

HUMAN RIGHTS IN CHINA AND TIBET

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HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND
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COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, D.C.

The Subcommittee met, pursuant to notice, at 2:10 p.m., in room 2128, Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the Subcommittee) presiding.

Present: Representatives Smith and Goodling.

Also present: Representative Wolf and Senator Spector.

Mr. SMITH. [presiding] The Subcommittee will come to order. I would like to welcome to the Subcommittee Senator Arlen Spector, who will have to depart momentarily for some votes that will be taking place on the Senate Floor, but we're very pleased to have him here and I yield to the distinguished senator from Pennsylvania.

Senator Spector.

STATEMENT OF HON. ARLEN SPECTOR, A UNITED STATES SENATOR FROM THE STATE OF PENNSYLVANIA

Senator SPECTOR. Thank you very much, Mr. Chairman. I begin by commending you for holding these very important hearings and I appreciate an opportunity to address the Committee very briefly. We're scheduled to vote on the Senate side at 2:15. I've appeared here today to talk about Mr. Yongyi Song who is a librarian from Dickinson College, in Carlisle, Pennsylvania, who was detained by the People's Republic of China when he was traveling there doing educational research work.

Song was born in Taiwan. He has been a resident of Pennsylvania for some 10 years and was on the verge of getting his citizenship, which was scheduled for September 1999. I'm delighted to say that, since returning, he has been sworn in as a citizen. He was taken into custody because he was gathering documents about the Cultural Revolution. He is a scholar and he is a librarian, he has published extensively on the subject. In the name of academic freedom and basic human decency, there was absolutely no reason to take Mr. Song into custody.

Then, on Christmas Eve, criminal charges were filed against him that were very vague and spurious in nature. They did release his wife, Helen, who returned to the United States. My office had interceded to try to help. I compliment the State Department, which was very active in trying to work through the issue. Sec-

retary of State Albright was personally involved and a great deal was done.

I requested a meeting with the PRC Ambassador to the United States. On the morning that that meeting was held, the Friday morning, I had a little preliminary word that Song had been released. It was quite a U.S. homecoming at the Philadelphia International Airport the following Saturday when he was released.

I think that this hearing and the activities of the Congress are very important in elevating the issue of human rights, and to say the People's Republic of China is difficult to deal with is the understatement of the decade.

When I talked with the PRC Ambassador to the United States, I got a little lecture on not interfering in domestic matters in China. I responded with a little lecture about human rights, and commented about the importance that the People's Republic of China was and how much the United States wanted good relations with the PRC, but had problems with what was happening in Taiwan and missile sales to Pakistan and Tiananmen Square and human rights, but we respected the power and growth of the Nation of 1,200,000,000 people. The Ambassador quickly corrected me: 1,250,000,000. I had left out 50 million people in my statement of their population.

But I think that the PRC did notice the resolutions filed, the congressional resolution with sponsors, and our statements that if China wanted to be admitted to the community of nations on permanent status with the most favored status, World Trade Organization, that they would have to face up to some basic concepts of due process of law.

For the record, I made no deals. I only have one vote, but it is still a free and uninhibited vote as to what I will do when those issues come up.

But I do commend what you're doing here, Mr. Chairman. Congressman Wolf has joined the panel and others who have worked very hard on this issue. So I'm delighted to see Mr. Song at my side and I know his wife is even more delighted to see Mr. Song at her side. Thank you for what you're doing and thank you for yielding me a few minutes.

Mr. SMITH. Thank you very much, Senator, for your comments. We are all so delighted to see Mr. Song here. It just underscores the reason for this hearing, which as I will go into in much detail, is to chronicle the abuses, their pervasiveness, and the fact that we do have levers that, if used prudently, could lead to thousands of Mr. Songs getting released. So we do thank you for taking the time to come over here. We do appreciate it very much.

Senator SPECTOR. Thank you.

Mr. SMITH. I'm very pleased to be convening this hearing on human rights in China and Tibet, as depicted in the State Department's Country Reports on Human Rights Practices, which was released last Friday. This Subcommittee will hold a worldwide hearing on the Country Reports next Wednesday, March 8, but the gross and systematic human rights violations committed by Beijing regime during the last year are so egregious that they require a separate hearing for an in-depth analysis of their nature, scope, and possible solutions.

I am happy to say that the Country Report on human rights in China is honest, extensive, and hard-hitting. Sadly, this is because there is so much to hit. This year's report is about 14,000 words longer than last year's. It confirms that, during 1999, the already despicable behavior of the Chinese communist regime has gotten worse in virtually every category of human rights concern. In the words of the State Department, "The Chinese Government's poor human rights record deteriorated markedly throughout the year. It continued to commit widespread and well-documented human rights abuses."

The quotations that follow are the administration's own words, as taken from the new Country Reports. "The government intensified efforts to suppress dissent" such that "almost all dissident activity effectively was halted." The crackdown against political opposition, "broadened and intensified during the year."

Regarding the freedom of religion and conscience, "The government continued to restrict freedom of religion and intensified controls on some unregistered churches." The Report notes that, "Religious services were broken up and church leaders or adherents were harassed and, at times, fined, detained, beaten, and tortured." "Police closed many underground mosques, temples, seminaries, Catholic churches, and Protestant house churches. Some were destroyed."

During the past year, "Tibetan Buddhists and Muslim Uighurs came under increasing pressure" and "Tibetan Buddhism came under increasing attack." As part of a massive crackdown, "Tens of thousands of Falun Gong members were reported detained in outdoor stadiums. An unknown number of members who refused to recant their beliefs remain detained. Others are serving prison or re-education-through-labor sentences." In addition, "There were credible reports of beatings and deaths of Falun Gong practitioners in detention who refused to recant their beliefs."

There was also a chilling report that the 10-year-old Panchen Lama, who has been in detention for almost 4 years now, had died in government custody. The Chinese government denies this report, but because they refuse to allow anyone to see the child, there is no way to know whether or not they are lying.

Remember, the Country Report covers only 1999. During the last 2 months, several Falun Gong leaders have been sentenced to long prison sentences. Just 3 weeks ago, approximately 150 agents converged to arrest an 80-year-old Catholic Archbishop, John Yang Shudao, of Fujian Province.

The report also notes the Chinese regime's, "Violence against women, including coercive family planning practices, which sometimes include forced abortion and forced sterilization." During the past year, "there was a significant increase in the number of couples undergoing sterilization procedures after giving birth to two children in at least one inland province." In another province, newly promulgated rules state flatly that "unplanned pregnancies must be aborted immediately." A quote from the Report.

The Report details increased repression of minorities. It states that, and I quote again, "Authorities have cracked down harshly on suspected Uighur nationalists and independent Muslim religious leaders." It notes numerous summary executions and thousands of

arbitrary detentions of Uighurs in Xinjiang. In addition, “The rate at which Tibetan political prisoners are dying in detention or soon after their release, demonstrably as a result of treatment while in detention, is increasing.” So they’re dying upon their release and they’re dying while in detention.

