary of the Yinan County Politics and Law Committee and director of the Public Security Bureau, and Yi Chuandong, political commissar of the Public Security Bureau, have on many occasions come to the detention center and threatened Chen Kegui to his face, saying "If you appeal, you'll be sentenced to life in prison. If you listen to us and do as we say, you'll get a light sentence. Moreover, if you appeal, the case will be sent back to Yinan County for a retrial, in which case, you'll be brought back to Yinan County's criminal police section. Last time, you didn't get much of a beating, but it's hard to say what might happen if you are sent back." These threats could not be any more clear. Last time, during the short period that he was in the hands of the Yinan County criminal police section, the torment caused him to lose more than 10 kilograms (more than 22 pounds). To them, this is regarded as "not much of a beating." The implication was, if Chen Kegui is sent back for a retrial, his torment would be doubled. Moreover, they have also threatened to take his parents and his child as hostages. This was why Chen Kegui said in court

that he would not appeal. In Linyi Prison, he is still under threat now. The authorities have told him that if he appeals, he will be sentenced to life in prison.

Even more outrageous is that on March 7, an official from the local family planning office, Xu Xicai, was asked by the local Party Committee leaders to go to the local kindergarten and remove Chen Kegui's four-year-old son. Fortunately on that day, Kegui's father, that is, my eldest brother Chen Guangfu, was one step ahead of the official sent by the authorities in picking up the child. On the morning of March 11, as my brother Guangfu was taking the child to the school, they were followed by a man in a helmet and an army overcoat on a motorcycle. This was most likely the authorities' way of threatening them, to show that the life of the child and of Kegui's parents are in their hands.

To sum up, we cannot continue to tolerate the Chinese Communist authorities continuing to go back on their words and deceiving the international community at will. When the Chinese Communist Central Party Committee can act like this in breaking its promises to me, to the United States and to the whole world, and when it can willfully break agreements in a case that has attracted the world's attention, how can we expect it to improve the human rights situation in other areas and to take up its international responsibilities and obligations? I hereby request Mr. Chairman, the House Committee on Foreign Affairs, the House Committee on Oversight and Government Reform and other related committees to formally obtain from the relevant departments of the administrative authorities—and publish—the written and oral diplomatic agreements between China and the United States with regard to this incident of mine, including my letter to Premier Wen Jiabao that I wrote while I was in the U.S. embassy. I hereby urge the U.S. government to solemnly demand that the Chinese Communist leaders do as they promised. Thank you!

Chen Guangcheng
Tuesday, April 9, 2013; Washington D.C.

Relevant online reports:

- 1, English translation 滕彪在 2012 年 5 月 2 日晚跟陈光诚的通话纪录: on May, 2, 2012, 19:55:12
<http://www.chinaaid.org/2012/05/urgent-attention-chen-guangcheng-calls.html>
- 2, English translation of 2012 年 5 月 2 日 8 点曾金燕与陈光诚通话后发的推文说明陈光诚离开使馆的情况:
<http://www.chinaaid.org/2012/05/zeng-jinyan-chen-guangcheng-talked-to.html>

3, English translation Yuan Weijing 's smuggled written letter about the persecution experience:
伟静 2011 年 6 月中她写的信:

<http://www.chinaaid.org/2011/06/detained-blind-activist-chen-guangcheng.html>

4, 2011 年 2 月 9 日公布翻译了陈光诚夫妇录制传出的出狱后被非法监禁家中的第一个录像报导:

<http://www.chinaaid.org/2011/02/exclusive-video-shows-ill-treatment.html>

5, 2012 年 4 月 30 日沃尔夫议员在《外交政策》杂志上发表题为: " 美国必须营救陈光诚: 现在就是时候了 "

http://www.foreignpolicy.com/articles/2012/04/30/chen_guangcheng_human_rights?print=yes&hidecomments=yes&page=full

Why America Must Save Chen Guangcheng

Now is one of those times when the United States must live up to its ideals.

6, 2010 年 9 月 16 日翻译成英文的白山亚洲电台记者张敏采访伟静, 傅希秋牧师, 李苏斌律师呼吁国际社会帮助:

<http://www.chinaaid.org/2010/09/chen-guangcheng-asks-for-urgent-help.html>

Chen Guangcheng asks for urgent help; the attorney appeals for the mobilization of people worldwide.

By Zhang Min, reporter for Radio Free Asia

English Translation by ChinaAid | PDF

September 16, 2010

7, Latest NYT report(shows his main assessment about China and his relatives treatment :

Chinese Activist, Now in U.S., Says His Relatives Remain Under Surveillance

http://www.nytimes.com/2013/03/14/world/asia/family-of-chinese-activist-chen-guangcheng-said-to-be-harassed.html?_r=0

8, About Chen Guangcheng's nephew Chen Kegui's case and latest CECC (Congress-Executive Commission on China) analysis (Chen GC will talk about this case a lot):

the CECC published two analysis pieces relating to Chen Kegui:

Authorities Use Threats, Abuse, and Harassment To Maintain Control Over Chen Kegui and Family - <http://www.cecc.gov/pages/virtualAcad/index.php?showsingle=187488>

Chen Kegui Serving Criminal Sentence, Legal Experts Refute Conviction -

<http://www.cecc.gov/pages/virtualAcad/index.php?showsingle=186995>

Mr. SMITH. Mr. Chen, thank you very much for your extraordinarily powerful and historic testimony. I can assure you we will follow up on your request and do everything possible to get the administration to be forthcoming and to provide those documents about your, as you called it, your incident, and again thank you for, and I hope the press will convey this to the world, including the American public, this retaliation against families and against children. Not only are children deemed disposable via the one-child-per-couple policy, but the way that the Communist dictatorship hurts the dissidents the most is by hurting their families, and you have in a very powerful way reminded us of that with very specific examples of your own family, including your nephew. So thank you.

I would like to now yield to Pastor Fu.

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

Pastor FU. Mr. Chairman and honorable members of this committee, thank you for conducting this important hearing. My friend Mr. Chen Guangcheng just recalled what had happened barely a year ago while he was hearing the desperate cries from the Chaoyang Hospital. The first night Mr. Chen walked out of the U.S. Embassy and the next morning I was here in this hearing room testifying with a cell phone that enabled Mr. Chen to speak to you and this committee and to the American people and to the world about his real intention.

The overall situation in mainland China in the past 3 months has been worrying, from the serious air pollution in the capital city of Beijing, the large number of dead pigs that polluted the Yangtze River, and other incidents highlighting the rapid deterioration of China's natural environment to the situation for freedom of religion, the rule of law, and basic human rights that continues to present a grim picture. They all indicate that the Hu Jintao-Wen Jiabao political agenda still persists, dominating everything. This being the case, even though Xi Jinping's administration now holds political power in China, people still have reason to worry, do we have to wait another 10 years before seeing progress in China's human rights record and the rule of law?

The wretched state of freedom of religion and the rule of law and the basic human rights. First of all, the persecution suffered by house churches in China is just one example. In the past 3 months there has been a troubling series of persecution cases. They occurred in over 10 provinces and two municipalities directly under central government jurisdiction, including Beijing, Shanghai, Heilongjiang, et cetera. One of the cases is Beijing's Shouwang Church, now going into its third year of being forced to hold outdoor worship services, which it began doing on April 10, 2011. Shouwang believers have been arrested more than 1,000 times and there have been more than 800 short-term detentions. Their senior pastor, Pastor Jin Tianming, and some church leaders have been under long-term house arrest since April 2011 without stop. In 2011 the Chinese Government issued two important secret documents aimed at attacking the Christian faith that were directly responsible for the systematic escalation in the persecution of churches that has continued to this day. In September 2011 at the so-

called Patriots in Christian Circles training class held by the State Administration for Religious Affairs, a secret document jointly issued by the State Administration for Religious Affairs and the Ministries of Public Security and Civil Affairs was circulated that detailed a plan to eradicate house churches in 10 years. Of course, as we all know, even the most conservative estimate on the number of Chinese Christians is more than 18 million. I don't think they will be successful. Of course, they are going to try anyway.

Last year China Aid Association obtained the so-called suggestions for doing a good job of resisting foreign use of religion to infiltrate institutes of higher education and preventing campus religious activities, the so-called Document No. 18, jointly issued on May 15, 2011, by six ministries of the Chinese Communist Party's Central Committee. The purpose of this secret document was to prevent and attack the spread of the Christian faith on campuses. At the same time, the Chinese Government continues to employ strict control measures over Catholicism, continuing to ordain clergymen without Vatican approval, which is a serious interference in the internal religious affairs of the Vatican.

In 2012 the government forced Bishop Ma Daqin, the Bishop of Shanghai, to disappear because he had openly expressed his loyalty to the Vatican. His whereabouts to date remain unknown. In addition, the tragedy of the self-immolation of Tibetan lamas and nuns continues to play out, demonstrating the persistent worsening of religious freedom in Tibet.

On the rule of law, in accordance with the principle held by the Hu-Wen administration that maintaining stability was of paramount importance, the National People's Congress on March 14, 2012, passed an amendment to the Criminal Procedure Law that went into effect on January 1 this year. One of its articles, Article 73, provides the legal basis for public security agencies to secretly arrest and detain citizens under the pretext of so-called residential surveillance. This is a serious step backwards in the rule of law in China. In January of this year the Public Security Ministry announced that it was suspending the labor camp system. I hope that they will practice what they said, not only suspending but to stop immediately this evil system. In its treatment of petitioners, a vulnerable group, the government continues to be as brutal as ever, arresting them, locking them up in "black" jails, beating them, implicating friends and relatives, and employing other illegal measures. Furthermore the Internet freedom is still harshly restricted. In March the SSH, representing the security shell network protocol for secured data communication, was blocked, and this is important evidence that freedom to use the Internet has been further restricted. Mr. Chen repeatedly called to push down Beijing's Internet Berlin Wall. Unfortunately, I think Western democracies have done too little and too late to counter the Internet circumvention. You can read the latest article in The Economist magazine: Instead of becoming a tool for freedom of information, the Communist regime in China has used the Internet and its censorship to build a wall to be a master of control. For every \$1,000 in China that was spent to censor the information on the Internet, in the West, especially in the United States, we only spend \$1, \$1 to \$1,000. I think we certainly can do more to promote the Internet freedom, along

with my friend Mr. Chen and many dissident friends, as well as the millions of Chinese people of faith. When the Internet, China's Internet Berlin Wall falls, I think that will be the day the freedom of expression, freedom of religion, freedom of association will come, and I think the democracy in China will come also very soon.

And the basic human rights on the bloody cases in China's forced, forcefully enforced one-child family planning policy and forced demolition of residential homes and relocation of residents continue to take place. And on the forced family planning, even in the last month, the ministry of public health publicly announced the so-called achievements of the family planning policy in the past 40 years. Three hundred and thirty million abortions performed on Chinese women. What is really distressing is that these bloody numbers continue to climb, and that the majority of those abortions were forced on the women by the government. In the United States, you can be pro-life, pro-choice. As Congressman Mr. Bera said, you don't need to agree on everything here. But one thing is very clear, forced abortion is not a choice. On March 13, a woman in Henan province who had had a forced abortion was found hanged at the local family planning office with suspicious injuries all over her body. And just this month, we just reported yesterday there is woman called Shen Hongxia. She already had two children. And when she went back for family visit from another work unit and she was captured and then she was forced to do the forced sterilization. And even though her doctors—and we have two ultrasounds and various methodologies showed and warned the family planning official who kidnapped her and told the family planning official it will be deadly for her to endure this forced sterilization.

They did it anyway that day on March 19. And a few hours later she was found dead. And we have been advocating on behalf of the following people whose cases have representative values, besides the cases of attorney Gao Zhisheng and Mr. Chen Kegui. And I want to mention another case. It is Mr. Zhu Yufu. At the time of Arab Spring, Zhu Yufu, a Christian dissident based in Hangzhou Zhejiang Province, wrote a poem and posted on the Internet to encourage people to strengthen their thinking. As a result, he was summoned by police on March 5, 2011, and subsequently in April he was sentenced to 7 years for one poem for the so-called inciting subversion of state power.

Mr. Chairman, today we have three of Mr. Zhu Yufu's family members who just recently escaped from China because in their last visit in November of last year, they saw their brother, 60-year old Mr. Zhu Yufu was dying. So they were racing to rescue their family members by leaving everything behind in China.

So I want you to recognize them. And they are sitting behind me. Mr. Zhu Qiaofu, Mr. Zhu Xiaoyan, and Miss Zhu Yanmin. They are three brothers and sisters of Mr. Zhu Yufu. So I hope Members of Congress and the media could help. I made the motion for immediate help. This is a life-and-death decision, a moment of time. I have escorted them in the past few days, talking with the staff of the Members of Congress. And the horrible stories surrounding the family of this brave man, Mr. Zhu Yufu has already spent 11 years

imprisonment for his democracy activities. And I also request that the addendum to my written testimony be included.

And including, in addition to the above, there are three other people worth our attention. Mr. Wang Bingzhang case and Mr. Peng Ming were prominent dissident leaders who were both kidnapped by the Chinese agents in Vietnam and in Burma in 2002 and 2005, respectively. Both of them are serving life in prison.

A third person, of course, is the wife of Nobel Peace Prize laureate Liu Xiaobo, Ms. Liu Xia, who has been under house arrest since 2010 without any freedom of movement. And the following other—the continuing arbitrary detention, the long-time imprisonment of other prominent prisoners of conscience, including Mr. Alimujiang Yimiti from Xinjiang, Mr. Liu Xianbin from Sichuan, Ms. Yang Rongli from Shaanxi province, Professor Guo Quan from Jiangsu province, Mr. Li Bifeng from Sichuan, Mr. Chen Wei from Sichuan, and Mr. Chen Xi also from Sichuan.

I want to also point out we just received yesterday the information from the wife of Mr. Chen Xi. She learned that her husband, Mr. Chen Xi, also a prominent democracy activist, was sentenced for 7 years during the Jasmine Revolution in 2011. His blood was being drawn in his prison multiple times recently, which is an indication, usually, of a possible forced death. So we need to watch this case and Mr. Chen Xi very carefully.

Finally, I want to also mention the persecution case of the family member of one of my staff, Mark Shan and his brother Randy Shan, simply for working with China Aid Association in the United States. Randy Shan had been persecuted repeatedly and had to flee out of China in the summer of 2012. The security forces repeatedly threatening Mark Shan to stop, using Randy as a hostage to force his brother to not work with China Aid.

My appeal is that the situation for freedom religion, rule of law, and human rights in China has continued to deteriorate following the 18th party Congress last fall, especially during the first 3 months of this year, which is a cause for continued worries among the international community. The Xi Jinping administration has been in full control over China for a month already. And we have not seen any encouraging signs of any immediate change.

And so we need to be alert to help China in the following way from Western democracies. For the U.S. Government, we hope that it will make more real progress in the next 4 years than was the case in the last 4 years. The U.S. President and the Secretary of the State ought to have the courage to urge the Chinese Government publicly and in unequivocal terms to improve its record on human rights and the rule of law. And to adopt a standard that stresses the value of universal human rights.

The U.S. Embassy can officially request permission to visit prisoners of conscience in prison and it can meet regularly with the family members of these victims, not waiting for them had to escape from China to come here to meet. And also to meet with human rights defenders who are still active in society and provide necessary help. In future human rights dialogues, strategic and economic dialogues, and dialogues with experts in the rule of law in other major diplomatic activities in the coming months, the U.S. Government should grasp these opportunities to unequivocally

point out the problems in China's human rights record and the rule of law and actively assist the Chinese Government in implementing real reforms in these areas. We harbor great hope for this.

And, finally, I ask that the committee to enter in the record China Aid's 2012 Annual Report on the Chinese Government persecution of Christians and churches in Mainland China. Thank you very much.

[The prepared statement of Pastor Fu follows:]

How Much Longer Must We Wait?

China and the United States must not let new historic opportunities pass them by

---Testimony of Pastor Bob Fu, China Aid Association

Chen Guangcheng and Gao Zhisheng: Human Rights in China

Hearing of the House Committee on Foreign Affairs

Subcommittee on Africa, Global Health, Global Human Rights

2 p.m., April 9, 2013.

Room 2172, Rayburn House Office Building, Washington D.C.

The overall situation in mainland China in the past three months has been worrying. From the serious air pollution in the capital city of Beijing, the large number of dead pigs that polluted the Yangtze River and other incidents that highlight the rapid deterioration of China's natural environment, to the situation of freedom of religion, the rule of law and basic human rights that continue to present a grim picture, they all indicate that the Hu Jintao-Wen Jiabao political agenda still persists in following its bigoted course, dominating everything. This being the case, even though Xi Jinping's administration now holds political power in China, people still have reason to worry: do we have to wait for another 10 years before seeing progress in China's human rights record and the rule of law?

I. The wretched state of freedom of religion, the rule of law and basic human rights

1. Freedom of religion: The persecution suffered by house churches in China is an example: in the past three months, there has been a troubling series of persecution cases. They occurred in 10 provinces and two municipalities directly under central government jurisdiction and included Beijing, Shanghai, Heilongjiang, Inner Mongolia, Xinjiang, Jiangsu, Shandong, Guangdong, Henan, Anhui, Sichuan. One of the cases is Beijing's Shouwang Church, now going into its third year of being forced to hold outdoor worship service, which it began doing on April 10, 2011. Shouwang believers have been taken into police custody more than 1,000 times and there have been more than 800 short-term detentions. Their senior pastor Jin Tianming and some church leaders have been under long-term house arrest.

In 2011, the Chinese government issued two important documents aimed at attacking Christianity that were directly responsible for the systematic escalation in the persecution of churches and Christians that has continued to this day. In September 2011, at the "Patriots in the Christian Community" training class held by the State Administration for Religious Affairs, a secret document jointly issued by the State Administration for Religious Affairs and the

ministries of public security and civil affairs was circulated that detailed a plan to eradicate house churches in 10 years. Last year, China Aid Association obtained the “Suggestions for Doing a Good Job of Resisting Foreign Use of Religion to Infiltrate Institutes of Higher Education and Preventing Campus Evangelism” (Document No. 18)

(<http://www.chinaaid.org/2012/12/secret-central-committee-document.html>) jointly issued on May 15, 2011 by six ministries of the Chinese Communist Party’s Central Committee. The purpose of this secret document was to prevent and attack the spread of Christianity on campuses.

At the same time, the Chinese government continues to employ strict control measures over Catholicism, continuing to ordain clergymen without Vatican approval, which is a serious interference in the internal religious affairs of the Vatican. In 2012, the government forced Ma Daqin, the auxiliary bishop of the archdiocese of Shanghai, to disappear because he had openly expressed his loyalty to the Vatican; his whereabouts to date remain unknown.

In addition, the tragedy of the self-immolation of Tibetan lamas and nuns continues to play out, demonstrating the persistent worsening of religious freedom in Tibet.

2. The rule of law: In accordance with the principle held by the Hu-Wen administration that maintaining stability was of paramount importance, the National People’s Congress on March 14, 2012, passed an amendment to the Criminal Procedure Law that went into effect on January 1, 2013. One of its articles, Article 73, provides a legal basis for public security agencies to secretly arrest and detain citizens under the pretext of “residential surveillance.” This is a serious step backwards in the rule of law in China. In January this year (2013), the Public Security Ministry announced that it was scrapping the labor camp system. This is an encouraging step in the right direction. We hope the Xi Jinping administration can put this into practice and can also revise Article 73 of the Criminal Law.

In its treatment of petitioners, which is a vulnerable group, the government continues to be as brutal as ever, arresting them, locking them up in “black” jails [that is, private, illegal jails], beating them, implicating friends and relatives, and employing other illegal measures.

Furthermore, Internet freedom is still restricted. Last December (2012), the British newspaper *The Guardian* reported that some Internet users in China had their access blocked when authorities started to employ new technology that can “learn, discover and block” virtual private network (VPN) services, which enable Internet users to get around the Great Firewall that blocks access to most Western news sites as well as popular sites such as Facebook and YouTube. (See

<http://www.guardian.co.uk/technology/2012/dec/14/china-tightens-great-firewall-internet-control>)

In March, the Secure Shell (SSH) network protocol for secure data communication was

disrupted, resulting in blocked access for some users. These developments constitute important evidence that freedom to use the Internet has been further restricted.

3. Basic human rights: Bloody cases in China’s forcibly enforced “one-child” family planning policy and in forced demolition of residential homes and relocation of residents continue to take place; the Chinese people’s basic right to life cannot be guaranteed at all.

Forced family planning: Last month, the Ministry of Public Health publicly announced the “achievements” of the family planning policy in the past 40 years: 330 million abortions performed on Chinese women. What is really distressing is that these bloody numbers continue to climb and that the majority of these abortions were forced on the women by the government. On March 13, a woman Henan province (Daxuzhai town, Taikang county) who had had a forced abortion was found hanged at the local family planning office with suspicious injuries all over her body. On March 22, a woman in her seventh month of pregnancy in Anhui province (Chuzhou, Fengyang county) was kidnapped by family planning cadres and taken to a hospital where a lethal injection was given that killed her seven-month-old unborn baby and caused her to deliver a dead fetus. ChinaAid has interviewed the husband of this woman and has offered to help them. At the end of March, a mother of two in Hubei province (Tongshan county) named Shen Hongxia was forced by local family planning officials to have a tubal ligation against doctors orders that led to her death.

Forced demolition and relocation: Over the past 20-plus years, government-backed forced demolitions and relocations have taken place across the entire country, creating a situation where the citizens’ property and basic right to life are willfully violated—and not only has it never stopped, it is becoming more and more serious. For example, on March 27, Song Heyi, a villager Henan province (Zhongmou county in the city of Zhengzhou), was run over and killed by the developer when he tried to protect his land. In the same month, another peasant in Henan province (Yuanyang county in the city of Xinxiang) was driven to suicide by forced demolition and relocation. On March 30, Zhang Ruqiong, a woman villager in Hubei province (Badong county) was deliberately crushed to death by a construction vehicle.

II. ChinaAid has long been advocating on behalf of the following people, whose cases have representative value

Gao Zhisheng: Gao Zhisheng, a prominent Christian human rights lawyer who has been severely persecuted for many years by the Hu-Wen administration and who had disappeared into police custody for over 20 months, was transferred in December 2011 to Shaya County Prison in the Aksu district of the far western region of Xinjiang to start serving a three-year sentence. Shortly thereafter, Gao Zhisheng’s brother Gao Zhiyi, accompanied by Gao

Zhisheng's father-in-law and two sisters, traveled several thousand kilometers to the remote Shaya Prison and requested a meeting with Gao Zhisheng, but prison authorities refused. On August 27, two prominent human rights lawyers from Beijing, Li Xiongbing and Li Subin, were authorized by Gao Zhisheng's eldest brother Gao Zhiyi to make a special trip to Shaya Prison to apply for permission to meet with Gao Zhisheng. Their request was rejected by Shaya Prison and the Xinjiang Autonomous Region Prison Administration Bureau. On January 12 this year, Gao Zhisheng's family members were finally allowed to visit him.

Chen Kegui: The nephew of blind human rights lawyer Chen Guangcheng, Chen Kegui was arrested in May 2012 because the prosecution had concluded that when police launched a surprise night-time raid and searched the Chen family home, Chen Kegui used a knife and attacked and injured at least one plainclothes police officer. The authorities initially charged Chen Kegui with "intentional homicide," which they later changed to "intentionally inflicting injuries." At 2 p.m. on November 30, 2012, the Yinan County People's Court of Shandong Province tried the case. Chen Kegui's parents were not allowed to enter the courtroom. The court affirmed the circumstances of Chen Kegui voluntarily surrendering to the authorities but refused to accept his defense that his actions were an appropriate act of self-defense, and it announced a sentence for Chen Kegui of a three-year, three-month prison term. Because he had been tortured and threatened, Chen Kegui said in court that he would "not appeal the sentence." Legal experts in China and the United States are in agreement that this conviction and sentence was unjust because Chen Kegui's actions were completely in self-defense and that the court's decision was an act of revenge against Chen Guangcheng.

Zhu Yufu: At the time of the Arab Spring, Zhu Yufu, a Christian dissident based in Hangzhou, Zhejiang province, wrote a poem and posted it on the Internet to encourage people to awaken their thinking. As a result, he was summoned by police on March 5, 2011 and detained at the Wangjiang Police Station, in the Shangcheng District Branch of the Hangzhou Municipal Public Security Bureau. On April 11, he was formally arrested on suspicion of "inciting subversion of state power." Zhu had already served a total of nine years on two earlier convictions, and this would be his third prison term. Hangzhou Municipal Intermediate People's Court of Zhejiang Province heard his case on January 31, 2012, and reconvened on February 10 to announce its verdict: on the charge of inciting subversion of state power, Zhu Yufu was found guilty and sentenced to a seven-year prison term, with a three-year deprivation of political rights, with the sentence to run from March 5, 2011 to March 4, 2018. Please see the details of Zhu's life, his lifelong pursuit of democracy in China and the many ways he and his family have been persecuted by the Chinese authorities for decades, as well as his family's appeal for help from the U.S. government, in the addendum to my written testimony.

In addition to the above, there are some other people worth our attention. The first is the

prominent Christian pro-democracy activist **Wang Bingzhang**, who was secretly kidnapped by the Chinese government in Vietnam in June 2002. He was sentenced in 2003 in Guangdong to life imprisonment and he is currently still serving his sentence. The second person is the Chinese dissident **Peng Ming**, who was met by eight pistol-wielding Chinese agents in Burma in May 2004 and forcibly taken across the border into China. In October 2005, he was sentenced to life imprisonment. The third person is **Liu Xia**, wife of Nobel Peace Prize laureate Liu Xiaobo. The government has kept her under house arrest since her husband was sentenced to an 11-year prison term and then awarded the Nobel Peace Prize in October 2010. No visitors have been allowed. On January 31 of this year, Liu Xia's younger brother Liu Hui was detained, and in March he was formally charged with fraud—a move widely regarded as intended to put more pressure on Liu Xia.

There is also the continuing arbitrary detention and long-time imprisonment of other prominent prisoners of conscience, including Mr. **Alimujiang Yimiti** (阿里木江·衣买提) in the region of Xinjiang, Ms. **Yang Rongli** (杨荣丽) in Shaanxi province, Prof. **Guo Quan** (郭泉) in Jiangsu province, and Messrs. **Liu Xianbin** (刘贤斌) **Li Bifeng** (李必丰), **Chen Wei** (陈卫) and **Chen Xi** (陈西), all of Sichuan province. These cases all show that the Chinese Communist regime has no intention of engaging in any meaningful political reform anytime soon.

Finally, I would like to mention the persecution case of Randy C. Shan and his family. Randy Shan used to operate a large underground house church printing network in China. In 2008, one of his publishing co-workers, Mr. Shi Weihang, was arrested and sentenced to a three-year prison term. Putting Randy Shan even more at odds with the Chinese authorities was the fact that his brother works for China Aid Association. Beginning in June 2011, Randy Shan was asked by authorities to convey to his brother in the United States the Chinese government's threats to harm his family in China in retaliation for his work for ChinaAid. In the summer of 2012, after a year of living under government harassment, surveillance and being tailed, etc., the threats against Randy Shan and his wife and two young daughters had escalated to the point where they feared for their lives and thought their freedom might be at stake. They fled to Thailand and applied last December for political refugee status with UN High Commissioner for Refugees. They are currently awaiting their first UNHCR interview.

Conclusion: Appeals to and suggestions for the governments of the United States and China

The situation for freedom of religion, the rule of law, human rights and the environment in China has continued to deteriorate following the 18th National Congress of the Communist Party of China last fall and especially in the first three months of this year, which is a cause for

continued worries among the international community. Xi Jinping's administration has been in full control over China for a month already. We hope and urge this new administration to proceed from the perspective of China's best interests and the tide of historical progress, abandon the ultra-leftist political agenda of the Hu-Wen administration and its corrupt mode of governance, and effectively promote the development of a constitutional government, the rule of law and a civil society. We are cautiously optimistic about this.

As for the U.S. government, we hope that it can make more real progress in the next four years than was the case in the past four years. The U.S. president and the secretary of the state ought to have the courage to urge the Chinese government in unequivocal terms to improve its record on human rights and the rule of law and to adopt a standard that stresses the value of universal human rights. The U.S. embassy can officially request permission to visit prisoners of conscience in prison, and it can meet regularly with the family members of these victims and with human rights defenders who are still active in society and provide necessary help. In future human rights dialogs, strategic and economic dialogs, dialogs with experts in the rule of law and in other major diplomatic activities, the U.S. government should grasp these opportunities to unequivocally point out the problems in China's human rights record and the rule of law and actively assist the Chinese government in implementing real reforms in these areas. We harbor great hope for this.

Finally, I ask that the House Committee on Foreign Affairs enter into the Congressional record ChinaAid's 2012 annual report on "Chinese Government Persecution of Christians & Churches in Mainland China."

Thank you.

Pastor Bob Fu
Founder and president, China Aid Association
Tuesday, April 9, 2013. Washington D.C. USA

www.ChinaAid.net www.ChinaAid.org

Addendum

Zhu Yufu's Bio and His Family's Statement

Zhu Yufu's Bio

Zhu Yufu (born on February 13, 1953) is a native of Hangzhou, Zhejiang Province. He is a Christian and a prominent political dissident. In 1998, he helped found the China Democracy Party.

Zhu graduated in June 1971 from the Chinese Department of the Hangzhou Education Institute and was assigned to work at the Hangzhou Botanical Garden. He took part in illustrating the book *Selection of Tree Species for Urban Afforestation*.

Later, Zhu collaborated with the famous sculpture artist Chen Weimin in founding the Urban Sculpture Creativity Room and participated in creating sculptures in scenic spots around Hangzhou's major tourist site, West Lake.

At the end of 1978, Zhu threw himself into the Democracy Wall movement in Hangzhou and was one of its founders.

The following year, he founded the major pro-democracy publication *April 5 Monthly* and was elected head of the publishing house.

Thereafter, Zhu was summoned by the authorities many times and his house was also searched many times.

In 1987, he was transferred to Housing Administration Bureau of Jianggan District of Hangzhou Municipality and served as the head of the Working Committee of the Labor Union.

In 1989, during the student-led Tiananmen Square pro-democracy protests, Zhu was again summoned by authorities for voicing his support of the student protestors.

In June 1998, he devoted himself to the preparatory work of the China Democracy Party, and after the party's Zhejiang Preparatory Committee was founded on June 25, Zhu took to the streets to distribute "Public Announcement of the Founding of Zhejiang Preparatory Committee of China Democracy Party" flyers. For this, he was detained by the police for 48 hours. During the July 10 incident, his home was searched and a large quantity of Public Announcement flyers, computers, printers and other items were seized. He was detained for 10 days and was kept under surveillance for 50 days. On November 8, he was elected general secretary of Standing Working Group of the China Democracy Party's Zhejiang Preparatory Committee and elected to the National Preparatory Committee.

Zhu was detained again on June 19, 1999, and was officially arrested on September 15. On

November 2, he was convicted of trying to subvert state power and sentenced to a seven-year prison term with three years deprivation of political rights.

Following his release, Zhu was once again arrested on May 18, 2007. On July 10, Hangzhou's Shangcheng District Court convicted him of obstructing government business and sentenced him to two years in prison. His son, Zhu Ang, was implicated in this case and was arrested at the same time. He was sentenced to a one-year prison term.

In 2010, Zhu became a Christian and was baptized in Chongyi Hall in Hangzhou Christian Church.

On March 5, 2011, he was again arrested, this time for publicly supporting the Jasmine Revolution in China. On April 11, he was charged with trying to subvert state power.

At 3:30 p.m. on February 10, 2012, Hangzhou Intermediate Court convicted Zhu of "inciting subversion of state power" and sentenced him to a seven-year prison term, with a three-year deprivation of political rights.

Zhu Yufu as a Christian dissident

In 2010, Zhu Yufu, who had been imprisoned twice and had pursued democracy for over 20 years, finally understood that only God could save mankind and save his compatriots. So, Zhu was baptized at the Chongyi Hall of the Hangzhou Christian Church and became a Christian.

After his baptism, Zhu Yufu became increasingly devout and increasingly dedicated and was prepared to heed the Lord's call at any time.

In March 2011, just before his most recent troubles, Zhu Yufu told his family that his time was at hand. At the time, his family members thought that it was very unlucky for him to say such things. He explained that the time for him to sacrifice himself had come, the time for him to take up the Cross for the suffering Chinese people had come; he had felt the Lord's call on his life. That was a period when autocratic and totalitarian governments were quickly collapsing around the world.

Soon thereafter, Zhu Yufu posted his poem "It's Time" (<http://news.nationalpost.com/2012/02/10/this-is-the-poem-that-got-a-chinese-activist-seven-years-in-jail/>) on the Internet, and Zhu was quickly arrested again by the authorities for publicly supporting a Chinese Jasmine Revolution. On Feb. 10, 2012, he was sentenced to seven years in prison by the Hangzhou Intermediate Court for "inciting subversion of state power" and deprived of his political rights for three years.

Before this, Zhu Yufu had written a poem, "My Bags are Packed," expressing his willingness to sacrifice himself to God and to the suffering Chinese people.

Zhu Yufu's current situation is critical

In the second half of 2012 when his family visited him at Zhejiang's Prison No. 4, they found that Zhu Yufu, who was then already 60 years old, could walk only by supporting himself against a wall. He told his family that his cerebral arteriosclerosis, coronary heart disease, lumbar disc herniation, severe high blood pressure, high cholesterol, coronary artery tumor and other ailments were getting worse. Because the prison forcibly deprived him of his right to wear a hat, Zhu Yufu had several fainting spells due to constricted blood vessels in the head when he caught a chill. Regardless, the prison authorities still forced him to perform hard physical labor.

Zhu Yufu also revealed the various ways the prison was abusing him: He was the only one in the entire prison who did not get a Nutritious Meal or a Patient's Meal; he was denied medical treatment and not allowed to take his medications, on the grounds that Zhu's illnesses were not life-threatening and that, if he were about to die, then certainly treatment would be given; he was the only prisoner not allowed to make calls to "loved ones" on the grounds that he had harmed his family and none of them wanted to take his calls; he also had been deprived of his right to write letters to his family members on the grounds that his letters contained prison secrets....

Zhu Yufu told his family unequivocally that he was already 60 years old and was physically unable to survive seven long years in prison. He said that from the increasingly brutal persecution and abuse by the authorities it is likely that he would die in prison soon. He hoped to get the basic human right of medical parole.

Family members are implicated and persecuted

Because of Zhu Yufu's pursuit of the ideals of democracy and freedom, his family has been persecuted in unthinkable ways.

Around July 1999, Zhu Yufu's younger brother, Zhu Qiaofu, and their younger sister, Zhu Xiaoyan, went to the U.S. consulate in Shanghai in an effort to rescue Zhu. Zhu Qiaofu gave to U.S. diplomat Peter Lu [editor's note: Lu might be the Chinese version of a non-Chinese surname] photos of Zhu Yufu in a detention center and some of Zhu Yufu's hand-written manuscripts. Because of this, they were put under direct surveillance and subjected to government persecution.

On November 2, 1999, the day his brother was sentenced to prison, Zhu Qiaofu shook hands with "Peter Lu" from the U.S. consulate who attended the trial as an observer. Because of this, Zhu Qiaofu was detained for two days. In December 1999, Zhu Qiaofu was forced to quit his job at Zhejiang TV station because he was "not fit to work at the mouthpiece of the Party and other sensitive posts." In 2002, Public Security officers of the Chinese Communist Party unequivocally told Zhu Yufu's family that the high-pressure tactics used against them was because the family could be used as "hostages" to make Zhu Yufu give up his pursuit of

democracy. They said that as long as Zhu Yufu's anti-Party actions continued without break for a single day, they would continue to harm and torment the family without stopping for a single day.

On December 3, 2000, when Zhu Qiaofu published an article called "Is the Double-Headed Baby a Specimen from the Hospital's Experiment?" in *Zhejiang Youth Daily*, he was once again forced to quit his job. In 2004, Zhu Qiaofu published a book called *The Scale in a Reporter's Heart*. The book was regarded by the Domestic Security Protection Squad as intentionally exposing the dark side of society and an expression of the author's dissatisfaction with China's political system. The book was banned from various large bookstores and most of the printed copies were confiscated. In June 2012, because of Zhu Yufu's "Jasmine Incident" poem "It's Time," Zhu Qiaofu was classified as a person to be put under heavy surveillance. On December 28, 2012, Zhu Qiaofu was once again forced to quit his job.

At the end of 1994, their younger sister, Zhu Xiaoyan, was forced to quit her job because she had helped Zhu Yufu pass materials to Fang Xinghua, another member of the China Democracy Party. As a result, her father-in-law was demoted, her family broken up and her apartment confiscated. In July 1998, because Zhu Yufu had set up the Zhejiang Preparatory Committee of the China Democracy Party, her home was searched and it was concluded that she had used it to "let members of China Democracy Party hold meetings where they conspired to subvert the state power." She was threatened with the imprisonment and almost had a miscarriage. After that, Zhu Xiaoyan's business on which she depended for her livelihood was forced to shut down.

On September 21, 2003, their mother made a deathbed request to see Zhu Yufu one last time, so Zhu Xiaoyan went to Zhejiang Prison Administration Bureau to request a visit by Zhu Yufu with their dying mother. Her request was denied and she was detained for a day. As a result of this, Zhu Xiaoyan was not able to perform her final filial duty, which she will regret for the rest of her life. In 2007, because Hu Junxiong, a member of China Democracy Party, spent the night at Zhu Xiaoyan's residence, she was detained for a day and a night by the police. In March 2011, when Zhu Yufu posted his poem "It's Time" on the Internet, her home was searched by the police and she was put under police surveillance for several months. On November 11, 2012, because she went to visit Zhu Yufu in prison and told foreign media about Zhu Yufu's mistreatment in prison, she was illegally detained for three days and three nights, suffering great mental and physical harm. A few days later, her work unit forced her to quit her job.

The family's requests

Zhu Yufu is in critically ill health. The various ways the prison authorities treat him indicate that they want him to die of his illnesses in prison. Zhu Yufu's family appeals to the U.S. government to respond to this urgent call and exert pressure on the Chinese Communist government to induce it to approve Zhu Yufu's request for medical parole and let him come to the United States for medical treatment. If possible, we ask that the officials in charge of

human rights at the U.S. embassy or the U.S. consulate in Shanghai go visit Zhu Yufu in prison. Doing so will help Zhu Yufu get the necessary medical treatment. This will at least cause the Chinese Communists to have some apprehensions about their persecution of Zhu and exercise some moderation. At the same time, we call on the U.S. government to show concern for the increasingly worsening human rights disasters in China and the worsening persecution of political prisoners by the Chinese Communists and to exert real pressures on the hooligan Chinese Communist regime without break.

Mr. SMITH. Mr. Fu, thank you very much. Without objection, all of your full statements and materials you want added to the record will be made a part of the record. And, again, I want to thank you because without you, we would have never heard Chen Guangcheng's voice when he was in a hospital room at the hearing last year. So thank you so very much for your leadership and your testimony, and again, for making that possible.

I would like to now ask Geng He if she would provide her testimony.

STATEMENT OF MS. GENG HE, WIFE OF CHINESE HUMAN RIGHTS LAWYER GAO ZHISHENG

[The following testimony was delivered through an interpreter.]

Ms. GENG. Dear Congressman Smith, chairman of the Congressional Human Rights Commission, members of Foreign Affairs Committee and guests, greetings. Let me express my thanks to the Congress forgiving me this opportunity at this meeting to speak on behalf of my husband, Gao Zhisheng, a human rights lawyer in China. Let me also express my thanks, my gratitude to everyone here for showing concern to Gao Zhisheng's case.

In 2005, Gao Zhisheng began to defend the persecuted Christians, Falun Gong adherents, and other persecuted groups. Because of this, the Chinese Communists shut down his law office and revoked his lawyer's license.