The Report makes clear that Beijing, “continued to restrict tightly worker’s rights.” “Independent trade unions are illegal” and “The government continued its effort to stamp out illegal union activity, including through detention or arrest of labor activists.” Chinese authorities “have been uncooperative,” in the words of the Country Reports, in fulfilling their obligations under the U.S.-China prison labor Memorandum of Understanding.

The United States renewed numerous inspection requests, dating all the way back to 1992, to inspect facilities suspected of producing slave-made goods. However, according to the State Department, “The Ministry of Justice did not respond to any of these requests during the year.” The reason for their nonresponse is no mystery. The report makes clear that “forced labor is a serious problem, particularly in penal institutions.”

Finally, the Report states that “trafficking in persons,” and this is the word of the State Department, “and the abduction of women for trafficking are serious problems.” It notes evidence of complicity in trafficking by “local officials, as well as the police and the military.” The Chinese government rarely imposes effective punishment on the traffickers. Instead, it punishes the victims by imposing “fines for illegal immigration” and sometimes “a term in a re-education-through-labor camp” against trafficked persons who are repatriated to China.

Let me say, parenthetically, earlier today we had a press conference with a number of individuals, including James B. Hoffa, the president of the Teamsters Union. One of the points that he made and one of the followup actions that we took was to drive down in a Teamsters truck to Charlene Barchevsky’s office to deliver the Country Reports on human rights practices. Because, frankly, I don’t think her office has read it. If they did, they would come to some very, very different conclusions regarding our policies vis-a-vis the People’s Republic of China.

I look forward to hearing from our distinguished witnesses today, not only about some of the details of these atrocities, but also about what the United States can do to put an end to them.

Two suggestions come readily to mind. First, the administration has announced that it will lead the effort for a tough resolution on China at this year’s session of the U.N. Human Rights Commission in Geneva. This effort is led by Assistant Secretary of State for Democracy Harold Koh, who is an effective and committed public servant. But the administration must ensure that the Geneva effort is not ghettoized in the DRL bureau.

If the administration really cares about winning on this, then it must ensure that every desk officer in the State Department, every Ambassador and every political officer in every one of our embassies, makes clear to their interlocutors in foreign governments that the resolution is a top priority in the United States policy and that we urgently need their government’s vote in the Human Rights Commission.

Even more important, Beijing's regression on human rights puts a spotlight on the administration's horrendous timing in proposing to give permanent Most Favored Nation status to the PRC. Remember the question this year is not whether or not we will grant another 1-year extension of MFN. Rather, the administration has asked Congress to sign away, once and for all time, our right to ever object to MFN for the Beijing regime.

A couple of years ago, the official name of MFN was changed to "normal trade relations," to spare Members of Congress from having to vote in broad daylight for a policy that still legally entitles Beijing to "most favored" status under our customs and our trade laws. But even after this emergency cosmetic surgery, MFN or NTR is still such an embarrassment that many of its fondest supporters would prefer never to have to vote on it again.

But when it comes to the rights of political and religious dissenters, of workers, of torture victims, of women and their unborn children, the annual vote on MFN is critically important leverage. At an appearance before this Subcommittee shortly after his expulsion from China, former prisoner of conscience Wei Jingsheng testified that before an important vote in the U.S. Congress, such as the annual MFN vote, the beatings and the torture of political prisoners tended to be less frequent and less severe. After the vote, once Beijing had gotten what it wanted, the beatings and the torture got worse again.

Similarly, a Uighur Muslim woman from Xinjiang Province testified that our annual MFN review even helps the Chinese provincial authorities in that distant province decide whether to kill people or to let them live. In response to demonstrations sparked by China's arrest of Muslim leaders during Ramadan, she stated that Beijing waited until after the MFN vote before it staged public executions of seven Uighurs and sentenced 23 others to prison terms. Giving it up with permanent MFN means losing all leverage at trying to mitigate this horrific behavior.

Mr. SMITH. I would like to yield to my good friend from Pennsylvania, a Senior Member of the International Relations Committee and chairman of his own Full Committee for any comments he might have.

Mr. GOODLING. Thank you, Mr. Chairman. I specifically want to welcome Mr. Song. We had a joyous occasion Sunday a week ago. Not only happy to see him back on Dickinson College campus where he's a librarian, but also to see him sworn in as a United States citizen. He has learned firsthand how important individual freedoms and rights are and how quickly they can be taken away. So it was just a great experience to be there and witness him being sworn in as a citizen of the United States.

The tragedy, of course, was that we couldn't seem to get the Administration to do anything. In fact, the Secretary of State pretty much indicated that they don't deal with individuals and, furthermore, he's not a citizen. He was supposed to have been a citizen in September. They prevented him from becoming a citizen in September when that was supposed to happen.

So, welcome back. I look forward to hearing your testimony.

Thank you, Mr. Chairman.

Mr. SMITH. Mr. Goodling, thank you very much.

Mr. Wolf.

Mr. WOLF. I just want to thank Mr. Smith for having the hearing and the witnesses for being here. I'm going to have to leave at 3.

Everything that Mr. Smith said is true. The persecution of the Catholic church in China is horrible. The persecution of the Protestant Evangelical church is horrible. The persecution of Muslims is horrible and very few people heard Mr. Smith mention it. Very few people ever speak out for the Muslims that are going through a little hell over there.

In Tibet, where I visited 2 years ago, what the Tibetan community is going through is unbelievable. I don't see how this Administration can remain silent, just looking at what's taken place. When we spoke to the monks and we spoke to the nuns of the torture and the abuse which has taken place, it is unbelievable, with the selling of organs and the other things that are going on.

So I think it's important that Mr. Smith is having this hearing. This is really what America is about. When I look at the latest poll that was done by Peter Hart, 75 percent of America, the American people, are opposed to granting MFN. As Mr. Smith said, if you read the Country Report, and the State Department did a good job of putting it together, no one can read that without being just really worked up.

This administration has lost its way. They have a fundamentally amoral policy, bordering on an immoral policy, on this issue. I wonder what the President is thinking as he leaves his last term. His record will go down as one of the worst human rights records in the history of modern times for a presidency. His record in Sudan is miserable. His record in Rwanda was even more miserable. His record in East Timor was horrible. His record in Sierra Leone today is horrible. His record in China is absolutely horrible. This administration has catered to the worst instincts that I have seen.

So I am just pleased that Mr. Smith is here having this hearing to get the word out. You have been successful. The word has reached the American people. Now it has to reach the opinion leaders and those who serve good men and women to both sides of the aisle in the Congress, that we will never grant permanent MFN until the jails are open in Lhasa and they can leave and the jails are open in the Tiananmen Square demonstrators, some of whom have been there since 1989, can get out. That the Muslims can be treated fairly and the organized Catholic church can be recognized. The house church leaders can operate.

None of these people are really a threat to the Chinese government. Not one Tibetan that I spoke said anything negative about the Chinese government. They want to worship the Dalai Lama. They want to have their freedom. So if we keep just pushing and pushing and pushing, ultimately the same thing that happened in the Soviet Union will happen in China. In fact, China must have found Ceausescu's playbook. Ceausescu, who was head of the barbaric government in Romania did basically what China is doing to its own population. What took place in the Soviet Union will take place in China. I believe that before Mr. Smith and Mr. Goodling and myself, before we leave this earth, we will see freedom and liberty in China.

So I appreciate Mr. Smith having the hearing and all of you who seem to show up at these events. You are making a difference. You have won the battle with the American people if we can just convince the people that represent them. I've given up on this administration. But on the next administration and the people that represent them on both parties, we can win this battle and have freedom. So thank you, Mr. Smith.

Mr. SMITH. Thank you very much, Mr. Wolf. Let me introduce our distinguished witnesses today, beginning with Xiao Qiang, who has served as Executive Director of Human Rights in China, a New York-based NGO, since April 1991. Studying in the United States at the time, he returned to China 2 days after the Tiananmen Square massacre to provide aid and support to the victims and their families. Previously the deputy director of the Independent Federation of Chinese Students and Scholars, Mr. Xiao is also the North American representative of the Asia-Pacific Human Rights NGO Facilitating Team.

Second, Bhuchung Tsering is the director of the International Campaign for Tibet. Born in Tibet, he grew up with the Tibetan exile community in India where his family fled to escape Communist Chinese forces. For over 10 years, Mr. Tsering worked as part of the Tibetan Government-in-Exile in India, including a year spent in Geneva in connection with the Tibetan initiative at the U.N. Commission on Human Rights.

John J. Sweeney, who is flying back from California and will be here shortly, was elected president of the AFL-CIO in 1995 in the first contested election in AFL-CIO history. He is currently serving his second term at the helm of that 13 million-member organization. At the time of his election, Mr. Sweeney was serving his fourth term as president of the Service Employees International Union and he had been an AFL-CIO Vice President since 1980. A published author and the married father of two children, he currently resides in Washington and will be speaking I believe very strongly on labor rights in the PRC.

Harry Wu, the Executive Director of the Laogai Research Foundation, spent 19 years in 12 different forced-labor camps in China because of his criticism of the Communist Party. When he was finally released in 1979, Mr. Wu left China and came to the U.S. in 1985. In the summer of 1995, Mr. Wu was arrested by the Chinese government and convicted for stealing state secrets. He was sentenced to 15 years, but expelled from China as the result of an extensive international campaign launched on his behalf. The author of several books, Mr. Wu established the Laogai Research Foundation in 1992.

Reyila Abdureyim is the daughter of Rebiya Kadeer, a prominent Uighur Muslim businesswoman who was arrested by Chinese authorities on her way to meet with a research delegation from the U.S. Congress last August. The continuing detention of Ms. Kadeer, her son, and her secretary is featured in the State Department's recently released Country Report on Human Rights practices. Ms. Abdureyim currently lives in Oklahoma, along with her father, Ms. Kadeer's husband, and four younger siblings.

Song Yongyi is a librarian and head of technical services at Dickinson College in Pennsylvania. Born in Shanghai, China and per-

secuted during the Cultural Revolution, Mr. Song has been a permanent resident of the U.S. since 1989. Last summer he and his wife Helen traveled to China so that he could conduct research on the Cultural Revolution. On August 7, they were seized by Chinese agents, separated, and interrogated. His wife was allowed to leave China on November 16 after much intercession. On January 29, he was released. Two weeks ago, he was sworn in as an American citizen.

Finally, Tracy Zhao was born in Beijing, China, but came to the United States in 1990 and became a U.S. citizen in 1996. A flight attendant and a Falun Dafa practitioner, Ms. Zhao traveled to China last month to observe the situation of the Falun Gong in China. On February 4, she was detained by Chinese agents and held for 8 days.

I look forward to the testimony of our witness. Mr. Qiang, if you could begin.

STATEMENT OF XIAO QIANG, EXECUTIVE DIRECTOR, HUMAN RIGHTS IN CHINA

Mr. QIANG. I want to thank the chairman, Mr. Smith, for your leadership in promoting human rights around the world. I want to thank Mr. Goodling, Mr. Wolf, for your support for Chinese people's struggle for freedom.

Let me start to say, Human Rights in China, which has a research office in Hong Kong and an extensive network in virtually every Chinese city, verified and confirmed the State Department report of 1999 on the Chinese human rights situation. We support the conclusion, which is the grim truth, that this past year has seen the most ruthless suppression of dissent in China since the crackdown of the 1989 democracy movement.

The freedom of expression, association, and assembling have been routinely violated, despite the fact that these rights are enshrined in China's own constitution. Other ongoing violations of human rights include arbitrary detention, political and religious imprisonment, widespread failure to enforce laws protecting the rights of the workers and women, suppression of religious freedom, and the use of physical and psychological coercion in the implementation of the population control policy.

Beginning in the fall of 1998, the Chinese government broadened and intensified its crackdown against the China Democracy Party and at least 200 China Democracy members have been arrested and detained since that time. By year's end, almost all of the key members of the China Democracy Party were imprisoned and facing some of the longest prison terms handed down to dissidents in the past decade. In 1 week in August alone, China Democracy Party member Liu Xianbin, She Wanbao, Zha Jianguo, and Gao Hongming were sentenced to prison terms of 13, 12, 9, and 8 years, respectively.

Moreover, in the past year, tens of thousands of members of the outlawed Falun Gong spiritual group have been arrested and detained and hundreds of others were sentenced to administrative detention in labor camps under Reeducation Through Labor. Several Falun Gong leaders were sentenced to long prison terms in late De-

ember, including the 18-year sentence meted out to Li Chang, a 59-year-old official in the Public Security Ministry.

These prisoners and detainees are subject to deplorable conditions and are frequently denied access to proper health care. Indeed, just 2 days ago, He Xintong, the wife of China Democracy Party founder Xu Wenli, began a hunger strike to protest prison authorities' refusal to allow her to bring medicine to her husband last year. Xu Wenli suffers from hepatitis and Xu Wenli is currently 14 months into a 13-year prison term imposed for supposedly, quote, "endangering state security."

Mr. Chairman, over a decade after the June Fourth massacre and the subsequent nationwide wave of repression, hundreds of citizens remain in prison for participating in the peaceful protests and hundreds more remain in exile. Moreover, the families of June Fourth victims and those injured in the massacre continue to be subject to harassment and persecution, including prohibition from public mourning of their loved ones and prevention from receiving purely humanitarian assistance from abroad.

The families submitted a petition almost 10 months ago requesting a criminal investigation into the June Fourth massacre and the former premiere Li Pong's role in perpetrating the massacre, but the government authorities have not even bothered to respond to this petition. Actually, to add insult to injury, Li Pong has been selected to represent China in the United Nations millennial assembling in New York next September, despite the fact that he is commonly known as the butcher of Beijing.