One day in August 2006, the police illegally kidnapped him. On December 22, 2006, they sentenced Gao Zhisheng to 3 years in prison with also 5 years' probation on the charge of inciting to subvert the state power. During the 5-year probation, Gao Zhisheng was kidnapped and made to disappear by the Chinese police at least six times. Among this, the longest disappearance lasted 20 months. Each time he disappeared, he suffered torture.

In September 2007, Gao Zhisheng wrote an open letter to the U.S. Congress in which he exposed human rights abuses of the Chinese Communist authorities. Because of this, the Communist police put a black hood on Gao Zhisheng's head and kidnapped him, making him disappear. And he was missing for 50 days. On the same day they kidnapped him, this time they took him to a room, stripped him naked, and brutally beat him. They also hit him all over his body and his genitals with electric batons, so much so that his body shook violently and the skin on his body became black. The torture made him lose his consciousness, and he had urine incontinence as a result.

At the time police smoked Gao Zhisheng's eyes with cigarettes and inserted a toothpick into his penis. After that, and lawyer Gao implored them to lock him in the prison to avoid further torture, but the police officer said, "Do you want to go to prison? Do it in your dream. Whenever we want you to disappear, we will do so." In fact, that is what they did.

Now Gao Zhisheng has been brutally persecuted for 7 years. In this 7 years, the police have lived in my house to supervise me and my children. They didn't allow my daughters to attend school, and they even besieged me and my daughter—and beat both of us.

I want my children to be able to go to school. I took them with me and escaped from China to the U.S. in January 2009 with the

help of some friends. In February 2009, Gao Zhisheng was again kidnapped.

In April 2010, 14 months after Gao Zhisheng disappeared, the Chinese Government made an arrangement for him to accept an interview with the Associated Press. During the interview, he didn't talk as the Chinese Communist Government instructed him. Instead, he exposed and described in detail how he suffered torture. After that, the Chinese Communist police officers beat him for 2 days and 2 nights with the handle of a pistol. According to Gao Zhisheng, it was the most brutal torture that he ever suffered till then, and his life hung thinly in the air.

Just a few days after the interview with the Associated Press, Gao Zhisheng again disappeared. In December 2011, 4 days before Gao Zhisheng's 3-year probation was due, Xinhua News Agency of the Chinese Communist party published the news, in the next 3 years Gao Zhisheng would be locked up in the prison. After that, at the end of 2011, Gao Zhisheng was secretly transferred to the far away Shaya County Prison in Aksu District of Xinjiang.

In the 1 year and 4 months Gao Zhisheng was detained in the prison, family members have seen him only twice, and each time the visit lasted only 30 minutes. There was a period of 10 months between the first visit and the second visit. During the visit, the police prohibited the family members to ask any information about him.

August 27, 2012, his elder brother authorized two lawyers, Li Subin and Li Xiongbing, to meet with Gao Zhisheng, but their request was rejected by the prison authorities. As you all know, Gao Zhisheng has always been a political prisoner of conscience under the strict control of Chinese Communist authorities. I am very concerned that the torture and the long-term detention pose a very serious threat to his life. I hereby call on the international community to persist in paying continuous attention to attorney Gao Zhisheng, as this is probably the greatest protection it can offer to Gao.

Today, the Chinese tyrannical Communists are still brutally persecuting the Chinese people. The miserable experience of Gao Zhisheng, Hu Jia, Guo Feixiong, Guo Quan, Xu Wanping, Wang Dengchao, and others is clear evidence of the persecution by the Chinese Communists. These brutal facts have demonstrated that the Chinese people don't have human rights, rule of law, freedom, or democracy. I hope the international community can rescue the above-mentioned people as it did to Guangcheng. Thank you.

Mr. SMITH. Ms. Geng He, thank you so much for your testimony.

[The prepared statement of Ms. Geng He follows:]

Testimony of Geng He, wife of imprisoned Christian human rights lawyer Gao Zhisheng before US Congressional Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations the House Foreign Affairs Committee

Rayburn House Building Room 2172

April 9, 2013

Honorable Congressman Smith, chairman of the Congressional Human Rights Commission, members of the Foreign Affairs Committee and guests:

Let me express my gratitude to Congress for giving me this opportunity at this hearing to speak on behalf of my husband Gao Zhisheng, a human rights lawyer in China. Let me also express my thanks to everyone here for their concern for Gao Zhisheng's case.

Gao Zhisheng began in 2005 to defend persecuted Christians, Falun Gong practitioners and other persecuted groups. Because of this, the Chinese Communist authorities shut down his law office and revoked his lawyer's license, and they also openly suppressed and persecuted him. In August 2006, the police illegally kidnapped him, and on December 22, 2006, they sentenced Gao Zhisheng to a three-year prison term, suspended for five years, on the charge of "inciting subversion of state power." During the five-year suspension, Gao Zhisheng was kidnapped by the Chinese police and disappeared at least six times. The longest of those disappearances was 20 months. Each time he disappeared, he was also tortured in various ways.

In September 2007, Gao Zhisheng wrote an open letter to the U.S. Congress in which he exposed the human rights abuses of the Chinese Communist authorities. Because of this, the Chinese Communist police again put a black hood on Gao Zhisheng's head and kidnapped him, making him disappear for 50 days. On the day they kidnapped him this time, they took him to a room, stripped him naked and brutally beat him. They also used electric batons to attack him all over his body and his genitals, so that his body shook violently and his skin turned black all over. The torture made him lose consciousness and lose control of his bladder. Later, a police officer blew cigarette smoke into his eyes and stuck a toothpick up his penis. Lawyer Gao pleaded with them to lock him in a prison so as to escape the torture, but the police officer said: "You want to go to a prison? Do it in your dream then! Whenever we want you to disappear, we can do so."

In fact, that's exactly what they have done.

To date, Gao Zhisheng brutal persecution has lasted seven years. In these seven years, the police have lived in my house to monitor me and my children. They didn't allow my daughter to attend school and even set upon her as a group and beat my daughter.

To protect my two children, in January 2009 I escaped from China with my two children with the help of some friends. In February 2009, Lawyer Gao was again kidnapped. In April 2010, 14 months after Lawyer Gao disappeared, the Chinese government arranged for him to be interviewed by the Associated Press. During the interview, he did not follow the Chinese Communist government's instructions in what he said; instead, he exposed and described in

detail to the Associated Press the torture he had personally suffered. After that, the Chinese Communist police officers beat him for two days and two nights with the butt of a pistol. He said it was the most brutal torture he had ever suffered up to that point and his life hung by a thread. After that interview with the Associated Press, Lawyer Gao once again disappeared.

Because my daughter missed her father so much, she has had a nervous breakdown and often dreams that her father has left this world. Whenever Father's Day comes, my son always cries and he has told his teachers over and over again in tears, "I don't have a father."

In December 2011, four days before the end of Gao Zhisheng's [suspended] three-year prison term, the Chinese Communist Party's Xinhua News Agency released a report saying: "For the next three years, Gao Zhisheng will be locked up in a prison." Shortly thereafter, at the end of 2011, Lawyer Gao Zhisheng was secretly transferred to far-away Shaya County Prison in the Aksu district of Xinjiang.

In the one year and four months that Gao Zhisheng has been held in that prison, family members have seen him only twice and each time the visit lasted only 30 minutes; 10 months passed between the first visit and the second one. During the second visit, the police prohibited the family members from asking him for any information about himself. In the three months since then, we have been unable to get any information about him. On August 27, 2012, his eldest brother hired lawyers Li Subin and Li Xiongbing to go meet with Gao Zhisheng, but their request was rejected by the prison authorities.

As is known to all, Gao Zhisheng has all along been a political prisoner of conscience under the strict control of the Chinese Communist authorities. I am very concerned that the torture and the long-term imprisonment pose a serious threat to his life. I appeal to the international community to persist in paying continuous attention to Lawyer Gao Zhisheng as this is the best way to protect him.

Today, the tyrannical Chinese Communists are still brutally persecuting the Chinese people. The miserable experience of Gao Zhisheng, Hu Jia, Guo Feixiong, Guo Quan, Xu Wanning, Wang Dengchao and others is clear evidence of the Chinese Communists' persecution. These brutal facts show that the Chinese people do not enjoy human rights or the rule of law, and do not have freedom or democracy.

I hope the international community can rescue the people just named as it did Chen Guangcheng.

Thank you!

Geng He

April 9, 2012

Mr. SMITH. And I think all of us will redouble our efforts. We have never ceased. People on this panel, members of the House and Senate. Certainly the administration has to do more because your husband—your tenacious appeal on his behalf has been stunning. And we thank you, I thank you on behalf of all of us for that.

Mr. Genser.

**STATEMENT OF MR. JARED GENSER, FOUNDER,
FREEDOM NOW**

Mr. GENSER. Thank you so much. Good afternoon, Chairman Smith, Ranking Member Bass, Congressman Weber, Chairman Wolf as well. Thank you for the opportunity to speak to you today about the ongoing persecution of Chinese lawyers and their families in China. The work of this subcommittee highlighting the plight of individual victims of human rights abuses around the world is absolutely essential. And I want to begin by thanking all of you for your principled support for prisoners of conscience.

Mr. Chairman, I am particularly pleased to be here with my friends, Pastor Fu and T. Kumar, and human rights heroes and champions Geng He and Chen Guangcheng. They, unfortunately, represent flip sides of the same coin. Geng He is here as the wife of an imprisoned Chinese rights lawyer, while Chen Guangcheng, himself a rights advocate and former prisoner of conscience, is now advocating on behalf of his own family and their ongoing persecution by Chinese authorities.

As founder of Freedom Now, a legal advocacy organization that works to free prisoners of conscience around the world, and as international pro bono counsel to both Chen Guangcheng and Geng He, my testimony today will highlight briefly the ways that China's ongoing persecution of both the two of them and their family members violates international law. And, more importantly, I am actually going to focus my testimony today on what specifically the Obama administration can do and what more the Congress can do to try to bring an end to the suffering of these courageous people and their families.

As you know, Gao Zhisheng is one of the most prominent rights lawyers in China. What he and Geng He have been through has been absolutely horrific. I am not going to go into it in much detail; it has been described in a lot of detail here. But I want to highlight in particular the persecution that Geng He and her children have been through. After Gao Zhisheng was detained and disappeared and horrifically tortured, and then released, his wife and children were persecuted extensively. And this included persecuting their then 10-year-old daughter Grace, who was taken to school every day by four or five Chinese security officials who sat in her classroom every single day, who insulted her in front of the class, who followed her into the restroom and made her—a man made her—a Chinese security official made a 10-year-old girl keep the door open to the bathroom while she went to the bathroom, to humiliate her. And told people in the class that if any of them let her use their cell phone that they could go prison and there is nothing that the school or their families would be able to do for them.

Putting this kind of pressure on a 10-year-old girl as a way to get after her father is not only beyond the pale, it is horrific and

inhumane in every sense of that word. This is the reality of the Chinese Communists today, and this is the reality of the fear that the Chinese Communist party and the Chinese Government has of their own population, particularly talented rights lawyers like Gao Zhisheng, who, despite losing most of his cases, tenaciously stood up for human rights victims and pressed incredibly hard for their rights to be secured.

Chen Guangcheng's story is also well known. And what he has been through and what his wife and child have been through is also horrific. Living in rural China with no education to speak of, he began as a rights advocate advocating initially on behalf of local people with disabilities who were being taxed, in violation of Chinese law. He then moved on, as has been discussed extensively here, to advocating for women who were victimized by China's one-child policy through forced abortion and sterilization. And by exposing the horrors of the one-child system and how it was implemented in China, he himself became a target and has become a hero to the international community and to anyone in China who knows what he has done to try to stop the ongoing abuses of the one-child system. But the fact that since he escaped to the U.S. Embassy and in the Chinese Government's view, embarrassed them, that they then came into his family compound where many of his family members live, this was not—to be very clear, this was not the police. This was government-sponsored thugs and local party officials who came into their home, destroyed everything in front of them, looted and stole things, beat up most of the people there. Initially, took away his brother, who was only returned 24 hours later after being tortured, and then came and arrest and came close to killing his nephew, Chen Kegui, who reacted by grabbing a knife for only the prospect of self-defense.

When you have five government-sponsored thugs in your house, on your property, and several of them are yelling, "Kill him, kill him," under those circumstances, what can anybody do? What can anybody do? I am a human rights lawyer; I believe in nonviolence. But under those circumstances, when you have people yelling to kill you, and they are in your own home, I don't know what else anyone can do but pick up a knife and try to save their own lives. And he didn't even injure people in any serious manner. Nobody was even hospitalized. One guy had a scratch. But, I mean, at the end of the day, this was clearly self-defense. And, of course, they wouldn't have even shown up at the family compound but for the fact that 48 hours earlier, Chen Guangcheng had courageously and extraordinarily escaped from his home to Beijing.

It is an amazing, amazing story. But the striking feature of these cases is that they demonstrate how Chinese authorities act with impunity, violating the fundamental rights of their citizens. As a country of 1.2 billion people, and a government that is one of the most powerful governments on Earth, how can a government that is so powerful feel so weak and so afraid that they are afraid of people like Chen Guangcheng and Gao Zhisheng? And what they need to do is they need to come down on them with the full weight of the state, not only on them as rights advocates, but on the backs of their families to crush them. How can a government that claims to be so powerful be, in fact, so weak?

And even worse, when human rights defenders seek help from competent legal counsel in a country that claims to abide by the rule of law, their own lawyers get targeted. Indeed, as long as the government is not held accountable for the continued detention and mistreatment of rights defenders and their families, we can only expect these violations to continue. When we consider the most important metric, the freedom of Gao Zhisheng and Chen Kegui, one can only conclude that the Obama administration's approach on Chinese human rights has not achieved the results that these families desperately deserve, and that its tactics have to change.

This family is especially striking because of the special duty our country owes to both of them and their families because they reside here in the United States and they are here with the protection of the United States.

In the absence of progress on these cases, it is my view that the Obama administration has to increase the pressure. For example, we requested that President Obama personally meet with Geng He and Chen Guangcheng during their visit to Washington. In my view, such a meeting would send a clear, unequivocal message that the continued targeting of rights lawyers and their families by Chinese authorities would no longer be tolerated by the international community. I was disappointed, frankly, to receive a response from the White House which indicated to me that, instead of meeting at the White House, it was recommended that we go to the State Department and meet with officials at the State Department.

And my response to that reply from the White House was to say that I didn't consider it to be a serious response. And the reason I don't consider it to be a serious response is, to their credit, the State Department has been pressing in a range of ways on both of the cases in Chen Guangcheng and his nephew as well as on Gao Zhisheng's case. Indeed, Secretary Clinton raised Gao Zhisheng's case publicly, calling for his release.

Former Assistant Secretary Mike Posner was relentless on Gao Zhisheng's case. Obviously, the State Department was able to negotiate Chen Guangcheng's release, to its credit, ultimately. But at the end of the day, it is quite clear and very apparent, and very sad to say, that without executive leadership from the President of the United States, I fear that people like Chen Guangcheng and Geng He and their families will not obtain the relief that they so desperately need. I wish I could say that this was the only time I have been disappointed with the White House. But, unfortunately, I have had similar experiences on other cases. I serve as international counsel to Liu Xiaobo, who won the 2010 Nobel Peace Prize. His wife, Liu Xia, has been under house arrest for more than 2 years, since a week after Liu Xiaobo won the Nobel Peace Prize.

This past December, we initiated a major action on their behalf. We had 134 Nobel laureates, across all six disciplines, reaching out to Xi Jinping, the incoming Chinese President at this time—this was this past December 4. And saying to Xi Jinping, you need to understand, we, these 134 Nobel laureates across all six disciplines, the one commonality between us all—we have all achieved extraordinary things in different fields, but the one commonality among us all is that without freedom of expression, without free-

dom of association, without the creativity that a free society provides us, we could not have achieved what we have achieved in our respective careers. And we consider Liu Xiaobo one of us.

We asked President Obama to sign on to that letter. As you will recall, he won the Nobel Peace Prize himself. And, unfortunately, we never received a response from the White House for that request. And the request that we had to the White House to speak out publicly against Liu Xia's ongoing house arrest has never been responded to as well.

At the end of the day, ultimately, without executive leadership, I do not think that the Chinese will take our concerns about Chinese human rights seriously. I understand we have many important issues with the Chinese Government. I understand that there are huge economic, social issues, cultural issues, intellectual property, Iran, North Korea, I could go on with a long list of concerns. But it seems to me that even during the Soviet Union and the Helsinki process, we were able to walk and chew gum at the same time. We were able to talk about nuclear issues, economic issues, human rights issues, and we were able to engage in all of those discussions simultaneously with the Soviet Union.

And it seems to me that that is precisely what we need to do with respect to the People's Republic of China. And until we act consistently and unequivocally and repeatedly and publicly to make clear our concerns about Chinese human rights, we will not get the results that we want.

The last thing that I will note is that one of the other ways that we could be more creative would be by working multilaterally, something that we haven't seen. Working on Chinese human rights issues, at least, up front and publicly we haven't seen it.

As an illustration, Baroness Ashton of the European Union is going to China at the end of this month to discuss a whole range of issues. We have never seen any public statements from President Obama and Baroness Ashton or President Obama and, for instance, Francois Hollande, the French President, and David Cameron, the British Prime Minister, publicly saying to the Chinese Government, "Release Liu Xiaobo, release Liu Xia, release Gao Zhisheng, release Chen Kegui." It seems to me that, at a minimum, we should at least be able to privately engage in these conversations with the Chinese Government and say, if we do not start to see the progress that we need, we are going to have no choice but to speak publicly about these issues. At least we can privately say that to the Chinese. But, sadly, I have not seen an indication or a willingness of the White House to be willing to even take those private actions. So, in conclusion, it is my view that until a clear, unequivocal, and consistent message on human rights is delivered to the Chinese Government with benchmarks, timelines, and consequences for inaction, we should not expect its behavior to change. Thank you very much.

[The prepared statement of Mr. Genser follows:]

U.S. House of Representatives
House Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights,
and International Organizations

Chen Guangcheng and Gao Zhisheng: Human Rights in China

Testimony of Jared Genser¹ Founder of Freedom Now and International *Pro Bono* Legal
Counsel to the Chen and Gao Families

April 9, 2013

Good afternoon Chairman Smith, Ranking Member Bass, and Members of the Subcommittee, and thank you for the opportunity to speak with you today about the continued persecution of lawyers and their families in China. The work of this Subcommittee highlighting the plight of individual victims of human rights abuses around the world is essential and I want to begin by thanking you for your principled support for prisoners of conscience.

Mr. Chairman, I am honored to join this panel with Geng He and Chen Guangcheng, two brave individuals who represent different sides of the same coin—Geng He is here as the wife of an imprisoned Chinese rights lawyer, while Chen Guangcheng, himself a lawyer and former prisoner of conscience, is now advocating on behalf of his own family members who continue to face persecution by Chinese authorities. As the Founder of Freedom Now, a legal advocacy organization that works to free prisoners of conscience, and as international *pro bono* counsel to the Gao and Chen families, my testimony today will highlight the ways in which the Chinese government's continued persecution of rights lawyers and their families blatantly violates international law. I will also outline how I believe the United States can help protect these victims of injustice by engaging more forcefully and publicly with Chinese authorities.

As you know, Gao Zhisheng is one of China's most prominent rights lawyers and has become a frightening symbol how far the authorities will go to silence the peaceful criticism of

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those that stand up for the rights of others. After arresting Mr. Gao in 2006 on charges of inciting subversion—an accusation now essentially synonymous with promoting political reform and respect for human rights in China—police forced him to confess by making threats against his family. After a trial that lasted less than a day, the court issued a suspended three-year prison sentence, subject to a five-year probationary period. Despite his release, Mr. Gao was placed under *de facto* house arrest and the family was subjected to constant, humiliating surveillance. Over the next five years, Chinese authorities repeatedly disappeared and brutally tortured Mr. Gao. Then in December 2011, the government announced that he would serve the full three year prison term for allegedly violating the terms of his probation. Even with his reappearance, the family has only been allowed to visit Mr. Gao twice and he has had no access to an attorney.