While we support the State Department documentation of human rights violations in China, the salient question remains: What can and should the United States do as the leader of the free world to promote a true respect for and adherence to universally recognized human rights standards in China? The key, I believe, as the chairman just said, lies in the country's response to two matters of immediate concern: the resolution condemning for its human rights record at the upcoming United Nations Human Rights Commission in Geneva and permanent, Normal Trade Relations.

Certainly, Mr. Chairman, the United States is to be commended for sponsoring the China resolution at this year's commission meeting. In order for the resolution to be effective, it must be passed. As Executive Director of Human Rights in China, it is my sincere hope that the United States will actively seek support from other commission members from Europe, Latin America, Asia, and Africa to ensure passage of the resolution. I further respectfully urge Congress to write to President Clinton emphasizing the urgent need to promote the resolution from the highest level of the U.S. Government.

In addition to the resolution, permanent Normal Trade Relations is the most congressional debate on United States-China relations. In the eagerness to build trade relations with China, it is crucial that China's human rights situation remains the focal point of the PNTR debate.

Prior to 1994, the United States had set certain conditions that China was required to meet to renew its Most Favored Nation status. These conditions included taking steps toward implementing the standards set forth in the Universal Declaration of Human

Rights; releasing and providing an acceptable accounting of political and religious prisoners; allowing access to prisons by international humanitarian and human rights organizations; protecting Tibet's religious and cultural heritage; and permitting international radio and television broadcasts into China.

Yet, today, 6 years after trade and human rights were officially delinked, these rudimentary conditions have not been met. On the contrary, it is all too apparent that they have markedly deteriorated. The United States must face up to this fact and match its efforts to make China a more reliable trading partner with other genuine initiatives to increase the pressure on human rights.

Again, I thank you, Mr. Chairman.

Mr. SMITH. Mr. Qiang, thank you very much for your excellent testimony and for the insights over the years that you have provided to this Subcommittee, to the Full Committee, and to the Congress.

I'd like to ask Mr. Song if he could present his testimony at this point. Mr. Goodling is in a debate later on tonight and is very much interested in hearing what you have to say, as we all are.

STATEMENT OF SONG YONG YI, LIBRARIAN AND RESEARCHER, DICKINSON COLLEGE, FORMER DETAINEE IN CHINA

Mr. SONG. Chairman, Mr. Goodling, and other Congressmen. I'm honored to be here to testify at the hearing on "Human Rights in China and Tibet." As a new American citizen, I'm also very glad to be here as a witness to serve my Congress and my country.

My testimony will be based strictly upon my personal experience in China's prison for about 6 months from last August through this January. During my ordeal there, I have witnessed how the Chinese secret police deprive us scholars of the academic freedom for historical research and how China's problematic legal system violate Chinese citizens' basic human rights as well. At that time, I was still a Chinese citizen.

I traveled to China last July to conduct my normal academic research on China's Cultural Revolution, which was from 1966 to 1976. On the early morning, very early, about 1:00 a.m. of August 7, China's state security agents detained my wife, Helen Yao, and me in a hotel. They put me and my wife separately into the Detention Center of Beijing bureau of State Security. According to the Chinese Criminal Procedure Law, we had legal rights to hire and to see our lawyer as soon as we were detained and the Bureau should have notified our relatives in Beijing within 24 hours. Unfortunately, none of above happened by that law.

First, the secret policemen told us they did not allow us to hire or see any lawyer.

Second, they started to inform my brother in Beijing about our detainment after 3 days, i.e. after 72 hours. Even though, after 72 hours, why they informed my brother in Beijing? Because my brother went to the police station in Beijing City, and put my name and my wife's name on the missing person's list. Also, my brother tried to reach a major newspaper, put our photographs as missing people on the advertisements. They had to inform my brother about our detainment.

The first night after detainment, we both, my wife Helen and me, asked these secret agents why did they detain us? We thought we did nothing wrong. Reading many books about CCP's court or about CCP's intent, they first detain innocent people. They only turn to question to your side. For instance, I asked them: Why? They just say, "You should know. Where is here? Here is Bureau of Beijing National Security. You are not easily getting in. You are also not easily getting out. At that time, the Deputy Director of the Bureau said clearly to me: "Mr. Song, you may spend your lifetime in China." You may never come back to the U.S. if you don't cooperate with us.

When she asked them why they detained her, they just simply answered "because you are Mr. Song's wife." my wife was never involved in my research. She knew nothing about my research. When they released my wife on November 16, 1999, the secret policemen also forced her to sign a written statement of repentance, but she wrote her comments about her reservations on the statement.

Because of lack of evidence, China's secret police changed my criminal charge following their inclination during the whole 6 months of my custody. All of those ridiculous charges were even against the Criminal Law of China. First, they decribed my research on Cultural Revolution as cover steps the boundary. [They] do not allow any scholar to cross. "So my academic study, had ideologically become a great danger to China's national security." However, the new China's Criminal Law indicates very clearly that there is no ideological crime in China any more.

Second, they charged me for "stealing state secrets" based upon the published material I collected in China at free market and used bookstore these materials are Red Guard newspapers and handbills, were publicly provided in China during the Cultural Revolution 33 years ago and are still openly available now. When they want to get a judgment of reclassification of those materials, their application was even rejected by China's Secrecy Bureau.

Finally, they accused me of "providing intelligence to foreigners." They re-classified these published materials as "intelligence," since there is never a clear definition in China's Criminal Law of the term "intelligence". So they used this kind of very vague words to charge an innocent scholar. Upon this laughable charge, they formally arrested me on December 24, 1999.

In every interrogation, I argued with those policemen in every interrogation. On each of the charges, every time. I won. However, these secret agents told me that, they would still sentence me on the upcoming trial, though they always fell silent on finding themselves defeated in argument.

Under the pressure from U.S. Congress, the State Department, China's studies scholars across the world, Dickinson College Community, as well as all American people, Chinese government finally released me on January 28 and dropped all criminal charges against me. Before I boarded the Northwest airplane, a young officer told me, that I was unfortunately, a hostage being exchanged for WTO. My answer is, how shameful it is for a Chinese government to obtain favorable trade status by using a Chinese as hostage. So their main purpose for releasing me is very clear.

The results of my release shows China is currently not as isolated as 33 years ago in the Cultural Revolution period, and Chinese government could no longer disregard international pressures on the human rights. But my painful experience also absolutely evidenced that China's legal system has so many problems and there is still a long and bumpy way to go for the China's government's human rights record to improve.

Thank you again, Chairman.

Mr. SMITH. Mr. Song, thank you very much for your testimony. It is so good to have you back.

Let me ask Bhuchung Tsering if he would make his presentation at this point.

**STATEMENT OF BHUCHUNG TSERING, DIRECTOR,
INTERNATIONAL CAMPAIGN FOR TIBET**

Mr. TSERING. Thank you, Mr. Chairman. Thank you for giving me this opportunity and I would like to request that my full statement be placed on the record.

Mr. SMITH. Without objection, your full statement will be made a part of the record.

Mr. TSERING. Thank you.

The Tibet section of the State Department Human Rights Report this year depicts a good effort to describe in detail the situation in Tibet. The Report provides significantly more detail about human rights abuses, not just in the Tibet Autonomous Region, but also in Tibetan areas outside of it. In the previous report, the scope was limited to the development inside the Tibet Autonomous Region, thereby neglecting more than half of the traditional Tibetan areas where a majority of Tibetans live.

Then 1999 saw the tightening of state control over every sphere of Tibetan life. Over 100 Tibetans were arrested in 1999, according to one report coming out from Tibet, for peacefully expressing their beliefs. A Tibetan surrogate program, Voice of Tibet, broadcast from Norway, reported the expansion of several prisons in Tibet where political prisoners are believed to be detained.

Mr. Chairman, according to one estimate, there are currently over 600 documented political prisoners and prisoners of conscience in Tibet. The India-based Tibetan Center for Human Rights and Democracy has done a good job in documenting the case stories of some of these political prisoners.

The situation of the 10-year-old Panchen Lama, Gedhun Choekyi Nyima, is of utmost concern to us. The State Department report does not take up the case strongly and clearly. Rather, there is an apparent attempt to equate the status of the Panchen Lama with the boy, Gyaltzen Norbu, that the Chinese government has appointed. The recognition of the Panchen Lama is a deeply spiritual process and the United States should be categorical in respecting the position of the Tibetan people. China has no rights whatsoever in the process of identifying Tibetan lamas.

Agya Rinpoche, a very senior Tibetan lama who held prominent political and religious positions at the national level in China sought asylum in the United States 1 year back because he could not support the Chinese religious policy toward Tibet, particularly on the issue of the recognition of the Panchen Lama. Today, Agya

Rinpoche received asylum in this country and is writing his autobiography, which may contain much information on the true nature of China's religious policy toward Tibet.

The report also merely mentions in two sentences the dramatic escape of the Gyalwa Karmapa, another prominent Tibetan Buddhist leader, from Tibet. This escape by the 14-year-old Karmapa symbolizes the mental state of Tibetans in Tibet. During his first-ever public address in Dharamsala, the Karmapa said on February 19, that, "Over the last two or three decades, Tibet has suffered great losses. Tibetan religion and culture have reached the point of complete destruction".

Mr. Chairman, the escape of Agya Rinpoche and that of Karmapa are clear evidence of the fact that even those Tibetans who care to or who choose to cooperate with the Chinese authorities know that the Chinese attitude toward Tibetan religion and culture is dangerous and antagonistic.

It is no the 5th year of incarceration of Tibetan music scholar Ngawang Choephel. China has not even consented to allow his mother her legal right of visitation of her son in prison, even though the United States has made this request on her behalf.

I also want to draw your attention to PetroChina, China's state-owned oil company, which is going public on the New York Stock Exchange. We fear that the money raised would be used to build a major pipeline in Tibet, where a controversial proposed World Bank project is being planned. This project is extremely damaging to Tibetans, both in terms of human rights, but also environmental and social concerns are there.

The report also refers to the opening of Internet service in Tibet, but fails to mention that its censored and people feel extremely reluctant to use it for many purposes. Internet users in Tibet do not have access to independent sites on Tibet. Most sites, including that of the International Campaign for Tibet as well as the Tibetan Government-in-Exile, cannot be logged on by Internet users in Tibet.

This is the situation in Tibet today. So, while the report does highlight some of these, it does not provide a solution to what can we do for the situation there? So, Mr. Chairman, I would like to join you and my previous speakers in pointing out that there are two ways in which the United States can act and act strongly to followup on the report that it has done.

First, keep Normal Trade Relations annual instead of permanent. The United States should look at its human rights report as a strong reminder of why the administration should abandon its efforts to secure permanent Normal Trade status with China and keep its annual review process.

Second, the United States should followup on its announcement of raising the issue of China's human rights practices at the Human Rights Commission in Geneva. The United States should take up this at the highest level and actively embark on a diplomatic effort to see the passage of its China resolution in Geneva. Abandoning the effort to secure a permanent NTR would show to Europe and other countries that the United States is consistent in its stated commitment to censure China at the United Nations Human Rights Commission.

Finally, Mr. Chairman, human rights violations in Tibet are merely symptoms of a bigger problem, which is political. Unless political issues are addressed, we cannot expect the human rights situation in Tibet to improve. The United States has a policy of encouraging unconditional negotiations between the Tibetan leadership and the Chinese leadership. This policy needs to be more actively implemented.

Mr. Chairman, once again I thank you for this privilege of testifying today and, on behalf of the Tibetan people, I would like to thank you and the Members of Congress for your continued support to us.

Mr. SMITH. Thank you very much for that testimony. Your comments earlier at the press conference were very well-taken and, hopefully, will be listened to very carefully by all concerned, especially Members of Congress who will voting soon on the MFN issue.

Our next witness will be John Sweeney. As I indicated earlier, he is the president of the AFL-CIO, a 13 million-member organization. I think it's significant that in appearing today, he and his organization are trying to make the case to get the information out to the American public and to Members of Congress that human rights and workers' rights are nonexistent in the PRC. Hopefully, we will collectively be able to break down the ignorance factor, which is very much in evidence.

As I said earlier, Mr. Hoffa, Harry Wu, and I delivered the Country Reports on Human Rights Practices to Charlene Barchevsky earlier in the day. We also asked that the President himself take a look at his own State Department Country Reports on Human Rights Practices. Because, frankly, I don't think they've read it. I don't think they have sat down and read the very information prepared by their administration. The left hand apparently doesn't know what the right hand is doing. It wouldn't be the first time that that has happened. But our hope is that an honest read of the human rights situation in China will lead any reasonable man or woman to the conclusion that we cannot aid and abet these kinds of heinous practices.

Mr. Sweeney, you're next up and you're very welcome to be here before the Subcommittee. We look forward to your testimony.

STATEMENT OF JOHN J. SWEENEY, PRESIDENT, THE AMERICAN FEDERATION OF LABOR-CONGRESS OF INDUSTRIAL ORGANIZATIONS, AFL-CIO

Mr. SWEENEY. Thank you, Chairman Smith and Members of this Committee, for the opportunity to express the views of the AFL-CIO about the human and worker rights situation in China.

This is an extremely important and timely discussion, given the intensifying debate in Congress over whether the United States should grant China Permanent Normal Trade Relations status and the recent release of the report which you've referred to, the State Department's Annual Country Report on China's Human Rights Record for 1999.

The State Department Report, all 110 pages of it, is staggering in its scope and its breadth. It confirms once again that China is one of the worst offenders of human rights in the world. China is a country that does not tolerate political dissent or free speech. It

uses executions and torture to maintain order, persecutes religious minorities, and violates workers' rights.

As the State Department reports, China's human rights record is getting worse, not better, having deteriorated markedly throughout this year as the government intensified efforts to suppress dissent. This has occurred as China's corporate apologists in the United States have intensified their campaign to provide the regime with all the benefits of globalization while holding it accountable to not even a minimum standard of civil behavior nor even the commitments it has made in the past.