Needless to say, Mr. Gao's detention is clearly arbitrary. First, the government has already held him in excess of three years since his arrest in 2006. Second, his imprisonment is the direct result of his peaceful and internationally protected work as an advocate. And finally, the government violated basic standards of due process by coercing a confession from him, denying him access to chosen legal counsel, and revoking his probation without any legal process whatsoever. Recognizing that the detention of Mr. Gao is a violation of international law, the UN Working Group on Arbitrary Detention has called for his immediate release—but despite this finding by the UN, Mr. Gao remains in prison and separated from his family.

Mr. Gao's wife, Geng He, has spoken compellingly about the intense pressure placed on the families of Chinese prisoners of conscience. While under surveillance, her family was monitored constantly. Officers were stationed in their home and followed their young daughter to school, insulting her in front of classmates and following her everywhere, even into the bathroom. Unfortunately, the Chinese government's practice of targeting family members has

become increasingly common. In addition to the extra-judicial house arrest of Liu Xia, the wife of the imprisoned 2010 Peace Prize Laureate Dr. Liu Xiaobo, both of whom we also represent, the Chinese government continues to target Chen Guangcheng's family, even after his arrival in the United States last year.

While Chen Guangcheng's harrowing escape from illegal house arrest was widely reported, the mistreatment of his family and the continued imprisonment of his nephew, Chen Kegui, have garnered much less international attention. Chen Guangcheng—who like Mr. Gao rose to prominence as a fearless advocate for the rights of China's most vulnerable citizens—spent four years in prison on fabricated charges before being placed, along with his wife and children, under extra-judicial house arrest in 2010. On April 27, 2012, just after midnight and only days after Chen Guangcheng's escape to the U.S. Embassy in Beijing, local party officials, uniformed police, and government thugs stormed the home of his brother, Chen Guangfu. Although they did not have a warrant, the police took Chen Gugangfu to an investigation facility where they repeatedly beat him. The party officials and thugs, however, returned to the home armed with clubs. When they discovered Chen Kegui, they began beating him—during the attack, one yelled “kill him, kill him.” Chen Kegui tried to defend himself by swinging around a kitchen knife and three of his attackers were injured. The intruders briefly left the home without assistance or arresting anyone, but when authorities returned for a third time, Chen Kegui had already fled to seek medical treatment. They responded by severely beating his mother instead, turning away neighbors who came to investigate her screams of “help me, help me.”

Chen Kegui was disappeared sometime after he left the home and was held *incommunicado* until the government formally arrested him in early May on charges of attempted murder. As in Mr. Gao's case, the government denied Chen Kegui access to the

family's chosen lawyers and sentenced him to three years and three months in prison after a trial that lasted only hours. He remains in prison, despite having acted in self defense.

The striking feature of these cases is that they demonstrate how Chinese authorities continue to act with impunity violating the fundamental rights of their own citizens. Even worse, when human rights defenders seek help from competent legal counsel, their own lawyers are targeted as well. Indeed, as long as the government is not held accountable for the continued detention and mistreatment of rights defenders and their families, we can only expect such violations to continue.

When we consider the most important metric—the freedom of Gao Zhisheng and Chen Kegui—one can only conclude that the Obama Administration's approach on Chinese human rights has not achieved the results these families so desperately deserve – and that its tactics must change. This failure is especially striking because of the special duty our country owes to both Geng He and Chen Guangcheng given they reside here. In the absence of progress on these cases, the Obama Administration must increase the pressure. For example, we have requested that President Obama personally meet with Geng He and Chen Guangcheng during their visit to Washington—such a meeting would send a clear and unequivocal message that the continued targeting of rights lawyers and their families by Chinese authorities will no longer be tolerated by the international community. But at a minimum, the White House could privately convey to the Chinese government its intention to allow such a meeting to happen if their cases are not swiftly resolved. Unfortunately, so far, we have yet to see these kinds of creative efforts be deployed by the Obama Administration. Unless and until a clear, unequivocal, and consistent message on human rights is delivered to the Chinese government – complete with benchmarks, timelines, and consequences for inaction – we should not expect its behavior to change.

Mr. SMITH. Thank you very much, Mr. Genser. Excellent comments and I look forward to asking some questions.

Mr. T. Kumar.

Mr. KUMAR. Thank you very much, Chairman Smith. First of all, I would like to insert our statement.

Mr. SMITH. Without objection, so ordered.

**STATEMENT OF MR. T. KUMAR, DIRECTOR OF
INTERNATIONAL ADVOCACY, AMNESTY INTERNATIONAL**

Mr. KUMAR. Thank you. Amnesty International is extremely pleased to testify here. And we would like to recognize your leadership, Congressman Smith, over the years on a number of countries, not only in China. And today, one of your activism produce results, and we are seeing Chen here. We strongly believe that the hearing you had here where we also testified, his testimony from the hospital bed, changed the tide. Secretary Clinton was in China. It was not sure that the U.S. would take the leadership in asking for his release and bringing him here over to U.S. And the hearing you had made a difference. So thank you, Congressman Smith.

We also like to express our appreciation to Congresswoman Bass, and Amnesty International is looking forward to working with you. And thank you for inviting us to testify. We can't conclude this hearing without bipartisanship. We can't have active human rights legislation or even pressure without having bipartisan leadership. And we are glad to see it is working out here.

Before I go into detail, I would like to summarize Amnesty International's research over the years and what the current situation in China is. First of all, there is a system called "Reeducation Through Labor" camps under which tens of thousands of Chinese citizens have been imprisoned without charge or trial. Simply at the whim of local police officers.

That particular system is encouraging police officers and the government officials to silence critics and also silence non-practitioners and others. So Amnesty International is campaigning to ensure that that system is abolished, and we want Congress to take the leadership as well. Because they have not gone through any fair trial before they have been imprisoned. They were just imprisoned without charge or trial. And the labor conditions are extremely sad; 16 hours a day, they have to work forced labor.

The second that relate to Chen is the treatment of human rights defenders and lawyers. These are the human rights defenders who get abused purely because they are standing up for others' rights. In this case, more or less, it is for one-child policy and they are trying to bring justice to the victims. It is not only the human rights defenders have been abused, their families have been targeted, which we heard here. So it is a practice that Chinese have been taking on and going after not only human rights defenders, but also their families.

Third is the death penalty. China executes more people than the rest of the world combined, after unfair trials. As you are aware, Congressman, we oppose death penalty everywhere, including in this country. So we are having a major campaign again around the world to abolish death penalty. Because more so, it is the victims are poor and marginalized communities.

And then the other issue is the one-child policy, abuses committed in one-child policy. We have document that women have been forcibly aborted and forcibly sterilized purely because to maintain that one-child policy quota. Even though the Chinese Government has instructions, allegedly, instructions to say that you should not forcibly abort or sterilize women, that practice is going on.

We have never seen even one prosecution or one punishment of a government official who was involved in forced abortion and sterilization. That is a challenge everyone can put to the Chinese, that if you are serious about stopping abuse, prosecute people who have been involved in this practice, which Amnesty International has documented years after years of forced abortion and sterilization.

Then there is torture. People have died in prisons in hundreds, mostly Falun Gong, as well as Tibetan and Uyghur, mostly Uyghur from Xinjiang. And finally the plight of religious minorities there, or religion, per se. Any religion that is not been recognized by the government and any followers have been abused, detained, and tortured. Catholic church members who have connections to Vatican have been singled out and abused. Then we have Tibetans, which we have seen years and years.

Now the situation has come to such an end, over 100 people have burned themselves, self-mutilated them, out of desperation. What the Chinese Government is doing is trying to contain the demonstrations coming out rather than addressing the root causes of what the grievances there are in Tibet.

Then we have Uyghur, Uyghur Muslims. They were singled out again. They have been called terrorists because, unfortunately, they belong to—they practice a faith called Islam. Hundreds have been detained. Even Rebiya Kadeer's son is still imprisoned there. The only mistake he did was to born as a son of Rebiya Kadeer.

So what can we do? Human rights organizations can report, campaign, lobby. But in the U.S. there are two branches that can be very active. One is a Congress, which we believe you are doing the right thing, including this hearing. Then the other one is the administration. There is a golden opportunity for the administration that is going to come less than a week now. Secretary Kerry is going to visit China this weekend. This is his first visit as Secretary of State. He should make sure that he sets the right tone about human rights while he is there. He should speak up. He should mention to Chinese leaders, both privately and publicly, that they should abide by the international standards.

It is not the United States' standards, Chairman, they are the international standards that U.S. should advocate. Failure to do that will send the wrong message to the Chinese leaders that United States and in exchange, the international community is not concerned about the way Chinese Government treats its own citizens. The U.S., as one of the five members of the permanent members of the U.N. Security Council have a special responsibility. And also China is a permanent member of the Security Council. U.S. is a member of the Human Rights Council, U.N. China is a member of the Human Rights Council.

So the U.S. have all the right to speak up and to put markers there. We hope Secretary Kerry will not lose this golden oppor-

tunity by speaking up. When he speaks up in China, he is not only speaking up to the leaders of China, he is speaking to the people of China. Human rights, by the end of the day, it is about the people's rights. The only things that we are asking Secretary Kerry to champion are the rights of the people of China. One thing that we want to point out is that if Secretary Kerry fails to speak up in a meaningful manner, he will lose all his moral credibility to speak about human rights in any other countries. So he should, and we expect him to speak up. We will know in a week's time whether he is up to that task. And he is the Secretary of State who can rise up to the occasion and speak up about human rights abuse, not only against the weak countries and poor countries, but also to the powerful countries.

In conclusion, Amnesty International thank you again for holding this hearing. And we believe these hearings will have enormous impact in affecting U.S. foreign policy and also send a strong message to countries around the world that U.S. values human rights.

Thank you very much for inviting me.

Mr. SMITH. Mr. Kumar, thank you very much for those very strong words. And, certainly, since you have been here on so many other countries, your consistency is greatly appreciated. So thank you so much for that.

[The prepared statement of Mr. Kumar follows:]



Chen Guangcheng and Gao Zhisheng: Human Rights in China

Before the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations

**Testimony by
T. Kumar
International Advocacy Director
Amnesty International, USA**

April 9, 2013

Thank you Mr. Chairman and members of this Committee; Amnesty International USA is pleased to testify at this important and timely hearing.

This hearing is important because of the scale of human rights abuses in China and the urgent need for the US to address those abuses. It's timely because Secretary Kerry will be making his first trip as the Secretary of State soon.

We strongly believe that Secretary Kerry should set the tone of US – China relations in the new Obama Administration. This is a crucial moment to signal to the Chinese Government that the quality of its relationship with the United States will depend in part on whether the Chinese Government lives by universally accepted human rights norms in its domestic and foreign policies.

Failure to speak up and address serious human rights concerns will send a wrong message to the new Chinese leaders about US priorities, and may encourage them to allow abuses to continue. While we do not oppose the US seriously engaging with the Chinese Government on other issues, including economic relations, the crisis on the Korean Peninsula, and other security issues, we strongly urge Secretary Kerry to engage with the same vigor on human rights concerns.

Secretary Kerry should remember that his audience in China includes not just the Chinese government, but the Chinese people. Secretary Kerry should not miss this opportunity to speak directly to the Chinese people about issues they care deeply about, including justice and equality before the law.

It would be impossible for me to cover the vast scope of human rights violations in China, which is staggering. Let me speak briefly to the major categories of violations.

First, hundreds of thousands of individuals are held under administrative detention, including the “re-education through labor” system. They may be detained in these “laogai” forced labor camps

for up to four years without trial. Secretary Kerry should echo calls from prominent Chinese, including many in government, to abolish the laogai system.

Second, China often intimidates, harasses, assaults, abducts, arrests, and places under house arrest lawyers and other human rights defenders who dare to speak out against injustice or try to protect the rights of others.

Third, China continues to execute more prisoners than the rest of the world combined, usually following unfair trials with no right of appeal.

Fourth, torture by law enforcement personnel is endemic, resulting in many prisoners' deaths while in custody.

Fifth, as a consequence of the government's one-child policy, women are still compelled to undergo forced abortion and sterilization, notwithstanding official assurances that such practices violate Beijing's wishes.

Sixth, thousands face brutal religious persecution and political repression. Religious persecution has led to the detention and repression of thousands of Tibetans, Uighurs, "unofficial church" members, and Falun Gong practitioners. Other targets for repression include democracy activists, political dissidents, advocates of political reform, and people using the Internet to disseminate information deemed by the authorities to be politically sensitive or corrosive to state authority.

Mr. Chairman, the Chinese government's record on keeping its promises on human rights has not been impressive. Assurances by authorities that the human rights situation in China would improve if Beijing were awarded the 2008 Olympics have proved false, and repeated promises to reform the system of administrative detention in China have been left unfulfilled.

Below are some of Amnesty International's specific concerns:

Freedom of Expression

The authorities continue to abuse criminal law to suppress freedom of expression. They detained or arrested close to 50 people and harassed and intimidated dozens more during the crackdown on "Jasmine" protests that began in February 2012 in response to the popular movements in the Middle East and North Africa. An initially anonymous call for peaceful Sunday strolls spread across a growing number of cities as a form of protest against corruption, the suppression of rights, and the lack of political reform.

Amendments in March 2012 to the Regulations on the Administration of Publications added a new requirement that those who distributed publications over the internet or information networks must be licensed, or risk criminal penalties. The authorities shut down or took direct control of a number of publications that had published investigative journalism pieces on sensitive issues. They reportedly banned hundreds of words from mobile phone text messages, including "democracy" and "human rights".

The authorities continued to harass, intimidate, persecute and criminalize pro-democracy and human rights activists. Activists supporting the China Democracy Party were sentenced to long prison terms.

Enforced Disappearances

The number of people subjected to enforced disappearances grew in recent years. Many were held in secret detention, including Hada, a Mongolian political activist. Many others remained or were placed under illegal house arrest. They included Liu Xia, wife of Nobel Peace Prize winner Liu Xiaobo, and Zheng Enchong, a housing rights lawyer from Shanghai.

On 30 August, the authorities released draft revisions of China's Criminal Procedure Law, the first proposed changes since 1997. Notwithstanding some positive amendments, the revisions proposed to legalize detention of individuals for up to six months without notification of their family or friends. Many legal commentators regarded this as a legalization of enforced disappearances. Prohibitions against the use of illegal evidence, including coerced confessions and other evidence obtained through torture and other ill-treatment, were incorporated into the draft revisions. However, torture remained pervasive in places of detention, as government policies, such as ones requiring prison and detention center staff to "transform" religious dissidents to renounce their faith, fostered a climate conducive to torture.

FORCED EVICTIONS

Despite international scrutiny and censure of incidents of forced eviction of people from their homes and farmland amid preparations for the Beijing Olympics in 2008, the pace of forced evictions has not subsided. On the contrary, Chinese housing rights activists, lawyers and academics report that such abuses remain widespread and that the problem has intensified over the past four years amid a nationwide construction boom that has spurred as the local authorities attempt to cover debt incurred during the global financial crisis. Amnesty International is concerned that the forced eviction of people from their homes and farmland has become a routine occurrence in China.

The Chinese authorities have not made public official statistics or disaggregated data on evictions or homelessness across the country as was recommended by the Committee in its 2005 Concluding Observations; but Amnesty International estimates that in the past four years, millions of people across the country have been forced from their homes without appropriate legal protection and safeguards.

Chinese authorities fail people at every stage of the eviction process. Chinese citizens are rarely legitimately consulted prior to evictions and there is little to no transparency over the proposed evictions in most cases. Those who resist are subjected to a range of high-pressure tactics aimed at forcing them to cooperate. Amnesty International has been told of many instances where the authorities have cut services such as water, heat and electricity in an attempt to drive residents out of their homes.

In a number of cases, these campaigns to pressure residents into surrendering their property escalate into violence. People facing evictions have been beaten, abducted, murdered, and in at

least one case, buried alive by an excavator. In many cases, violence is carried out by state actors such as police, *chengguan* (“urban management” para-police) or other government employees. In other cases, local authorities have colluded with developers to hire thugs to intimidate and rough up residents. In such cases, police often refuse to respond to calls for help. The incidents are rarely investigated and perpetrators brought to justice except when a case involves a particularly violent incident that receives a lot of public attention.

Amnesty International has recommended to the government to immediately halt all forced evictions, and to develop and adopt guidelines for evictions based on the Basic Principles on Development-Based Evictions and Displacement of the UN Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and the right to nondiscrimination in this context that comply with international standards.

REEDUCATION THROUGH LABOR

Under the current system, public security officials (police) can assign people up to four years in Re-education Through Labor without trial or judicial overview. People who are assigned to Re-education Through Labor are accused of minor offences which do not amount to “crime” and which therefore are not prosecuted under the Chinese criminal justice system. The system is also often used against perceived “troublemakers”, activists and human rights defenders, as well as Falun Gong practitioners and others who practice their religion outside officially sanctioned channels.

People assigned to Re-education Through Labor are typically forced to work for many hours a day, often up to 16 hours or until they meet their “quota”, frequently under extremely harsh and unsafe working conditions, and for little or no pay. The type of work they are required to undertake includes manufacturing small electronics and clothing and packaging goods. Despite often having to work with hazardous materials, inmates are given little or no safety equipment. In addition to systematic torture of political prisoners, inmates may be beaten by guards or other inmates for minor infractions or simply at random.

Furthermore, Re-education Through Labor inmates report extremely poor living conditions. They are sometimes held in excessively overcrowded cells, often made to sleep on hard boards with inadequate bedding, and are sometimes not able to go to the toilets freely. They are being fed inadequately on a nutrient poor diet of rice or bread, with small quantities of vegetables and generally no meat. They are also typically not provided with basic necessities such as soap, toothpaste, and shampoo but have to purchase these at a “store” within the facility with money provided by relatives. However, items in these stores are reported to be extremely expensive and money provided to inmates by their families often “disappears” from their “accounts”.

The possible abolition of Re-education Through Labor, a form of punitive administrative detention, that includes detention without trial and forced labor, is currently again the subject of legal debate in China. In January 2013, the Chinese Communist Party’s National Conference on Political and Legal Work announced four areas that are a priority for reform this year; these included Re-education Through Labor and the household registration (*hukou*) system.

The head of the Chinese Communist Party's central Political Legal Committee Meng Jianzhu was quoted in the press saying that China will "stop" using Reeducation Through Labor by the end of 2013 and once the Standing Committee of the National People's Congress approves it. However, the authorities have not made public the details of their plan for the abolition or significant reform of Re-education Through Labor. The reform of Re-education Through Labor was on China's legislative agenda between 2005-2010 but to date has not resulted in any concrete reforms.

During China's first Universal Periodic Review (UPR) in 2009, a Chinese Ministry of Justice representative stated that at the end of 2008, approximately 190,000 individuals were being held in China's 320 Re-education Through Labor facilities. More recently, Chinese authorities have been quoted in the media citing significantly lower numbers for Re-education Through Labor inmates. However, it is clear that even on the lowest estimates provided by the government tens of thousands of individuals are still being subjected to forced labor under the Re-education Through Labor system and other forms of administrative detention.

China has not ratified ILO Convention No 29 on forced labor, nor have they implemented the recommendation of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, following his visit to China in 2005, to abolish Re-education Through Labor and similar forms of re-education in prisons, pre-trial detention centers and psychiatric hospitals.

Amnesty International has systematically over the years called on the Chinese authorities to abolish Re-education Through Labor and other forms of punitive administrative detention.

DEATH PENALTY

In February, the National People's Congress passed the eighth revision of China's Criminal Law which removed the death penalty as punishment for 13 crimes. At the same time, it added a number of new capital crimes and expanded the scope of others. China continued to use the death penalty extensively, including for non-violent crimes, and to impose it after unfair trials. Executions were estimated to number in the thousands. However, statistics on death sentences and executions remained classified.