China, which has not yet ratified the two United Nations' covenants on human rights which it had agreed to sign before President Clinton's trip to China in 1998, has broken every agreement it has signed with the United States over the past 10 years. Chinese government officials are already saying they have no intentions of complying with the agreement they signed with the United States only 3 months ago.

Mr. Chairman and Members of the Committee, China has undertaken dramatic economic reforms during the past decade which has resulted in a significant improvement in the standard of living for some citizens, but for millions of Chinese workers, the past few years have been the leanest of the post-Mao era. Workers are responding in growing numbers. Worker protests over layoffs and plant shutdowns; over the nonpayment of wages, severance pay, and pensions; and over the massive corruption of their factory bosses and the local party bosses are a daily occurrence all over the country.

Such protests have become a fact of daily Chinese life. For the most part, workers' demands have remained economic. Workers want to earn enough for their families to live on. That's all they want. But this can change quickly, especially if reasonable economic demands remain unmet.

It is abundantly clear that the major concern of the Communist leadership is to keep the protest from escalating and challenging its right to rule. The State Department report chronicles the record of arrest and sentencing of worker activists virtually on a monthly basis throughout 1999. Accurate figures as to the number of workers' activists who have been detained are difficult to come by, since there are no reports of arrests in the official press. Many workers simply disappear in the prison system. It is only a matter of time, however, before any worker attempting to exercise his or her most basic rights will be arrested.

Let me highlight a more recent arrest not included in the State Department report. Wo Keiking worked at a chemical factory in Human City, Ubei Province. He was arrested on August 21, last year, for leading 2,000 fellow workers and family members in a demonstration that stopped traffic in the city for a day. The protest was over some money that the factory management had deducted from the workers' wages in 1996 and then absconded with after the factory closed down. Wo had tried to discuss the matter with the vice mayor, to no avail. He was tried and convicted of disturbing public order. He is now serving his 1-year prison sentence. Such stories are commonplace in today's China.

Forced labor continues to be a serious problem, particularly in penal institutions. The AFL–CIO believes that products made with prison labor enter the United States market on a regular basis and that the Memorandum of Understanding signed in 1992 prohibiting trade in prison labor products is not worth the paper which it is written on. The State Department now concedes that, in recent years, the authorities have been uncooperative. In fact, the last time the authorities permitted a visit by a U.S. customs official to a suspected prison labor facility was 3 years ago.

The depths of the leadership's concerns about any independent political activity can also be seen in its harsh response to the attempted formation of a tiny opposition party, the China Democracy Party. The State Department reports that by year's end, almost all of the key leaders of the China Democracy Party were serving long prison terms or in custody without formal charges and that only a handful of dissidents nationwide dared to remain active publicly. A number of workers' activists have been detained because of their association with the China Democracy Party.

The only legally recognized trade union structure, the All China Federation of Trade Unions, ACFTU, like all Chinese institutions, remains under the control of the Communist Party. Its leader is not only a member of the Politburo, but also has oversight responsibility for the security apparatus. In many ways, the ACFTU's traditional role of mobilizing workers to achieve Party objectives and improving labor discipline remains the same. Only 90 percent of the 103 million members it claims to represent work in state-owned enterprises, making the task which has been assigned to it of ensuring that growing membership dissatisfaction and desperation does not erupt into political action an impossible one.

One thing is for sure, however, the ACFTU considers the thousands of workers who have found the courage to stand up and protest, many of whom have been arrested and remain in prison as we speak, to be petty criminals. That is the message the ACFTU has given to the International Trade Union movement every time the issue of worker detainees has been raised.

Before I conclude, I would just like to make a few comments about religious persecution in China. The harshness of the crackdown on the Falun Gong spiritual movement is another reflection of the leadership's preoccupation with preserving its own rule. What was so challenging to the authorities was not the spiritual precepts Falun Gong represents, but the fact that it was able to organize tens of thousands of Chinese citizens into an independent movement. Its demonstrated ability to organize, independent of the state and the party, would not be tolerated. Religious persecution goes well beyond the Falun Gong spiritual movement, as you well know, Mr. Chairman.

The repression of the Catholic church continues. The latest in the arrests of Catholic leaders happened less than a month ago when Archbishop Yang, 81 years old, was arrested in the middle of the night by security police. His whereabouts are unknown at this time. Archbishop Yang has spent over 30 years of his life in Chinese prisons for refusing to denounce the pope as the supreme authority of the Roman Catholic Church and for his refusal to cooperate with the authorities to form a Chinese Independent Church.

Of course, the persecution of the Tibetan Buddhists continues unabated. Associated Press reported only yesterday that the family of Karmapa Lama, who recently fled to India, has been detained. The widespread publicity given to the plight of this particular monastery may offer some protection for the Karmapa Lama and his family. It is the 6 million Tibetan Buddhists who live outside the international spotlight who continue to be the victims of Chinese government religious persecution.

As you know, Mr. Chairman, the AFL-CIO is urging Congress not to grant China permanent Normal Trade Relations status and discard annual congressional reviews of that country's human rights records. The AFL-CIO recently commissioned a new national survey of registered voters conducted by Peter Hart Research Associates. Public opinion is strongly opposed to ending the system of annual review for China. Americans feel strongly that U.S. trade agreements should prevent the loss of jobs in the United States, protect the environment, and stop unfair competition from countries who violate workers' rights.

According to the Hart research survey, the majority of voters, 65 percent, opposed giving China permanent trade access without allowing Congress to annually review its record. 63 percent of Democrats and 75 percent of Republicans opposed Permanent Normal Trade Relations for China. Seven in ten voters reject the argument frequently made by supporters of permanent free trade with China that the best way to improve human rights in China is not to restrict trade, but to engage China and include it in important international bodies, such as the World Trade Organization.

They also reject the arguments that the agreement will expand our exports and create good jobs in America and that American business will be hurt if other countries have access to the Chinese market and we don't. This is not the time, in our view, to reduce the leverage we may have on China to improve its dubious record by ending the annual review and giving the Chinese Government a blank check.

Thank you.

Mr. SMITH. Mr. Sweeney, thank you very much for your very eloquent statement and for the mobilization you have initiated in Detroit to make American workers aware of this surrender that is underway with regard to workers rights and other human rights in the People's Republic of China. Without the annual review, our leverage is zilch. More people need to be mobilized. As the Hart research clearly indicates, when the question is posed directly, people seemingly understand the consequences. But I think it's reassuring to know that you and your organization will be very much out in front to make sure that Members of Congress don't give away the store to the People's Republic of China.

I understand a few of our witnesses are under very close time restraints. Before introducing our next witness, I'd like to ask a question of Mr. Wu, who has to leave shortly after his testimony, as does Mr. Sweeney. Looking at the two of you sitting side by side, it occurs to me that we have here the leader of worker rights in China, Mr. Wu, and the leader of worker rights in the United States, Mr. Sweeney. Mr. Wu probably would have your job in a parallel organization in China if it were free today, because cer-

tainly he has paid a price, 19 years in the Laogai, and has been indefatigable in fighting for those rights since he was released. He has been spanning the globe on behalf of worker rights and human rights.