FREEDOM OF RELIGION OR BELIEF

The authorities pursued their goal of bringing all religious practice under state control, including state oversight over religious doctrine, appointment of religious leaders, the registration of religious groups and construction of sites of worship. People practicing religions banned by the state, or without state sanction, risked harassment, detention, imprisonment, and in some cases, violent persecution. Banned religions included underground Protestant house churches and Catholics who accept the authority of the Holy See. Around 40 Catholic bishops remained unaccounted for, and were presumed to be held by the authorities.

- Between 10 April and the end of the year, members of the underground Shouwang Church in Beijing were detained on a weekly basis as they attempted to hold an outdoor Sunday service in north-west Beijing. Most detainees were held in police stations or under house arrest to prevent the service from taking place. The Church had been repeatedly expelled from rented locations and prevented from taking possession of a building it had purchased years ago.

Falun Gong

The authorities continued to pursue a systematic, nationwide, often violent campaign against the Falun Gong, a spiritual group banned since 1999 as a “heretical cult”. The government was in the second year of a three-year campaign to increase the “transformation” rates of Falun Gong practitioners, a process through which individuals were pressured, often through mental and physical torture, to renounce their belief in and practice of Falun Gong. Practitioners who refused to renounce their faith were at risk of escalating levels of torture and other ill-treatment. The authorities operated illegal detention centers, informally referred to as “brainwashing centers”, for this process. Falun Gong sources reported that one practitioner died every three days while in official custody or shortly after release, and said that thousands remained unaccounted for.

XINJIANG UIGHUR AUTONOMOUS REGION (XUAR)

The authorities escalated security measures through a succession of “strike hard” campaigns which increased around-the-clock street patrols and involved “mobilizing society to wage battle” against acts the authorities claimed harmed state security. In Urumqi, whole neighborhoods were reported to have been sealed off by security checkpoints. Extreme restrictions on the flow of information within and from the XUAR left uncertain the fate of many hundreds detained in the aftermath of the 2009 crackdown on protests in Urumqi. In January, the head of the XUAR High People’s Court referred to ongoing cases connected to the 2009 protests, but the authorities provided no information on the trials. Family members of detained individuals were often not informed of the fate or whereabouts of their loved ones and were often too afraid to communicate with those outside China, for fear of retribution by the authorities.

Freedom of expression in the XUAR continued to be severely restricted, including by vaguely defined crimes of “ethnic separatism” and “terrorism”, which included distributing materials or literary works with “separatist content”.

- Noor-Ul-Islam Sherbaz died on 13 November, allegedly as a result of torture in prison. He was serving a life sentence on charges of “murder” and “provoking an incident” after an unfair trial. He was alleged to have thrown stones during the July 2009 protests, and was aged 17 at the time of his detention. According to a family friend with access to information from the jail, Noor Ul-Islam had been regularly beaten with electric batons in prison. His family were not allowed access to his body and the authorities buried him before an autopsy was done. The authorities failed to provide adequate evidence at his trial, except for his “confession”, which may have been extracted through torture. During his trial, he was represented by a lawyer appointed by the court.

The Chinese government used economic and diplomatic pressure on other countries, including Kazakhstan, Malaysia, Pakistan and Thailand, to forcibly expel or hand over more than a dozen Uighurs to the Chinese authorities. Uighurs forcibly returned to China were at high risk of torture, arbitrary detention and unfair trials, and were often held incommunicado.

TIBET AUTONOMOUS REGION

From 16 March to the end of the year, 10 monks or former monks and two nuns in the Tibetan areas of China set themselves on fire. Six were believed to have died as a result. These protests appeared to be in response to increasingly punitive security measures imposed on religious institutions and lay communities in the region, following the March 2008 protests. The first self-

immolation, by Phuntsok Jarutsang, was followed by protests, mass arrests (including of 300 Kirti Monastery monks), enforced disappearances and possible killings by security forces. Two elderly Tibetans (a man and a woman) died after local residents clashed with security forces while trying to stop the arrests. A third man died from injuries sustained following a police crackdown on demonstrators outside a police station. Individuals connected to protests around the immolations were sentenced to prison terms ranging from three to 13 years. Despite the rash of self-immolations, there was no indication that the Chinese authorities intended to address the underlying causes of the protests or acknowledge the grievances of the Tibetan community.

Gao Zhisheng

Gao Zhisheng is one of the most respected human rights lawyers in China, and has been subjected to enforced disappearance, torture, illegal house arrest and detention as a result of his work. He is currently imprisoned in Shaya county prison in Xinjiang Uighur Autonomous Region in northwest China, after being sent to prison in December 2011 for apparently violating the conditions of his suspended three-year sentence. Prior to this, his whereabouts had been unknown for almost 20 months. He has been repeatedly tortured since 2006, and continues to be at high risk of further torture.

Family members were able to visit Gao Zhisheng in prison on 12 January. This is the first time a visit has been granted in nine months. The visit was tightly controlled - Gao Zhisheng's brother and father-in-law were only allowed to meet with him for half an hour, and were told that they could not ask any questions about Gao Zhisheng's treatment, any case details or ask if he has received any letters in prison. The family was allowed to send him 600 yuan (USD 96) but not any clothes or necessities. He looked fine physically and appeared clear-minded. Gao Zhisheng did not speak or ask much about the family but simply asked that his wife Geng He take good care of the children and not worry too much about him in the prison.

His wife has passed on the following message to Amnesty activists:

"Following a Letter Writing Marathon organized by Amnesty International at the end of last year and actions from the international community, the family of the Gao Zhisheng was granted a second prison visit on 12 January of this year. It is a small improvement, but it could not be achieved without the international community's concerns and the effort and support from the membership of Amnesty International, for which my family and I feel most grateful. I hope Amnesty International will continue to promote this activity, allowing more people to come to know my husband's situation, until he gains his freedom."

What follows is more detailed information about his case:

Enforced disappearance and torture

In December 2011, state media announced that Gao Zhisheng had violated terms of his suspended sentence and was being sent to serve his sentence in prison. This news shocked his friends and family, who had not heard from him since April 2010, and did not even know if he was dead or alive.

Gao Zhisheng disappeared for the first time on 4 February 2009, when police took him from his

family home in Shaanxi Province whilst he was under illegal house arrest. Fourteen months later at the end of March 2010, he re-appeared in Beijing for two weeks.

Gao Zhisheng gave a televised interview to the Associated Press at a Beijing teahouse on 7 April 2010. In the interview, Gao Zhisheng said that "I don't have the capacity to persevere. On the one hand, it's my past experiences. It's also that these experiences greatly hurt my loved ones. This ultimate choice of mine, after a process of deep and careful thought, is to seek the goal of peace and calm."

A couple of days later between 9-12 April 2010, Gao Zhisheng was seen leaving his Beijing home and getting into a vehicle parked outside his building. He was carrying just a backpack when he disappeared for the second time.

In April 2010, the Associated Press said that Gao Zhisheng had refused to discuss his disappearance and his treatment during the interview. However, in December 2010, the Associated Press released new details about Gao Zhisheng's ordeal, saying that they had acted upon Gao Zhisheng's request not to make his account public unless he went missing again or made it to "someplace safe" like the US or Europe.

According to the Associated Press report, published in December 2010, during the 14 months between February 2009 and end of March 2010 Gao Zhisheng had been held in hostels, farm houses, apartments and prisons in Beijing, his native Shaanxi province, and in the Xinjiang Uighur Autonomous Region, where his in-laws live. On several occasions during this period, he was hooded, tied up with belts, made sit motionless for 16 hours, told that his children had had a nervous breakdown. Plain-clothed police, who were holding him, threatened to kill him and dump his body in a river.

In the interview with the Associated Press, Gao Zhisheng said that "for 48 hours, my life hung by a thread" in reference to a week of brutality from 25 September 2009. The week culminated with three police officers taking turns for two days and nights to beat him with handguns in holsters and do other things Gao Zhisheng refused to describe in the interview. He was stripped bare, and when the officers needed to catch their breath in between, they bound his arms and legs with plastic bags and threw him to the floor.

Human rights work and the start of his persecution

The Ministry of Justice named Gao Zhisheng "one of the nation's top 10 lawyers" in 2001 for his pro bono work on public interest cases. He had represented human rights activists and worked on other politically sensitive cases including those involving Falun Gong practitioners as well as death penalty cases. In late 2005, the Beijing Municipal Justice Bureau revoked his lawyer's license and suspended the operations of his law firm Shengzhi Law Office. This was a direct result of Gao Zhisheng's open letters to the government calling on them to stop religious persecution, including persecution of Falun Gong practitioners. His letters were published on numerous overseas Chinese-language websites.

In February 2006 Gao Zhisheng organized a hunger strike campaign to draw attention to the persecution of human rights activists in China. Shortly after the campaign ended, the authorities detained Gao Zhisheng, holding him without charge from 22 August until 21 September, when

he was charged with the vaguely-defined offence of "inciting subversion." He remained in custody until he was sentenced, on 22 December 2006, after a closed trial, to three years' imprisonment, suspended for five years, and one year's subsequent deprivation of political rights. His lawyer was not allowed to attend the trial. Gao Zhisheng was allowed to return home a few days after he was sentenced, but he and his family were kept under illegal house arrest.

In April 2007, Gao Zhisheng told other activists he had been tortured during the period of detention before his trial. He said he had been handcuffed and forced to sit, either in an iron chair or cross-legged, for hours at a time, with bright lights shone in his eyes. He also said that he had been forced to confess after state security officials repeatedly threatened they would harm his family. When the authorities discovered he had given out this information, they increased the harassment of him and his family.

On 13 September 2007, Gao Zhisheng had an open letter to the US Congress published in the US-based Epoch Times newspaper, drawing attention to the deteriorating human rights situation in China. In the letter Gao Zhisheng also said that he did not support the country's staging of the 2008 Olympics. On 22 September 2007, a group of plainclothes police came into his home, stripped off his clothes and beat him unconscious. He was then taken from his home and held incommunicado for nearly six weeks.

During this time, the police subjected Gao Zhisheng to beatings and repeated electric shocks to his genitals. They also held lit cigarettes close to his eyes for hours, which left him partially blind for days afterwards. After he was released his acquaintances described him as "a broken man," physically and mentally. Throughout this time and after he returned to his Beijing home in November 2007, Gao Zhisheng's family were continually harassed by the security forces, and under illegal house arrest. Their friends and other human rights activists tried repeatedly to contact his family but were never able to speak freely with them, as the family's telephone line had been cut, and their house surrounded by police.

His family fled China because of constant harassment by the authorities, and arrived in the United States on 11 March 2009. The authorities had prevented his children from attending school since summer 2008 and his family's bank accounts have been frozen. His daughter had attempted suicide as a result of the strain. In October 2010, his daughter wrote an open letter to the President of the United States of America. In her letter, she writes: "President Obama, as the father of two girls yourself, please ask President Hu Jintao of China to tell this daughter where her father is."

Recommendations re Gao Zhisheng:

During the China-US Human rights Dialog and in meetings with the ambassador of the PRC and Chinese authorities, request that:

- Gao Zhisheng is released immediately and unconditionally;
- Gao Zhisheng is not tortured or otherwise ill-treated
- An independent investigation into allegations that Gao Zhisheng has been tortured is conducted with a view of bringing those responsible to justice

- Gao Zhisheng is given access to legal assistance and any medical treatment he may require
- Gao Zhisheng is allowed regular access to his family

Chen Guangcheng

Blind human rights activist Chen Guangcheng was released from prison on 9 September 2010 after serving his four-year and three-month sentence in full. Upon release, he was escorted back to his home village of Donshigu in Linyi city, Shandong province, where he and his family were immediately placed under illegal house arrest.

Chen is best known for exposing forced abortion and sterilization practices in Linyi County, Shandong Province, and for seeking legal redress for the victims. He also gave legal support to many others whose rights have been violated, including farmers forcibly removed from their land without due process or compensation.

Chen escaped from his home in late April 2012 and fled to Beijing where he took refuge in the US embassy. Eventually he and his immediate family were allowed to leave China for the US. Chen has taken up a fellowship at NYU.

Chen's nephew, Chen Kegui, was detained on 30 April 2012, after fleeing for his safety following a violent raid by local authorities on his family's home on 26 April. The raid – which happened just days after Chen Kegui's uncle, human rights activist Chen Guangcheng, escaped from illegal house arrest – was conducted by around 20 plain-clothed individuals who failed to show any identification or search warrant.

According to those present, Chen Kegui picked up a knife in self-defense and injured several of the intruders, before fleeing the house. On 9 May, Chen Kegui's family was notified that he had been arrested on suspicion of "intentional homicide". However, in October when the police submitted the case to the prosecuting official, the charge was changed to "inflicting intentional injury". Chen Kegui was sentenced by the Yinan County Court in Linyi, Shandong province, in November. He was denied the right to a lawyer of his choice and his family were not called as witnesses or allowed to attend the trial.

On 31 January, Chen Kegui's father, mother and wife were able to visit him for the first time since he was detained. His father, Chen Guangfu, said that the visit at Linyi prison took place behind a glass screen, lasted only 30 minutes and was monitored by two prison staff. He reported that Chen Kegui looked in good health, but was agitated and "feeling a sense of injustice". Chen Kegui, nephew of Chinese human rights activist Chen Guangcheng, was sentenced to three years and three months imprisonment in November 2012.

Recommendations re Cheng Guangcheng/Cheng Kegui

The authorities to ensure that Chen Kegui is not subjected to torture or other ill-treatment and to immediately cease all harassment of Chen Kegui's family.

Recommendations:

- Chinese authorities should allow human rights defenders and their families to carry out their peaceful work without fear of hindrance, intimidation, arbitrary detention or imprisonment, in line with the UN Declaration on Human Rights Defenders.
- Chinese authorities should review the Criminal Law and the Criminal Procedure Law, to bring them into line with the UN Convention Against Torture, including by making inadmissible evidence obtained through torture, strengthening the right of detainees to prompt access to legal counsel and regular family visits, and ensuring the definition of torture encompasses mental torture as a form of torture.
- Chinese authorities should put an end to impunity for torture and other ill-treatment by making institutional reforms necessary to ensure effective implementation of existing laws prohibiting torture.

Thank you for inviting Amnesty International to testify in this hearing.

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Mr. SMITH. I would like to just ask a few questions and yield to my colleagues. I want to assure Mr. Chen that we will follow up on your request to get all relevant data and documents concerning your situation as it was in China. And we will ask the Oversight and Government Reform Committee to do likewise. But also the Foreign Affairs Committee. So thank you for that request.

I do hope the press takes very keen note of this. Back in 1984, I offered the first amendment conditioning United States contributions to organizations as to whether or not, if they were involved with forced abortion or forced sterilization, they would be precluded such funds. That morphed into what became known as the Kemp-Kasten language, which is the current law of the land.

Earlier in this hearing, one of my colleagues mentioned that UNFPA had an unblemished record. I think the documentation couldn't be more clear that we have aided and abetted, by aiding and abetting an organization, it is on the ground, implementing Chinese law, which is a one-child-per-couple policy, which relies on what they euphemistically call social compensation fees, huge, ruinous fines, up to 10 times both husband and wife's salaries—no one can pay them—or bribes or having a child on the run. Which some women are able to do.

The Financial Times did a report on March 15 pointing out that there have been more abortions, and most of those are forced, in China, than there are people in the United States of America. Three hundred and thirty million.

Mr. Chen mentioned a moment ago about the 130,000 forced abortions in his small area. I would—and your list which you lifted up and held for our look, which will be made a part of the record, we will send to the administration and ask them to enforce the law. We have a law—I wrote it—in the year 2000 that says anyone who is complicit in forcing a woman to abort her child, or a man or woman to undergo a sterilization, is made inadmissible into the United States of America. You cannot get a visa. We asked the Congressional Research Service to look into it to see how many times it has been implemented, it is less than 30.

So, Mr. Chen, your list becomes, I think, a blueprint for action, an engraved invitation for the administration to look at those individuals and bar entry into the United States of anyone who has committed such violence against women and children pursuant to the law. Just enforce United States law. It is on the books; I know because I wrote it. So I would hope that that would be the case. So I look forward to following up with your list, Mr. Chen, to see if the administration will do that.

Let me ask just a couple of things. You know, Mr. Genser, you mentioned that we basically risked super power confrontation with the Soviet Union by ensuring—and you, Mr. Kumar, said it as well—that human rights were central, a main, central pillar of U.S. foreign policy. All of us were greatly chagrined when Hillary Clinton said in route, first trip to Beijing, I am not going to let human rights, “interfere with global climate change and other issues.”

So as long as it is put askance or aside and compartmentalized, human rights will not be seen by the Chinese Government as being something we absolutely cherish and will fight to the end for.

I would respectfully submit we would be working much closer with the Chinese on North Korea had we insisted, as you pointed out, clear consistent, unequivocal support for human rights, Mr. Genser, we would have a greater partner in standing up to the tyranny of the new leader, the new leader in Pyongyang.

Human rights pay dividends in far more ways than just helping great individuals like Gao Zhisheng and Chen Guangcheng and others who have suffered so much for freedom and human rights. It has great positives in other areas as well.

We will follow up on all of these things as you have recommended. Try anew with the administration. Hope springs eternal. My hope is that they will grab this and run with it. It is in the interest of the suffering people of China. It is also in global interests. Because we have seen in Africa and elsewhere, because this subcommittee covers Africa and human rights globally, global human rights obviously applying to China and everywhere else, but we have seen that the bad governance model of China is being exported as well. People like Bashir in Sudan love the Chinese model of dictatorship and secret police; you don't have to worry about the messy details of democracy and checks and balances.

So I would like to yield to Ms. Bass.

If you would like to comment on any of that, any of our distinguished witnesses, or I will yield for some other questions.

Ms. BASS. Thank you, Mr. Chair. I do have some questions. But before I get there, though, I feel I must follow up in terms of the testimony that was given by my colleague, Congressman Bera. Because I believe what he was referring to was, first of all, I think he very strongly articulated that he was opposed to China's one-child policy and was opposed to forced abortions under anybody's policy. But that he was talking about support for the United Nations Population Fund. And he was making a distinction by saying that no government should intrude in the right of a woman to control her own body. So I just want to state for the record that that is what he was referring to.

Mr. SMITH. The gentlelady would yield?

Ms. BASS. Sure.

Mr. SMITH. Very briefly. But there have been findings repeatedly, probably the most comprehensive one was done by Secretary Negroponte back in 2008. And pursuant to Kemp-Kasten, which very simply says that no funds for any organization that supports or co-manages a coercive population control program, that it couldn't have been more clear in their finding that the U.N. Population Fund had so violated U.S. law and then, therefore, was ineligible for U.S. funding. Because the UNFPA at the end of the day enforces—is part of, it is integral because they do also provide training to the one-child-per-couple policy. And it relies, that policy, on coercion to achieve its ends.

Ms. BASS. Okay. I, again, just want to state that I do believe that my good colleague, who is a new member of the House, was not in support of that policy, and I believe he made that very clear.

Moving on, though, I did want to ask a few questions of Mr. Genser. You know, you were talking about what the administration should do, you know, in terms of being more forceful. And I am also a relatively new Member of Congress, I am in my second term. And

I was wondering if maybe you could talk about some past administrations in regard to China and what they might have done. And so, twofold, I am asking about past U.S. administrations, but I think you also reference several other countries. And so if you look at other major international powers, what have they done in regard to taking on China and its policies?

Mr. GENSER. Sure. Well, thank you, Ranking Member Bass for the question. I think it is an important one. Let me respond to the two parts in turn. The first is I have been at this as a human rights lawyer for about a dozen years in Washington. For me, not surprisingly, this is not a partisan question, this is a human and human rights question. And what I try do is just speak to it as I see it, as any administration goes, and as any Republican or Democrat goes on human rights questions. So there are champions on human rights in the House that are, of course, Democrats and Republicans.

Ms. BASS. I am sorry, just—not human rights in general. I am referring specifically to China's policies that we are discussing today.

Mr. GENSER. Understood. I think that all administrations, all White Houses, in my experience, only goes back a couple of White Houses, have some hesitance at advocating for human rights. But I can speak based on personal experience, particularly to the George W. Bush administration, the difference in approach between the Bush administration and the Obama administration. I represented for 5 years an imprisoned Chinese dissident Yongchun Li. He was imprisoned for 5 years. His wife and kids were American citizens. So it became a very high profile case here in the Congress.