So, Mr. Wu, please proceed and then we'll go to a few questions and then go to our two final distinguished witnesses and then go to more questions.

STATEMENT OF HARRY WU, PRESIDENT, LAOGAI RESEARCH INSTITUTE, FORMER DETAINEE IN CHINA

Mr. WU. Thank you, Mr. Chairman. In my testimony today, I would like to focus on three areas of Chinese human rights abuses: forced labor in the Laogai, which is China's forced labor camp system, China's population control policy; and executions and organ harvesting.

Last week, the State Department released a human rights report about China. The State Department report correctly states that, "forced labor is a serious problem,". The Chinese Laogai is not a simple prison. It's equivalent to the Soviet Union gulag system. The fundamental idea for this Chinese system is "Reform is the goal, forced labor is the means." In the Laogai, the prisoners are forced to give up their religious and political beliefs, confess their so-called crimes, and submit to reform to become new socialist beings. This can be a form of psychological torture.

Since China began on the road to economic reform, the production part of the Laogai system has become more and more important. Prisoners are regarded as tools of the regime. They must fulfill work quotas or face beatings, reducing their food, or have their sentences extended. Prisoners in the reeducation-through-labor camps are there with no trial at all and they call this an administrative punishment. Due process is severely lacking for just about everyone who goes through the Chinese judicial system. I think Mr. Song testified before you all Committee about what it takes.

Some of the products they make in Chinese prison camps to exported illegally to the United States. The State Department report says, "A 1999 directory of Chinese corporations published by a foreign business information company lists at least two correctional institutions as having business enterprises." This refers to Dun & Bradstreet, the well-known business directory. The Laogai Research Foundation actually discovered 99 forced labor camps listed in this directory. Two of them had the words, "Reform through Labor" in the title, but there were 99 in total. Some of them include camps whose products are already banned by the U.S. Customs Service. These companies are still looking for international customers and international investment.

We do not know what part the Laogai plays in the Chinese national economy. This is because all of the facts are considered state secrets. Even today, we do not know how many camps there are in China, how many prisoners, and what kind of products in prison are made by forced labor for export. China is not complying with the MOU on prison labor. They no longer allow Customs officials to visit the camps and they do not give information about suspected camps, as they are required to do. The administration of the United States has done nothing.

As Amnesty International and the State Department report noted, China executes more people than every other country in the world combined. People sentenced to death are often paraded in the streets and humiliated at public sentencing rallies. The government calls this “killing the chicken to scare the monkey.” The prisoners are then taken to the secret execution sites. In some cases, the family of the victims can ask for and receive the ashes of their loved one.

According to Chinese report, in China in the last couple of years there kidney transplant cases were about 20,000 and also a Chinese corporation said most of them, at least 90 percent of them, come from prisoners, these death row prisoners.

The State Department reports that there are, “credible reports that organs from some executed prisoners were removed, sold, and transplanted.” I believe that this is a serious understatement. The organ harvesting policy is a national policy, coordinated by many different branches of government. The courts, police, jails, hospitals are all run by the government. The Chinese government makes announcement to say, it’s not allowed to buy and sell organs. It is true, it is different from a country like India and the Philippines you can purchase an organ from individual people. You cannot do that in China. But it is an entirely government business. They execute the prisoners and use them for transplant operations and the fact is the hospitals are owned by the government.

In 1998, this Committee held a hearing on this practice. In the past, the Chinese government has repeated this practice occurs. Now they just lie and deny it altogether. But the evidence keeps coming from China. Just last month, a Hong Kong newspaper reported that Hong Kong patients were going to the mainland to get liver transplants from executed prisoners. The problem continues and is spreading. Even Chinese former citizens intend to sell the executed prisoners organs in the United States.

Last, I would like to talk about the Chinese population control policy. This is a national policy that affects every man, woman, and child in China. We have to know, in this country, without a government permit, whether a woman is married or unmarried, she cannot have a child. Then there are some exceptions to the so-called “one-child policy,” but those exceptions are still controlled by the government.

The main issue is what happens to the woman if she goes against the government rules. Sometimes the family must pay very stiff fines. But in many other areas, women who become pregnant are forced to abort and women who have an extra-plan child, that means have a second child, are sterilized. Many children born outside of the plan are not given the identification papers that are needed to get an education, health care, and a job. Because they were not in the plan, then the government does not care about them.

This government does not know the meaning of individual dignity, but, yet, here we are again talking about whether or not to expand our trade with this country. Today there it is a fashionable idea that we make an investment in China and make trade with them, that would benefit the people and promote democracy in

China. It seems to me this is kind of a false idea and it is an echo to the Chinese line that the money can change entire systems.

For years, the debate was about MFN, Most Favored Nation trading status, and each year I asked, why do we favor this communist country? We did not favor the Soviet Union in the past. We do not favor North Korea and Cuba today. Then they changed the name to NTR, Normal Trading Relations. But China is not a normal country. Because China is a communist country. But I want to tell you today, China is continuing on their own way as a communist regime.

Now the administration and big business wants the United States to give up the yearly review of NTR and give China permanent NTR. They say that unions, human rights activists, some Members of Congress, and others are standing in the way of the PNTR and China's entry into the WTO.

But what about the Chinese government? This government's leaders continue human rights abuses and military threats against Taiwan. Recently we heard they purchased a missile destroyer from Russia and they paid hard currency and hired 2,000 Soviet military experts. Their using their money to upgrade their military systems. Their using their money to strengthen their own control. The military police in 1986 only half million. Today, there are 1.3 million police.

It is a sad reality that all of these human rights abuses take place without any meaningful action in the international community. It is not enough for the United States to sponsor a human rights resolution against China in the United Nations Human Rights Commission in Geneva. I agree that it is important to take a stand in Geneva, but it is the least that the United States can do. We should and we can take action in Washington, D.C.

We heard many years ago, that copyrights violations were happening in China and that Americans right away wanted to impose economic sanctions. When you're talking about human rights violations, they say, that's another issue. Because this administration will not do it. It is up to the Congress to take a stand for a principled China policy that puts people over profit.

Thank you.

Mr. SMITH. Thank you very much, Mr. Wu. Let me just start and then I'll go to our final two witnesses, because two of our witnesses do have to leave, ask a couple of questions of Mr. Wu and Mr. Sweeney.

Yesterday, Secretary of State Madeleine Albright argued, and this is her quote at the House Appropriations Committee, "I believe our business practices are such," she said, "that really push the issue of worker rights and human rights. The way we treat our people is an example."

Even in this country, I've never gotten the impression that management was in a hand-in-glove relationship with its own workers, even within its own factories. Yes, they may have their interests at heart, but that's why we have strikes, that's why we have binding arbitration. There is almost built into the system an adversarial relationship that is very constructive. But the Secretary of State seems to be suggesting that those same captains of industry, when they go overseas, somehow will be in the vanguard of China

to protect worker rights when the evidence, at least so far, years to date, is absolutely contrary to do that.