We had at one point 112 Members in Congress going on one letter to George W. Bush asking him to raise the case to Chinese President Hu Jintao. He did that. And it was announced publicly that he had done that. And ultimately, although it took a lot of work and a lot of time, Yongchun Li was released from prison and is now back here in the United States with his family. You know, I think that the optics from where I sit are just different between different administrations.

I think that George W. Bush very much enjoyed meeting with dissidents and having their views heard and speaking publicly about what he experienced. Unfortunately, I haven't seen President Obama take the same approach. He has, as far as I can tell, and as far as I have observed over the last 5 years, one meeting over the course of the last 5 years with about a dozen dissidents at one time, on one occasion.

It seems to me that whenever the President travels abroad, particularly when he is engaging with countries that are not allies of the United States in every sense of that term, that it is very important to send the view to the world that he understands and is concerned about the suffering of the people in that country, even though the U.S. has very different kind of interests associated with that country.

So I don't fault the President personally for saying, you know, we have a lot of interests with China and we need to be careful where we tread. And I do agree with Chairman Smith and with those who

would say that we need to be consistent and coherent and deliver the message from all quarters of the administration that China human rights matter and are important.

And so what I would say is, you know, this administration's record, in my view, is not as strong as the prior administration on raising China human rights matters.

Ms. BASS. And other—

Mr. GENSER. I don't think it is too late to change that—

Ms. BASS. Sure. Could you comment, because I want to move on.

Mr. GENSER. Of course.

Ms. BASS. Could you comment about other major powers what you see them doing?

Mr. GENSER. Sure. I think there are mixed messages, I think, from other major powers. I mean, I think that, you know, we will see what Baroness Ashton does at the end of the month. But the EU has spoken up publicly about Liu Xiaobo and Liu Xia's case and in my experience much more than the United States has, as the European Union. And individual member states of the EU, particularly, the United Kingdom have been outspoken publicly.

I am not following every country in the world simultaneously, of course, so I can't speak to a lot of details. But I would just say that, you know, everybody can do more. So my criticism is not lodged exclusively at the United States. It is saying, if we want human rights to actually matter and we want the Chinese Government to view human rights as something that is actually a concern of ours, if we don't deliver that message consistently, we are not going to get the results that we want.

Ms. BASS. Thank you. I think this question—I am sorry. Go right ahead, Mr. Kumar.

Mr. KUMAR. Is that okay if I comment on that issue?

Ms. BASS. Sure.

Mr. KUMAR. Amnesty International believes that U.S. Government should incorporate human rights in all its activities, all its interactions with Chinese Government. For example, they have dialogued with the Commerce Department, the Defense—

Ms. BASS. They dialogued with—I am sorry?

Mr. KUMAR. Defense, Commerce, everyone should have a brief on human rights. It is not only the Human Rights Bureau at the State Department that should talk about human rights. Unless it cuts across every department, they are not going to take it seriously. They know this is kind of a—for the sake of doing, U.S. doing.

And there is also innovation. There are two dialogues that U.S. is having with China. One is U.S./China human rights dialogue. Every year, they talk. The other one is U.S./China economic and security dialogue. We are urging U.S. Government for years to make sure, don't single out human rights, just incorporate that human rights into economic and security dialogue. So it should be called economic, security, and human rights dialogue. Then only they will get the message. They are not going to get the message it is only human rights dialogue.

So there are lots of things U.S. can do without getting permission from China, without getting any concern about China. Only from this end they can do, which they are not doing.

And the issue of major powers, it is a reality, U.S. is the only superpower. And it is a reality that the only country that can meaningfully pressure China is U.S. There are maybe a group of countries like European Union that can ever put their act together and come with a strong message. So U.S. has a special responsibility when it comes to China. It may not be a special responsibility if some other countries, the other countries can take on. But we need to come to China, the U.S. should take the leadership along with other countries. Again, it is not lecturing China, it is about urging China to ensure, to respect the internationally recognized human rights norms and practices.

Ms. BASS. Thank you. You know, I know a reference had been made to Secretary Clinton's trip over to China, and I think in her tenure as Secretary of State she was certainly known for her leadership on women, women's rights around the world, and I certainly recall numerous times when she pointed out the abuses in China, but moving on, I wanted to ask a couple of other questions.

I believe Mr. Chen had made reference to the reeducation through labor system, and I know that there are, there have been some proposed reforms to that system, and I just wanted to know if you—I believe it was you that was referencing that, and I wanted to know if you thought the reforms had done anything at all, I mean the fact that the labor camps exist, I don't really know how you reform them. It seems like they would need to be eliminated. But the Chinese Government have talked about proposed reforms. What reforms were those supposed to be? I am sorry, it was Pastor Fu that had mentioned that.

Pastor FU. Thank you. The reeducation through labor system is really the most extrajudicial evil law in the land of China, and the Chinese Government is basically using that practice to primarily target those so-called soft crimes, meaning political dissidents, the members of the underground church, the Falun Gong practitioners, and of course other democracy activists. Basically, the Chinese security chief can make you lose freedom up to 4 years without going through any judicial review, I mean without going through any other branches, like the court or prosecutors review. Of course, there is a mechanism that said you can continue to appeal. Rarely you can win any of these cases. Basically many people were sent to these labor camps and forced to work sometimes up to 18 hours a day in these labor camps. As you mentioned, the Chinese Government from this year ironically the minister of public security, the former minister was Mr. Meng Jianzhu made that announcement this year, the beginning of this year by saying China actually will stop the reeducation through labor system, but then the Chinese official news reports actually corrected him by saying the Chinese Government is seriously considering to reform the reeducation through labor.

Ms. BASS. So they made him retract his statement?

Pastor FU. Yes. And of course there are a few provinces make the announcement by the provincial security heads, I believe including Gui Zhou make that public that they will suspend the practice, which means they were not using that system to imply to the other, to those people subject for reeducation through labor, and of course, you know, I am very, very hopeful because this evil practice

has been so long and offended so many innocent people and has been—make so many families suffering so much, I think the whole China, even those Communist Party affiliated scholars and numerous legal scholars, even some members of the People’s Congress in the judicial committee publicly advocate for abolition of this system, and I hope this will happen in reality, and I also hope the Communist Party, all the People’s Congress by finally suspending or abolishing this system would not find another system to substitute for their extrajudicial activities for targeting those people.

Thank you.

Ms. BASS. And then final question to Mr. Chen. I wanted to know what your plans are when you return to China. How do you expect to be treated and how is your family doing?

[The following testimony was delivered through an interpreter.]

Mr. CHEN. I have not thought about that too much, and now in the U.S., I just want to continue to push for human rights in China. I just wanted to add that on the reeducation through labor camp, before they actually added a clause to the law that they could actually beat the people and then force them—they could make the person disappear without notifying their relatives for 6 months.

Ms. BASS. It says that in the law?

Mr. CHEN. It says it in the law. This starts from January 1 this year.

Ms. BASS. Okay, thank you.

Mr. SMITH. Mr. Meadows.

Mr. MEADOWS. Thank you, Mr. Chairman, and thank each one of you for your testimony. I wanted to follow up. Most of what it sounds like today is that we just need to continue to highlight this particular issue. I have been following it for some 20 years and find it amazing that some of the testimony that has been given today is just very disturbing and even with someone who has been following it closely for that length of time, and yet at the same time highlighting the issue seems like that is what we need to continue to do. The chairman of this very committee brought this issue up with the Secretary General of the U.N., and I was somewhat concerned in his facial and his response to act like he didn’t even know about these atrocities that are going on, and so I want to commend the chairman for bringing that up in that environment.

But Mr. Kumar, let me start with you if I might. In your testimony you mention the importance of having Secretary Kerry remember his audience. I think is in your written testimony that you talked about when he travels to China and that the audience is not just the Chinese Government, but the people of China. What, in light of social media and some of the other things that get out, what do references to human rights violations and democracy, do they garner any special attention among the Chinese people?

Mr. KUMAR. Yeah, there are even though there are so many restrictions being placed. For example, even in text messages, human rights and democracy cannot be texted, that is what we heard. So there are ways people are getting, but Secretary Kerry speaking out is totally different from every Chinese citizen’s getting information about human rights from human rights organizations or others. Secretary Kerry’s first trip and during his first trip, if he fails

to speak up in a meaningful manner, then Chinese people will feel that U.S. as a country—I am very careful to say that U.S. should not lecture, they should only insist on international standards.

Mr. MEADOWS. So am I hearing you—let me interrupt for just a second. So what you are saying is the most important thing that Secretary Kerry could do on his trip coming up in just a few days is to highlight this particular issue diplomatically but make sure that they know the importance that he and this administration places on human rights violations?

Mr. KUMAR. Yes. But he has to send a message to the leaders as relates to the people of China is that U.S. considers economic relationship and human rights and security and environment at the same level. That is the message.

Mr. MEADOWS. What you are saying is tying the economic and the human rights together.

Mr. KUMAR. Yes.

Mr. MEADOWS. For example, we have a manufacturing plant here in the United States, we wouldn't tolerate these kinds of human rights violations—

Mr. KUMAR. Abuses.

Mr. MEADOWS [continuing]. Within our own borders, so how dare we import other economic goods from China when we are tolerating it there, is that what you are saying?

Mr. KUMAR. Yeah, that is what exactly I am trying to say.

Mr. MEADOWS. All right. So what do you think are the hopes, and I would give this to you, Mr. Kumar, and then Mr. Genser as well, what do you think the hopes that clear kind of message will be articulated in the coming days?

Mr. KUMAR. The host will accept because they expect U.S. to speak up, and one example that we have seen U.S. leadership that provided results is Mr. Chen.

Mr. MEADOWS. Right.

Mr. KUMAR. If not for U.S. leadership, Chen will not be here. U.S. leadership came, to my opinion, if not for the special hearing that was held here when Mr. Chen was testifying from his hospital bed.

Mr. MEADOWS. So is it your opinion that the other two that we have highlighted today in terms of the testimony that are held in prison, that their release is only dictated by the leadership of this particular government speaking out on that behalf and that if they don't speak out, those folks will not be released?

Mr. KUMAR. U.S. should take the leadership, other countries should join, but U.S. should take the leadership. As I mentioned in my opening remarks, U.S. is the only superpower left, so the U.S. as a superpower should also have responsibilities in terms of speaking out. Not speaking out will send the extremely wrong message to the leadership and to the people at large.

Mr. MEADOWS. Thank you, Mr. Kumar. Mr. Genser.

Mr. GENSER. Sure. Well, let me just make two brief comments in response to your question. My first public recommendation to Secretary Kerry, which he could do privately when he goes in several days, is he could privately bring a copy of the op-ed that Chen Guangcheng and Geng He had in the Washington Post asking for a meeting with the President, and he could say to the Chinese

leaders, help us help you, right? We don't want to have this meeting between Chen Guangcheng and Geng He, but we are under a lot of pressure here in Washington. There was a hearing on Capitol Hill, there was an op-ed in the newspaper, we need to some progress on these cases. We have mentioned these cases publicly and privately over many, many years, and we haven't seen progress, and people are getting impatient, so we want to give you a private opportunity to get that done. Now that is something he could do very concretely in the next several days that I think if he were to deliver that message we would start to see some movement on these cases.

And then the second and last thing that I would just say is that it is also very, very important from where I sit to not just talk about human rights at 100,000 feet and talk about the need for advancing the rule of law. This is what the Chinese love to do, they love to come to these bilateral human rights dialogues and they love to sit there in those rooms, and in essence what we have is sequential monologues with both sides talking past each other, and the Chinese issue a press release and say this was a wonderful dialogue that we engaged in, and it is the dialogue itself which is the outcome, but from where I sit that is not the outcome. The outcome is are we seeing progress in a bunch of ways? And yes, of course, progress can come by changing laws in ways that are compatible with international law, and I am not trying to discount the importance of it, but I think we always need to be focusing on, like we have today, a handful of actual live people's cases and people's lives where you can have a clear and unequivocal benchmark with large photographs of people, and are they or are they not still in prison? And if they are, the tactics that we are deploying by definition have failed, and we need to think about new tactics.

Mr. MEADOWS. Do you think that there is a clear understanding with the Chinese Government that we are not asking them to abide by U.S. law but just by U.N. guidelines? Do you think there is a clear understanding of that?

Mr. GENSER. I think the problem is that the Chinese receive different messages from different actors in the United States, and the messages from within the administration, from the State Department and the White House aren't the same, the messages from the Hill are different, depending on who you talk to, and I think that unfortunately a lot of people in China and the Chinese Government think that human rights is somehow a sword to use to get political advantage and not something that is consistent with our values, and the only way that they are going to perceive it differently—to be clear, I am not justifying that perception because I do think it is fundamental to our core values, to our Constitution, to our Declaration of Independence, but I do think that the only way that we can combat that perception is, as Kumar was saying, by consistently raising it to the Chinese Government across all the different aspects of the relationship, and it is only when we do that consistently across the executive branch and the legislative branch that the Chinese will understand that we take it seriously, but if we are going to start censoring ourselves and be afraid of raising human rights to the Chinese for fear that they might, you know, not give us what we need on other important issues, then if I were them,

I probably also wouldn't take all that seriously our concerns about human rights.

Mr. MEADOWS. Mr. Chairman, do I have time for two more questions? Okay. Let me go on a little bit further with that because it is all about the message, and as I think has been pointed out, you made pretty straightforward actions that the Obama administration could take in order to promote human rights in China including a meeting between, you know, the President and the distinguished guests that we have here today. You know, can you explain the reluctance that the White House has in why this meeting has not taken place, given the kind of visibility that we have with Mr. Chen here today and Pastor Fu and et cetera?

Mr. GENSER. Obviously, I work as pro bono lawyers for the two distinguished guests here, so I can't answer for the White House. I will say there is a genuine reluctance on most White Houses' parts to be viewed as doing things that are provocative to important partners of ours on multiple issues, but, again, I think that they are not looking at it the right way. I think that they need to look at the fundamental values that are important to us as a country to have a true north which is grounded in our Declaration of Independence and our Constitution and to implement policy on the basis of our fundamental values, and that means that at times we are going to have to do the thing that isn't politically expedient but that is consistent with our values, which is speaking up for human rights. If it is only about what is politically expedient, human rights is almost never going to be a priority for this country.

Mr. MEADOWS. Well, do you believe, and I would ask this of Mr. Kumar as well, do you believe if the American people as a whole knew the kind of atrocities that have been highlighted here in this hearing plus others that have not been covered, do you think that they would see that and have an economic revolt, as Mr. Kumar said, they have to be tied together, do you see that the American people would speak up?

Mr. GENSER. You know, I do think so. Louis Brandeis said that sunlight is the best disinfectant, and I think that sadly for most Americans there isn't much attention paid to what is happening 10,000 miles away, whether it be China human rights or what is going on in Darfur or a whole long list of the situation in Syria, you could go through a long list of things that the average American isn't familiar with. I think that these issues are so extraordinary and the persecution of these two individuals and their families is so beyond the pale, and if the United States of America as what I believe right now is the most powerful Nation on Earth can't stand up for the most persecuted people in those countries, Liu Xiaobo, Liu Xia, Gao Zhisheng, you know, Chen Kegui. If we can't stand up for those people who are most persecuted because we are afraid of our own interests on other matters with China, then who is going to stand up for these people? And I think that is really just the fundamental bottom line.

Mr. MEADOWS. Would you agree with that, Mr. Kumar?

Mr. KUMAR. Yes, I agree, and I believe generally overall U.S. citizens are aware of the situation purely because of Tiananmen Square massacre that took place over 20 years ago.

Mr. MEADOWS. Right.

Mr. KUMAR. But we as an international human rights organization also have major campaigns. We have about 700,000 members in this country, we have hundreds of high school and college chapters. We also campaign on human rights issues, including human rights issues in China. So we believe the people of the U.S. get the message, and that is why we are confident that there will be change in the U.S. policy as well.

Mr. MEADOWS. All right. So last question, Mr. Chairman. If we have, one is communicating to the American people. The second part of that is getting this message out to the Chinese people that would know that, and there are reports that clearly indicate that China spends billions of dollars, truly billions of dollars employing over 100,000 people to monitor and to really try to make sure that the Internet is not a public place, and we see that. Would you think that the best peaceful means of trying to get that message out to the Chinese people would be to make a significant priority of circumventing those firewalls that are there to monitor on the Internet?

Mr. KUMAR. Obviously yes. That is why Congressman Smith introduced the Global Online Freedom Act, which is to prevent U.S. corporations from helping countries around the world, including China, from using U.S. technology to block information flow and also monitor peaceful dissent within the country. So that dissent is an essential aspect of freedom of expression where any country should be allowed to do and U.S. can push for that.

Mr. GENSER. I would agree as well. I mean, I think that there are literally dozens of things that could be done to try to advance human rights in China if we had both the political will and the consistent commitment to actually make those things happen, and I think that it is really only a matter of our own imagination. One other issue that I will mention as well is, you know, the 25th anniversary of Tiananmen Square is coming up June 4, 2014, and I would love to see, you know, for example, a Congressional Gold Medal resolution introduced to honor, let's say, a half dozen Chinese dissident heroes to be able to put pressure on the Chinese Government to secure the freedom of these kinds of individuals and others and to be able to have an event where the President of the United States and both Houses of Congress would stand in solidarity with the Chinese people. They say a picture is worth a thousand words. That kind of a picture would be worth much more than that.

Mr. MEADOWS. Well, my thank you.

Mr. CHEN. Hold on.

Mr. MEADOWS. Okay, Mr. Chen.

[The following testimony was delivered through an interpreter.]

Mr. CHEN. I am sure that many Chinese netizens and Chinese people know that we are here for this hearing. Probably not as many because of the great firewall in China. The amount of money the U.S. invested in information is not proportionate compared to how much the Chinese invest in forbidding its people from using the Internet. We need to invest and break down the great firewall so that the Chinese people can freely speak. With the free flow of information it would be harder and harder to deceive Chinese people.

Mr. MEADOWS. Well, I want to thank each one of you for coming in for your boldness in testifying and illuminating this issue, and I thank Mr. Chairman for this very worthwhile hearing, and I yield back.

Mr. SMITH. Mr. Meadows, thank you for your incisive questioning and commentary. Mr. Weber.

Mr. WEBER. Thank you, Mr. Chairman. Earlier in the remarks figures were quoted that there were 330 million forced abortions and there were 130,000 I think abortions in Mr. Chen's area, and I don't remember who made those remarks. The chairman did? Gotcha. What is the time period? Since 1979.

Pastor FU. 2000. Oh, you mean the first number, the 330 million?

Mr. WEBER. Right.

Pastor FU. Yes, that was since 1979 when the one-child policy was carried out.

Mr. WEBER. Okay.

Pastor FU. And the number for 130,000 cases, that was documented by Mr. Chen, that happened only within a 6-month period of time in his city alone.

Mr. WEBER. Right. So it is interesting to me that—thank you, Mr. Chairman—amidst the discussion of human rights violations that a major plank in our discussion is the taking of innocent human life, that would be unborn babies. So would you all agree that part of your reason for being here is to stop those atrocities and that we would include those as a basic human right as well? Would you all agree with that?

Pastor FU. Absolutely. And I would like Mr. Chen to also answer that question, too.

[The following testimony was delivered through an interpreter.]

Mr. CHEN. Forced abortion is definitely a human rights issue. No mothers want to kill their own children. This is definitely dictated by the Central Communist Party because the Communist Party is above the law, so nobody can sue the Chinese Communist Party.

Mr. WEBER. Well, thank you. The point I am driving to, of course, is that it is a basic human right. Life is a basic human right, and we have had a lot of discussion here today about our country and the values that we have. I am glad to hear you all including that in your discussion today. It doesn't matter whether the government forces the taking of that innocent human life or, in my opinion, whether the mother takes an innocent human life, the outcome is that an innocent human life is taken. So I am glad that we have made that distinction.

Pastor Fu, you mentioned in your discussions that the U.S. Embassy can request permits to meet with those prisoners of conscience. Is there a list of the prisoners of conscience?

Pastor FU. Yes. The U.S., I think, even the Congressional-Executive Commission on China (CECC) has a very comprehensive list, and of course for specific cases, those family members. If for any Member of Congress, if any of the Cabinet or ministry officials want to visit China or visit these family members when they are in China, we would be glad to facilitate, we would be glad to provide the most accurate information in terms of location, names, contact information. I think this should be part of the systematic

and persistent effort and all-out effort not only by congressional leaders but also by all levels of the bilateral exchanges with China. For instance, Mr. Zhu Yufu, the prisoner I just mentioned who is dying in his prison, we have his prison address, we also have the wife's phone number, her next visit to Mr. Zhu is April 13.

Mr. WEBER. How many prisoners of conscience would you say that list entails? Is it 1,000, 10,000?

Pastor FU. It is thousands, yes, thousands of names.

Mr. WEBER. Thousands?

Pastor FU. Yes, yes.

Mr. WEBER. And so it is probably too much to ask that Secretary of State John Kerry would even entertain that idea? Have you all made that request to the State Department?

Pastor FU. My organization, we have not made that request yet.

Mr. WEBER. Okay, let me jump over to Mr. Kumar. Have you all made that request of the State Department?

Mr. KUMAR. We urged Secretary Kerry to meet with the families of some of the human rights defenders. But he is going to be there only for a day, less than a day actually.

Mr. WEBER. Did you get a response from him?

Mr. KUMAR. Not yet.

Mr. WEBER. How long ago was that request?

Mr. KUMAR. We had a meeting about a week ago and we verbally asked him.

Mr. WEBER. Okay. And Mr. Kumar, you also talked about Secretary John Kerry, putting some pressure on him, and then I was glad to hear my colleague Mark Meadows' comments about social media and trying to build that awareness. Of course, I am aware of what I guess we could now call the great firewall of China. No longer the Great Wall, but the great firewall of China—how they are intending to keep out all of the Internet, as much social media as they can. Do radio signals, for example—from South Korea, do they reach into China or do they block those?

Mr. KUMAR. I have no idea. I know Voice of America usually have live discussion, TV. I don't know whether they get interrupted or not.

Mr. WEBER. Mr. Genser, you said in your remarks, and I don't mean to end on a pessimistic note, but I believe you said we should—pretty much you ended with we should not expect their behavior to change?

Mr. GENSER. Well, I would echo what Chairman Smith said. I am an eternal optimist about human nature and about what we can ultimately achieve if we put our minds to it. This actually isn't very complicated, it is actually quite simple, it is acting consistently with our values. So on the one hand I would say that White Houses past and present tend to hedge when it comes to these kinds of issues, ultimately there is a lot that could be achieved and the President has 3 more years in office, and we will continue to urge him to move forward and to raise these issues, and we will continue to be persistent about it.

Mr. WEBER. Well, that is what I want to encourage you to do. The public discourse and the public pressure, I didn't want you to be too discouraged. I wanted you to continue that.

Now let me ask a question of you since I have got you here at the microphone. Why should China care what the U.S. says to them about human rights? Why should the Chinese Government care?

Mr. GENSER. Well, look, as an international human rights lawyer, what I would say is that China has signed major treaties that they want the United States to abide by. For example, you know, acceding to the World Trade Organization and rules of trade, and international human rights law is equally binding on China as international trade law. At the end of the day if they want to be a reliable partner for the United States, if they want to attract foreign investment, then foreign investors want to know that they can have certainty in their domestic courts system if there is a dispute.

Mr. WEBER. Are you saying that, as Mark Meadows kind of alluded to, that maybe we should have trade laws that keep Americans from investing in China when they have an abysmal record, especially when it comes to intellectual property rights?

Mr. GENSER. Look, that is sort of a more complex and longer discussion, but what I would say is that it is important to hold China to account for their adherence to their international law obligations, and it is in China's interest, I believe, that the law be consistently applied, and they want it to be when it comes to their issues, and we are going to want it to be when it comes to ours. So, you know, I don't think it actually behooves the Chinese Government, for example, you know, to have a court system that is not independent and impartial because it makes foreign investors less interested in investing there. If you have a court system that is independent and impartial, it can help not only businesses invest and be certain about outcomes but also help human rights victims as well.

Mr. WEBER. Pastor Fu, why should China care what we think?

Pastor FU. I think I will echo my colleague attorney Jared Genser is saying. Moreover, it is the values, it is the universal values, and if a government that ultimately disregards its own citizens' basic dignity and rights, and how could they expect to be respected.

Mr. WEBER. Okay. I think I know what you are getting to—let me highlight that. A government that disregards the sanctity of life, I would call it a basic human right, the dignity of that person.

Pastor FU. Yes.

Mr. WEBER. What can we do to put pressure on them to recognize that and change? What is the answer here?

Pastor FU. I agree with the recommendations. I think the President of the United States of America should speak and stand firmly, publicly, unequivocally, and persistently that the human rights issue is not Americans' concern, it is a universal concern.

Mr. WEBER. Well, I wouldn't hold my breath for that to happen, but I think you are getting to the very crux of the matter, and I am sorry we are getting a little short on time. I would like to direct that same question—

Pastor FU. As I suggested, I think we have some concrete steps we recommend; for instance, with the U.S. Embassy, the Ambassadors or consular general, they can make requests to meet with

those victims or these prisoners and to visit the prison, even if they are not granted.

Mr. WEBER. At least it brings it to bear, it brings the sunlight that Brandeis talked about. Let's go to Mr. Chen, if I may, with the same question.

[The following testimony was delivered through an interpreter.]

Mr. CHEN. I think we shouldn't just ask whether or not it is useful to express our concerns to the Chinese Government because on one hand they do commit the human rights abuses, and they will turn around and look at how the international community reacts, and then if they see that the international community does not react, they will think that, okay, they don't really care about human rights, they are just saying it. So we should definitely bring out this consistent message. I should give an example. In terms of freedom of speech, the number of American journalists in China is only a little bit over 100. That means the ratio is 10 million Chinese citizens to one American journalist. And the central propaganda department of China has about 800 journalists in the United States. That is about one journalist to 300,000 U.S. citizens. We see that there is an inequality. They could advertise in the big TV screens in Times Square, but can we do that in Tiananmen Square? Certainly not. So if we do the right thing, we should not be afraid that we will anger the dictators. If we invest in breaking down the great firewall, we can certainly do it, and then the Chinese citizens will have this free flow of information, and the government can no longer deceive the people.

Mr. WEBER. Okay, and one last question, if I may, Mr. Chairman, for Mr. Kumar from Amnesty International's viewpoint, is our country the only one that is being called upon to pay attention and to make its voice heard?

Mr. KUMAR. I am not saying U.S. is the only country. U.S. is the only superpower, so it has its own responsibilities.

Mr. WEBER. Let me follow that up, then, by saying, does Amnesty International, do they reach out across the globe to other countries? Are there other organizations? Is there a fund mechanism so that people that care and get involved and want to make a difference and make their voice heard, is that going on?

Mr. KUMAR. Oh, yeah. We are in existence from 1960 onwards, and we have about 3.2 million members around the world, and in about 85 countries we have activities like what I am doing here.

Mr. WEBER. Okay.

Mr. KUMAR. We lobby, we urge different countries around the world, a lot of Asian countries, we are talking about China, Japan, Korea, Philippines, small countries like Nepal, everywhere our members are campaigning for the rights of individuals around the world, including in China. So we are a global movement. We are supposed to be—I am here, so that is why I am testifying about U.S. foreign policy. My colleagues in Nepal will be testifying and calling upon Nepalese Government to take on China about human rights abuses, but the reality is U.S. is the only superpower, so we have to recognize that.

Mr. WEBER. All right, and last question, what is your Web site?

Mr. KUMAR. www.amnestyUSA.org.

Mr. WEBER. www.amnestyUSA.org?

Mr. KUMAR. Thank you, sir. I appreciate your comments.

Mr. WEBER. Thank you. You bet.

Mr. SMITH. Thank you very much. Let me just ask a couple of final questions. Again to Mr. Chen, if you could, with regards to your nephew Chen Kegui, has the administration sought to visit him? Has anybody within our Embassy sought to go and visit him in prison?

[The following testimony was delivered through an interpreter.]

Mr. CHEN. I am sure no. The answer is no.

Mr. SMITH. With regards to other members of your family, has the U.S. Embassy been in touch with your brother, your mother who is now 80, I believe, just celebrated her birthday, has there been contact with other members of the family expressing concern, especially not just to them but to the Chinese who would monitor such a meeting?

Mr. CHEN. In fact, I don't think that any people from the Embassy visited them. I never heard anything about that. In fact, my family is still under persecution. They have several groups of people, I don't know how many groups are there, but each group consists of 16 people. They are constantly there, constantly persecuting my family members.

Mr. SMITH. Are you in touch with them? Can you speak to them on the phone, your family?

Mr. CHEN. Yes, I have talked to them on the phone, but for sure the phone lines are monitored, and in fact after my conversation with them some of them were taken to the local police station and they were threatened, and then they were asking my relatives what was the content of the conversation that you guys had. In fact, they also spread rumors to the local authorities, they said that Chen Guangcheng in America is actually monitored more closely by the U.S. Government than when he was in China.

Mr. SMITH. Mr. Chen, a minute ago Mr. Weber brought up a very good point about how do we convince the Chinese, why would they even listen to us. Would it be your thought that, this is for any of the distinguished witnesses, that while moral suasion and speaking out very clearly and unambiguously is important, it is also important that there be linkages to other things? I will give you an example. We are doing a letter right now to Secretary Kerry asking that they properly find China to be what we call a Tier III country, an egregious violator of human trafficking. I wrote the law in 2000 called the Trafficking Victims Protection Act. We set up tiers. Tier III is the worst, and it carries with it a series of sanctions that could be imposed if the executive branch so wills it in order to try to mitigate this horrible practice of modern day slavery called human trafficking.

As a direct result of the one-child-per-couple policy and the missing girls, we know that there are tens of millions of girls who have been slaughtered in the womb simply because they happen to be female. When allowed only one, it has put an unbelievable pressure on having just a male, and it has led to a genocide of little girls. But now we are seeing the horrific consequences over time of men unable to find wives simply because they have been systematically eliminated through this one-child-per-couple policy and this genocide consequence. China now has become probably the larg-

est magnet for trafficking. We are seeing it not just the North Koreans, who have been trafficked, and I have had several hearings on that, but we are seeing this rising problem, and this letter which will be sent to Secretary Kerry very shortly calls on China being named a Tier III country.

In like manner, under Mr. Wolf's law, the International Religious Freedom Act, China has been designated a country of particular concern, or CPC country, and that carries with it 18 prescribed actions, the least of which would be a demarche, but all kinds of other sanctions that can be imposed. They are not draconian, but they are significant. And there has been no sanctioning of China, even though as you pointed out, Pastor Fu, there is an actual plan to eliminate the house church movement over a 10-year period, I believe it is over a three-phase plan. I wasn't as aware of it until you laid it out in your testimony. They want to eliminate the house church movement. When Mr. Wolf and I went to China right before the Beijing Olympics, we sought to meet with several pastors. Every one of them except one was arrested before they could meet with us, and the one we did meet with was brought in after the fact, interrogated, and beaten by the Chinese secret police simply for meeting with two Members of Congress, and now you are talking about the new plan to eradicate the Christian church movement. It seems to me the administration has two right at hand ways of showing their extreme displeasure for trafficking, Tier III designation, which comes shortly, as well as CPC, which they already have, but should now take the next step.

I would agree, with you, T. Kumar; you were in the trenches when we were fighting the battle to link Most Favored Nation status with human rights. Bill Clinton linked them and it was, I think, a very good linkage with respect to what the human rights benchmarks had to be. Sadly, 1 year later, on a Friday at 6 o'clock o'clock or so in the afternoon, he ripped up his own Executive Order, and that was when we lost China, I believe, or lost much of it in terms of human rights. The administration said profits trump human rights.

So we do have two things at hand, if you might want to speak to that, any of you, because I think moral suasion is important, but I think we need to have some real tools and levers.

Mr. CHEN. There is much we can do. For example, when U.S. journalists apply for a visa at the Chinese Embassy, they may tell the U.S. journalists that we don't need American journalists there. We can actually do the same thing to Chinese journalists applying for visa to the United States. If we give them the impression that human rights is only a secondary issue, the human rights issue in China will continue to worsen.

Mr. SMITH. Could I ask, is it Mr. Chen's belief that the Obama administration has made it a secondary issue? And Mr. Kumar, if you would speak to that, and Pastor Fu.

Mr. CHEN. This is how I feel, yes, in fact. But I think that human rights should not be just part of a diplomacy issue. It should be diplomacy in itself.

Mr. SMITH. Pastor Fu.

Pastor FU. When we talk about the delinkage between trade and human rights, it reminds me about how the U.S., these

transnational or U.S. large corporations' social and moral ethics and their social responsibilities. I think if the Apple or the Google or especially these large corporations in China if they operate in a way that just be compatible with the international human rights standards, I think the human rights in China would not come to this far, this worse in China.

Just back to the end of last year Mr. Chen and I, along with another American investor from New York City, we sent a letter to Mr. Tim Cook, the CEO of Apple, and requested a meeting to just brief him and ask him about how the factories in Apple enforce the one-child policy in their own factories to the women and men working there, and today unfortunately we have not heard a single response, and instead we heard and we have seen after the CFO or COO of Apple went to China to apologize to the Chinese consumers and at the same time or the same day in Apple's application there is a classic literature library. All the so-called sensitive books on the Chinese Government blacklist were taken off from their shelves, electronic shelves, and these are books written by Tibetan or Uyghur writers, very prominent writings, and so it makes you think what had happened behind the scenes, and I think that is a shame.

Mr. SMITH. Now just one question.

Mr. KUMAR. Go ahead.

Mr. SMITH. This would be to you again, Mr. Chen. In an interview that you did just a couple days ago, you underscored just how brutal the one-child-per-couple policy was, and you pointed out something that you asked that the press take note of, that while some may be under the impression that forced abortions only happen to those who have had more than one child, it is simply not true. If a family hasn't obtained a birth permit, whether it is their second or first child, the women are kidnapped and taken to a hospital where they are forced to have their babies killed. You point out that some of these are done in the eighth and ninth month of their pregnancies and that you literally have to get permission, this is your quote, from the government to have your own child, even the one, and I think that is not largely recognized by a lot of people. They tell you when and if you can have your one.

If you wanted to comment on that. These are your quotes, of course, but, Mr. Chen, please do.

Mr. CHEN. Even though official figure says there are only 500,000 people participating in forced abortions, but that is probably around 2 million. Because in China they have this rule that if the party secretary cannot do this well, the forced abortion in terms of a one-child policy, he cannot continue in his post. In order to meet the quota they not only abort the second child or third child but also the first child in order to meet the quota, in order to have a child needs to acquire a permit from the government. If they don't give it to you, you can bribe them with money.

Mr. SMITH. Is there anything else any of our distinguished witnesses would like to conclude with? Mr. Kumar?

Mr. KUMAR. I am fine.

Pastor FU. Just a final word on this issue. When China just proudly announced their achievement of the last 40 years population control and announced that 330 million abortions prevented,

children from being born. Everybody knows most of them were forcefully aborted. This is almost the entire population of today's United States of America who were wiped out basically, and I think this is perhaps the single most horrible human rights violation and atrocity on this Earth in the history of human beings. I think we should certainly pay more attention and continue to urge the Chinese Government to stop this policy. In the past year we know there are several high profile cases that called attention by some Chinese citizens. Even some Chinese Government affiliated scholars publicly advocate to abandon this one-child policy, and for the long run, as the Mr. Chairman pointed out, with the gender imbalance, the human trafficking, all this, even the ramification for the economic problems is not going to be sustainable even for the best interests for China itself.

Mr. SMITH. I do want to thank all of our distinguished witnesses. Chen Guangcheng, thank you for your extraordinary bravery. I can assure you that Chen Kegui will be a primary focus of this chairman, but I know we will be working side by side with members on both sides of the aisle, Democrat and Republican, on his behalf and on behalf of your family. To speak out so bravely when you know your family has suffered so much should inspire each and every one of us to do much more than we have d1 months or years to date. So thank you for inspiring us as well.

The hearing is adjourned. Did you want to say something?

Mr. CHEN. Thank you.

[Whereupon, at 5 o'clock p.m., the subcommittee was adjourned.]

A P P E N D I X



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

Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations
Christopher H. Smith (R-NJ), Chairman

April 5, 2013

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs, to be held by the Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at www.foreignaffairs.house.gov):

DATE: Tuesday, April 9, 2013

TIME: 2:00 p.m.

SUBJECT: Chen Guangcheng and Gao Zhisheng: Human Rights in China

WITNESSES: Mr. Chen Guangcheng
Chinese human rights activist

Pastor Bob Fu
Founder and President
ChinaAid Association

Ms. Geng He
Wife of Chinese human rights lawyer Gao Zhisheng

Mr. Jared Genser
Founder
Freedom Now

Mr. T. Kumar
Director of International Advocacy
Amnesty International

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, Global Human Rights, and International Organizations HEARING

Day Tuesday Date April 9, 2013 Room 2172 Rayburn HOB

Starting Time 2:00 p.m. Ending Time 4:57 p.m.

Recesses () (to) (to) (to) (to) (to) (to)

Presiding Member(s)

Rep. Chris Smith

Check all of the following that apply:

Open Session Electronically Recorded (taped)
Executive (closed) Session Stenographic Record
Televised

TITLE OF HEARING:

Chen Guangcheng and Gao Zhisheng: Human Rights in China

SUBCOMMITTEE MEMBERS PRESENT:

Rep. Mark Meadows, Rep. Steve Stockman, Rep. Randy Weber, Rep. Karen Bass, Rep. Ami Bera, Rep. David Cicilline

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.)

Prepared statement from Rep. Frank Wolf
List of people who have persecuted Mr. Chen and his family
Summary of Report from China Aid on Chinese Government Persecution of Churches

TIME SCHEDULED TO RECONVENE _____

or
TIME ADJOURNED 4:57 p.m.


Subcommittee Staff Director

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, GLOBAL HUMAN RIGHTS, AND INTER-
NATIONAL ORGANIZATIONS

1

Prepared Remarks
Rep. Frank R. Wolf
Subcommittee on Africa, Global Health, Global Human Rights and International
Organizations Hearing
Chen Guangcheng and Gao Zhisheng: Human Rights in China
2172 RHOB
Tuesday, April 9, 2012 – 2:00 pm

I would like to start by thanking the Chairman, my good friend Chris Smith, for convening this hearing and for being such a champion on human rights issues in general, but on China in particular. It was nearly one year ago that Mr. Smith convened an emergency hearing so that Congress could hear the most up to date developments in the case of Chen Guangcheng and his heroic, if not miraculous, escape from house arrest.

That day with the help of Bob Fu, we were able to speak with Chen directly by cell-phone, and hear first-hand about his ordeal. It was incredibly powerful and I believe instrumental in securing a favorable outcome for Chen and his immediate family—although today the safety and security of his nephew is far from assured. Though Chen has escaped, the human rights abuses committed by the Chinese government against its own people persist and in some cases have worsened. Consider the following:

- This year alone 16 Tibetans have set themselves aflame in desperation at the abuses endured by their people
- Uyghur Muslims continue to be discriminated against through forced evictions and politically motivated arrests
- Protestant pastors are imprisoned, and house churches harassed.
- Catholic bishops have gone missing or are under house arrest.
- The Internet is consistently and methodically censored to remove any mention of potentially sensitive issues.
- Forced abortions and sterilizations – the very abuses which Chen has sought to shine a light on – continue to be imposed on families.

The list goes on. I don't have to remind the witnesses of these realities—they've lived them. During a visit to Asia early in her tenure as Secretary of State, Hillary Clinton famously said that U.S concern with human rights issues in China "can't interfere with the global economic crisis, the global climate change crisis, and the security crisis." Her statement garnered shock and dismay from human rights activists at home, and I would venture, abroad - the very people who historically have looked to America to champion their cause, rather than relegate it to the backburner. Will Secretary Kerry offer a different vision in his upcoming trip to China? Will he meet with dissidents? Will he raise by name the cases of specific political prisoners? Will human rights be allowed to "interfere"?

President Ronald Reagan famously said that the U.S. Constitution is a "covenant that we have made not only with ourselves, but with all of mankind." Dissidents and freedom-loving people in China and the world over know this to be true. In fact a new generation of Chinese dissidents is emerging – like Chen and Gao Zhisheng, whose wife we will also hear from today.

These men and women deeply love their country and long to see fundamental change on the part of the government. Their stories and countless others like them inspire me. Will we stand, on the right side of history, with the Chinese people? Or will we be short-sighted in our embrace of the regime that oppresses them? I am confident that change is coming and it is America's responsibility to do all that we can to champion the freedom-seeking aspirations of the Chinese people and boldly advocate on their behalf.



MATERIAL SUBMITTED FOR THE RECORD BY MR. CHEN GUANGCHENG, CHINESE HUMAN RIGHTS ACTIVIST

Name List of the 44 Persecutors of Mr Chen Guangcheng and his family since 2005

1, Mr Zhou Yongkang 周永康:

Former senior leader in the Communist Party of China (CPC) who served on the 17th Politburo Standing Committee (PSC), and the Secretary of the Central Political and Legislative Committee between 2007 and 2012. In that position Zhou oversaw China's security forces and law enforcement institutions;

2, Mr Zhang Gaoli 张高丽:

current First-ranked Vice Premier of the People's Republic of China and a member of the Politburo Standing Committee of the Communist Party of China. He was previously CPC Tianjin Committee Secretary until November 2012 and was the Party Secretary of Shandong province until March 2007;

3, Mr Li Jianguo 李建国:

Current Vice-Chairman of Standing Committee of NPC and former Party Secretary of Shandong province 2007-2008;

4, Mr Jiang Yikang 姜异康:

the current secretary of the Communist Party of China (CPC) Shandong committee;

5, Mr Jiang Daming 姜大明:

the current governor of Shandong province;

6, Mr Wu Pengfei 吴鹏飞:

Former Public Security Minister of Shandong province;

7, Mr Li Qun 李群:

Current Party Secretary of Qingdao City and Former Party Secretary of Linyi city, Shandong province;

8, Mr Liu Jie 刘杰:

Former Deputy Mayor and Director of Public Security Bureau of Linyi city, Shandong;

9, Mr Lian Chengmin 连承敏

Former Party Secretary and Mayor of Linyi city;

10, Mr Zhang Shaojun 张少军;

Current Party Secretary of Linyi city;

11, Mr Yang Rongsan 杨荣三:

Former Party Secretary of Yinan county, Linyi city;

- 12, Mr Xu Feng徐峰
Former County Administrator of Yinan city, Linyi;
- 13, Mr Zhou Shaohua周绍华 :
former deputy Party Secretary of Yinan county who was responsible for legal and political affairs
- 14, Mr Zhu Maochen朱茂臣 :
former Director of Public Security Bureau of Yinan county, Linyi;
- 15, Ms Liu Shuxiu刘淑秀 :
Party Secretary of Yinan county;
- 16, Mr Liu Changjie刘长杰 :
former Deputy Director of Public Security Bureau of Yinan county, Linyi;
- 17, Mr Yin Chuandong尹传东 :
Senior officer and former director of Criminal Police Division of Public Security Bureau of Yinan county of Linyi;
- 18, Mr Ma Kun马昆
Current deputy Mayor of Linyi city and former Party Secretary of Yinan county;
- 19, Mr Yang Xigang杨希刚 :
Director of Domestic Security Protection Squad of the Public Security Bureau of Linyi city;
- 20, Mr Xue Yunbo薛允波 :
former Deputy Director of Public Security Bureau of Yinan county and Director of "610 Office," Linyi;
- 21, Mr Du Jiliang杜继亮:
former Deputy Director of Public Security Bureau of Yinan county, Linyi;
- 22, Mr Xue Kewei薛克伟:
former Director of "110 Division "(in charge of emergency cases) of the Public Security Bureau of Yinan county, Linyi;
- 23, Mr Ma Chenglong马成龙:
Former Director of Domestic Security Protection Squad of the Public Security Bureau of Yinan county;

- 24, Mr He Yong贺永:
Deputy Director of Criminal Police Division of the Public Security Bureau of Yinan city
- 25, Mr Hu Xiaofeng胡晓峰:
Officer of The Office for Legal Affairs of Yinan county;
- 26, Mr Xie Liwei谢立伟:
Officer of The Office for Legal Affairs of Yinan county;
- 27, Mr Zhang Shengdong张升东:
Former Deputy Director of Criminal Police Division of the Public Security Bureau of Yinan city;
- 28, Mr Ma Chenglian马成连:
Current Party Secretary of Political and Legislative Affairs Committee and Director of Public Security Bureau of Yinan County;
- 29, Mr He Zuohai贺作海:
Former Party Secretary of Shuanghou town, Yinan county;
- 30, Mr Zhang Jian张建:
Deputy Party Secretary of Shuanghou town, Yinan county;
- 31, Mr Zhang Changguo张昌国
Former Division director of the Shuanghou Town Branch of the Public Security Bureau of Yinan county;
- 32, Mr Yu Mingjiang 尹明江:
Former Deputy Party Secretary of Shuanghou town, Yinan county
- 33, Mr Li Xianqiang李现强:
Deputy Bureau Director of the Office for Legal Affairs (the leader of "Monitoring Chen Guangcheng Group") of Shuanghou town, Yinan county;
- 34, Mr Li Xianli李现立:
Officer of Shuanghou Town, Yinan county. One of the key leaders of "Monitoring Chen Guangcheng Group";
- 35, Mr Xue Kewei薛科伟:
Secretary of the Office of Shuanghou Town, Yinan county. One of the key leaders of "Monitoring Chen Guangcheng Group";

36, Mr Zhang Shenghe张升和:
Officer of Shuanghou Town, Yinan county;

37, Mr Zhao Wei赵伟:
Officer of Shuanghou Town, Yinan county.

38, Mr Xu Congshan 徐丛山:
Former Party Secretary of Shuanghou town, Yinan county;

39, Mr Zhang Jingbai张京柏:
Current Party Secretary of Shuanghou town, Yinan county;

40, Mr Li Xiangan李现干:
Officer of Economic Management Station of Shuanghou Town, Yinan county;

41, Mr Zhao Feng赵峰:
Former Deputy Administrator of Shuanghou Town, Yinan county;

42, Mr Xia Fatian夏法田:
Former Deputy Party Secretary of Shuanghou Town, Yinan county;

43, Mr Liu Guien刘贵恩:
Officer of Shuanghou Town, Yinan county;

44, Mr Liu Cunli刘存立:
Officer of Shuanghou Town, Yinan county;



MATERIAL SUBMITTED FOR THE RECORD BY PASTOR BOB FU, FOUNDER AND
PRESIDENT, CHINAID ASSOCIATION

对华援助协会-美国 China Aid Association Midland, TX, USA 02/04/2013

This is the summary of a report that was submitted for the record.
The complete report may be accessed at www.chinaaid.org.

CHINAaid 对华援助协会

2012 Annual Report Chinese Government Persecution of Christians & Churches in Mainland China January – December 2012

China Aid Association, USA

February 2013

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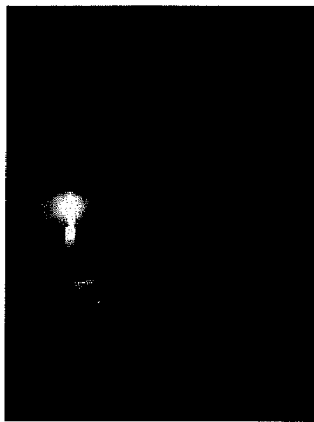
Toll-free number: 1-888-889-7757
Fax number: 1-432-686-8355



PREFACE

“To this you were called, because Christ suffered for you, leaving you an example, that you should follow in his steps.”

1 Peter 2:2



Minister Zhong Shuguang praying in his home in Khotan, Xinjiang Uyghur Autonomous Region, where authorities have cut off the electricity.



ChinaAid founder and president Bob Fu played a crucial role in the dramatic escape and move to the United States of Chinese blind rights defense lawyer Chen Guangcheng. Photo shows Bob Fu speaking with Chen, who was in a hospital in Beijing, on a cell phone at a Congressional hearing presided over by senior congressmen Frank Wolf and Chris Smith that was instrumental in successfully bringing Chen and his family to the United States.

I. SUMMARY AND ANALYSIS OF GOVERNMENT PERSECUTION OF CHRISTIANS AND CHURCHES IN MAINLAND CHINA IN 2012

The Year of China's Breakdown and of the Church's Sufferance

In 2012, Christians and churches in China experienced a serious comprehensive escalation of government persecution. In comparing the total number of persecution cases, the number of people persecuted, the number taken into custody, the number sentenced, the number of abuse cases and the number of people abused with the same figures for 2011, the total of all six categories rose 13.1% over the previous year. Compared with the statistics in ChinaAid's past annual reports, this trend of worsening persecution has persisted for the past seven years, with an average geometric annual increase of 24.5% in the total of all six categories of persecution statistics tracked by ChinaAid.

1. Comprehensive Analysis of the Main Characteristics of and Reason Behind 2012 Persecution: To Eradicate House Churches

Persecution in 2012 was not only a continuation of the practice in 2008 and 2009 of "targeting house church leaders and churches in urban areas," of the strategy in 2010 of "attacking Christian human rights lawyers groups and using abuse, torture and mafia tactics," and of the focus in 2011 on increasing the intensity of attacks against Christians and house churches with societal impact, but also the new approach of rendering house churches non-functional.

There was a reason for this strategic change. In September 2011, at the State Administration for Religious Affairs' first training class for "Patriots in the Christian Community," a secret document issued jointly by SARA and the ministries of Public Security and Civil Affairs was released that addressed the issue of completely eradicating house churches. (<http://www.chinaaid.org/2012/04/chinaaid-special-report-chinese.html>) Its three main points were:

Phase 1: from Jan. to June 2012, conduct thorough, intensive and secret investigations of house churches throughout the country and create files on them.

Phase 2: in two to three years, concentrate on cleaning up the "house churches" that have been investigated and have had files created.

Phase 3: in 10 years' time, completely wipe out "house churches."

Phases 1 and 2 took place in 2012, as evidenced by the information on the cases that ChinaAid has gathered. Throughout China, many house churches and their leaders have had files created on them and were the subjects of targeted suppression. This kind of suppression was not simple punitive suppression, but rather suppression with a clear purpose: to stop churches from functioning. The concrete measures were: **Forcibly banning and sealing up churches, pressuring churches to join the official “Three-Self” church system, detaining church leaders and sending them to labor camps on the pretext of “suspicion of organizing and using a cult to undermine law enforcement,” and strictly restricting the spread of the Christian faith among students.**

Forcibly banning and sealing up. This so-called “social management” method used in 2012 to break up churches was no longer employed as in the past by the Public Security Bureau, Domestic Security Protection agents and religious affairs departments to suppress churches. Instead, neighborhood committees, village Party committees, housing management departments, municipal administrators in charge of city appearance, public health departments, industrial and commercial affairs departments and other functional agencies conducted coordinated crackdowns, using various excuses to harass, interfere with and ban church services. In most cases, they did not take anyone into custody, or detain or sentence, and even if a person was in custody, he was quickly released. The unrelenting persecution of Shouwang Church in the past nearly two years has been conducted in this manner. For example, landlords were pressured to terminate lease agreements with church members, church members who had purchased real estate were unable to take possession of them, church leaders were placed under house arrest and church members were evicted—all of which was done to make it impossible for the house church to operate normally so that it would eventually disband. According to the data collected by Shouwang Church, “by September 2012, because they persisted in attending outdoor worship services, members of Shouwang Church were detained 1,600 times by either Domestic Security Protection agents in various districts [of Beijing] or in more 90 different police stations across Beijing (for periods of several hours to 48 hours). Sixty people were evicted from their homes and more than 10 people lost their jobs because they attended Shouwang Church’s outdoor worship services or simply because they were Shouwang Church members; others were sent back to their hometowns and some believers were confined to their homes on the weekends.” From March to July 2012, Khotan House Church in the region of Xinjiang was also targeted for multiple raids and arrests; electricity was also cut off and some of the facilities for the meetings were destroyed. Three house churches in Dongguan, Guangdong province, were sealed up in August, with water and electricity cut off and the front gate sealed shut. No one was arrested.

Pressuring to join the official “Three-Self” church system: This is another way of ordering house churches to cease operations. For example, in September, after a house church in the town of Jiangzhai in Linquan, Anhui province, held a summer camp, it was dispersed by the local government. Using a carrot-and-stick approach, government officials then tried to persuade the church leaders to join the Three-Self church system. The Dongguan churches that were sealed up in August also experienced this when the government told them to apply for a license, which is also a way of joining the Three-Self system. Another case was that of a house church in Hou village in Lichuan county, Jiangxi province that held a summer camp in August. Shortly thereafter, the person in charge of the church was summoned by police for questioning and the government tried to coerce his church into joining the Three-Self system. Also in August, a house church in the town of Fangji, Gushi county, Henan province, was raided, the person in charge was beaten, and the government also tried to force the church into joining the Three-Self system.

Cracking down on church leaders on the pretext of “suspicion of organizing and using a cult to undermine law enforcement”: This ploy was used frequently in 2012 mainly as a way to forestall public criticism by covering up the government’s illegal actions in cracking down on house churches. In February, two Christians in Yulin, Shaanxi province, were sent to a labor camp on this charge. In April, seven leaders of a house church in Pingdingshan, Henan province, were arrested and tried on this charge (they are still awaiting sentencing). In August, nine Christians from Ulanhot, in the region of Inner Mongolia, were placed under administrative detention for engaging in evangelism while providing free medical services, and two of them were sentenced to two years of re-education-through-labor on this charge. In December, brother Cao Nan of Shenzhen and several other church lay workers were preaching Christmas sermons in a park when he was twice placed under administrative detention. The second time, it was on the pretext of being a member of a “Qigong” cult.

Strictly restricting the spread of Christian faith among students: Last year, ChinaAid obtained a May 15, 2011 directive, “Suggestions for doing a good job of resisting foreign use of religion to infiltrate institutes of higher education and preventing campus evangelism” (Document No. 18) (<http://www.chinaaid.org/2012/12/secret-central-committee-document.html>), jointly issued by six ministries and commissions of the Central Committee of the Communist Party of China. The document’s content was mainly giving directions for preventing and cracking down on Christian evangelism on campuses, using the excuse of “resisting foreign infiltration.” Christianity has become the fastest growing indigenized religion in China and needs no “foreign infiltration,” and this kind of suppression can only accelerate the speed and quality of the spread of the

Christian faith. Looked at from a different perspective, this shows that the Gospel of Christ is already thriving among intellectuals. One of the characteristics of the 2012 persecution was that many summer camps for Christian students were raided and the crackdowns were severe.

Christian churches, especially house churches, and their various evangelistic efforts have already deeply and comprehensively impacted social culture and the people's ideology. In 2011, the politically ultra-left Hu Jintao-Wen Jiabao government launched "Operation Deterrence" against prominent house churches and Christian leaders, but small house churches still flourished like dandelions in springtime. The new 2012 tactics to "eradicate house churches" try to root out house churches by stressing the long-term nature of the effort and a "gentle approach." However, just as the Bible warns in saying, "It is hard for you to kick against the goads," their approach is ignorant. House churches will not be eradicated. What will be eradicated are any ideology and forces that try to resist the truth of Christ.

2. Statistical and schematic analysis of the overall persecution of Christians and churches in 2012

Government persecution of Christians and churches in China worsened continually in 2012 as compared with 2011. The total of six categories of persecution statistics tracked by ChinaAid (number of persecution cases, number of people persecuted, number detained, number sentenced, the number of abuse cases and the number of people abused) showed an increase of 13.1% over 2011. It should be noted that the information collected by ChinaAid about persecution cases in China is but the tip of the iceberg. Be that as it may, these cases come from most of the provinces and municipalities across China, are diverse, and affected urban and rural house churches, Three-Self churches, Catholic churches, as well as individual Christians, including clergy, human rights lawyers, political dissidents, students and one child policy victim. Taken together, they are sufficient to reflect the overall situation and severity of the persecution suffered by churches and Christians in 2012.

In 2012, ChinaAid collected information on 132 cases of persecution across the country, up 41.9% from 2011. The 4,919 people who were persecuted (442 of whom were clergy) represented a 13.8% increase over the previous year. The 1,441 people who were detained (236 of whom were clergy) was an increase of 11.8% over the previous year. Nine people were sentenced, a 125% jump over the previous year. There were 28 cases of abuse (beating and verbal abuse, torture, and physical and mental abuse), an increase of 16.7% over the previous year. Thirty-seven people were abused, down 51.3% from the previous year.

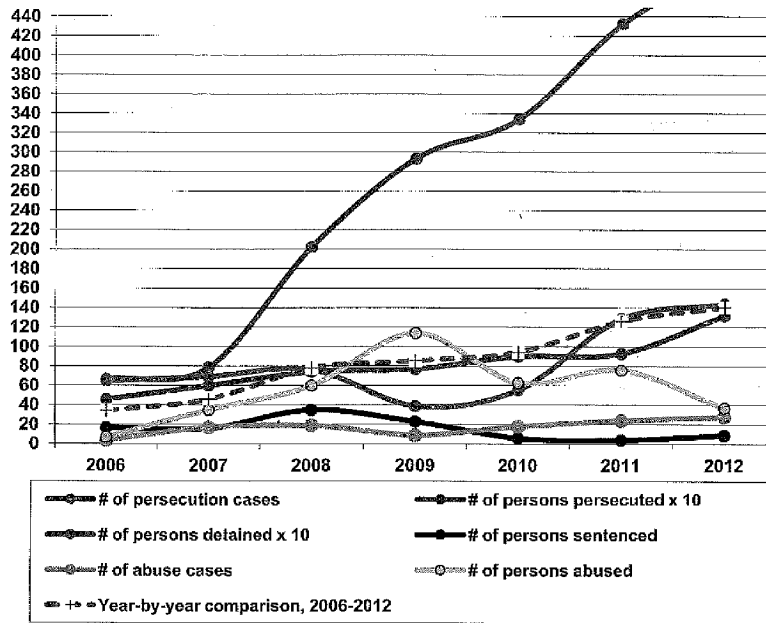
Comparing the data in the above six categories – total number of persecution cases, total number of people persecuted, number of people arrested, number of people sentenced, total number of abuse cases, and total number of people abused – the overall situation of persecution can be statistically represented as being 13.1% worse than in 2011, 61.1% worse than in 2010, 85.1% worse than in 2009, 120.4% worse than in 2008, 308.1% worse than in 2007 and 372.7% worse than in 2006. Please see the table below for details.

Comparison by year of persecution nationwide (2006 to 2012)

(1) Table

	2006	2007	2008	2009	2010	2011	2012	2012 comparison with 2011
# of cases	46	60	74	77	90	93	132	Up 41.9%
# of people persecuted	665	788	2027	2935	3343	4322	4919	Up 13.8%
# of people detained	650	693	764	389	556	1289	1441	Up 11.8%
# of people sentenced	17	16	35	23	6	4	9	Up 125%
# of abuse cases	4	17	19	9	18	24	28	Up 16.7%
# of people abused	7	35	60	114	63	76	37	Down 51.3%
Statistical representation of the worsening trend of persecution overall	As the graph below shows, persecution overall can be statistically represented as being 13.1% worse in 2012 as compared with 2011, 61.1% worse than in 2010, 85.1% worse than in 2009, 120.4% worse than in 2008, 308.1% worse than in 2007 and 372.7% worse than in 2006.							

(2) Graph



Having reported on the overall situation of church persecution in mainland China and the five main characteristics of the persecution, the rest of this report will examine the situation in 2012 in greater detail through case studies, statistical analysis and diagrams.