As you pointed out, Mr. Sweeney, it's been 3 years since there's been an inspection pursuant to the MOU. I remember when President Bush first announced that, we took a look at it. I went over to China. I tried to test it. I talked to the two Customs officials that were deployed with other parts of their team working on other things. As you pointed out, then and now, the MOU isn't worth the paper it's printed on. The advance notice that has to be given is so long that if we do get access, we see a Potemkin Village.

It seems to me that the administration buys into this idea that our CEO's and our government reps, when they go and employ people over there, are going to be bringing American values, as they put it. Do either of you share that optimism that somehow if we're over there, worker rights will blossom into fruition?

Mr. SWEENEY. If the secretary assumes that or makes that assumption, I think she's dreaming. I really don't think there's any basis for making that kind of an assumption. If anything, we see multinational corporations taking the low road and really building upon the lowest possible level in terms of workers' rights and environmental protection and human rights. As I said, China hasn't lived up to its agreements. There have to be rules. Rules at the WTO, rules in terms of the relationship between trade and these issues.

We're not opposed to trade. We're not unrealistic in terms of the growing globalization. But we feel strongly that core labor standards and human rights issues and environmental protections have to be a part of globalization. China has to have some kind of annual review if we're going to see what kind of improvements are taking place in these areas.

Mr. WU. Mr. Chairman, I think he's right. China under the Communist regime oftentimes they had unions, but it's communist union. In these American factories and companies in China, there are the unions that exist. Those are controlled by the party. American money really benefits these unions. So it's a union in China and it's controlled by the communists and spending and benefits from foreign investment. But if you're talking about the other things: the workers can organize their own unions, it would not happen and didn't happen in China, Communist China, at all.

Mr. SMITH. The State Department report points out that the Ministry of Justice did not respond to any of the requests made for visits pursuant to the MOU. Not so long ago, the Chinese government agreed to the International Covenant on Civil and Political Rights with great fanfare and enormous amounts of good will being affixed to that. As a matter of fact, I can't tell you how many times their PR folks have used that to suggest that somehow they're joining the civilized nations, with regard to human rights.

Yet, there's been no implementation of that. The MOU is a feckless almost unforceable document that has not been implemented. Why do you think anyone in his right mind would think that the WTO would be implemented with any kind of effectiveness either, since as Mr. Song pointed out, the excuse of "state secrets" is something that's used with impunity by the Chinese leadership?

Perhaps that's a rhetorical question, but you might want to take a stab at it.

Mr. SWEENEY. I don't know why anyone in their right mind would think that that's going to be the result. We think that in order for these issues to be addressed, that the rules have to be written and China has to be forced to play by the same rules that the rest of the world plays by.

Mr. WU. We are talking about the forced labor products MOU. We, a couple of years ago, we issued a report, we explained the MOU in a different way. We said it was the Meaning Of Useless. OK. That piece of agreement actually is when the Chinese government tried to dismiss the case, actually, right now, that became realistic. The case was dismissed. The Administration didn't do anything in the last couple of years.

Actually, according to our investigation, many products, especially like auto parts, rubber shoes, toys, garments, Christmas lights, even binding clips for office use is still coming into the United States. They cover up and even if there is evidence, solid evidence, that we present to the Customs Service and so far, at this moment, there is no action because they just don't want to bother their very good relationship with the Chinese government.

Mr. SMITH. Thank you very much. I do appreciate your excellent testimony. Please feel free to stay until you absolutely have to leave. But I do thank you for being here and for the fine testimony both of you have provided.

I would like to ask Ms. Reyila if she would now make her presentation.

STATEMENT OF REYILA ABUDUREYIM, DAUGHTER OF REBIYA KADEER, UIGHUR MUSLIM DETAINEE IN CHINA

Ms. ABUDUREYIM. I'm testifying because my mother, Rebiya Kadeer, and my brother, Ablikim, got arrested last year in China. First of all, we thank you all for arranging this meeting for us. We thank the senators and the Congressmen in Congress.

In February 5, 1997, the Uighurs who want freedom and independence demonstrated in Ely City in Xingguo. But all the Chinese cracked down. In February 15, 1997, my father arranged a demonstration with 100 Uighur people against the crackdown of the Chinese in front of the White House and Chinese embassy in Washington, D.C. The Chinese government was informed about the demonstration my father arranged. So, on March 27, 1997, the Chinese government confiscated my mother's passport while she was going to Tashkan. The Chinese government told my mother that her husband had arranged a demonstration of war against them and, for that reason, she was not allowed to leave the country again.

After losing her passport, she could not finish her business in central Asia and lost \$600,000 at one time. There is a, just for an example, my dad was there also. My mom imported 15,000 tons of iron and steel from Kazakstan. At that time, it should be \$45 million yen in the market. My mom earned \$7 million instead.

From that day, my mom was under political stress. The electric company tortured her by cutting off the electricity. The fire department tortured her by fining her. The Tax Office tortured her by

doubling her taxes. Unlimited power of government makes people think that it's appropriate for the government to put stress on my mother.

In December 12, 1997, my mother gathered 400 businesswomen in Rebiya Kadeer Market and built the Thousand Mothers Movement to help women to rise. The Chinese government first passed out a legal permit to do it. In order to break up the Thousand Mothers Movement, in December 25, 1997, the Chinese government kept \$2 million yuan from the Thousand Mothers Movement in the bank.

My mother was a member of Uighur Autonomous Region's political consultation since 1993. In September 18, 1997, immigrant Wang Loquan, the secretary of the Uighur Autonomous Region, declared that my mom was kicked out of the Chinese national political consultation.

The beginning of August 1999, Miss Carry, from the Library of Congress asked my dad for my mother's phone number because she was going to Urumqi and wanted to meet with my mother. My dad gave it to her. When Miss Carry arrived in Urumqi, she called my mom and invited her to hotel where she stayed. In August 11, 1999, my mom and her friend with two other people were arrested in front of Yendu Hotel by Chinese police and security officers on her way to meet Carry.

On the same night, two of my brothers, Ablikim, 25, Alim, 23, and my mom's secretary Kahrimam, were arrested. My youngest brother got released after 24 hours. The other brother and my mom's secretary were sentenced for 2 and 3 years. They are in the Olanbay Labor Camp in Urumqi.

On August 16, 50 Uighur business people went to the government to ask them to release my mother. The government arrested those people and held them for 1 day. After the government courts organs had my mother's case, they returned her case to the procuratorate twice. On November 20, last year, they declared that there was not enough evidence to put my mother on trial. She was accused of stealing state secrets and giving information to the outside, as were my brothers. But she doesn't know anything about the state secrets. She simply is a businesswoman.

After my mom's arrest, her newly done 12-storey building was stopped. Some of her business was stopped. We're waiting for the Chinese government to release my mother, my brother, and Kahriman. Thank you. God bless you all.

Mr. SMITH. Thank you very much for your outstanding testimony and we appreciate your being here today and presenting your remarks to the Committee which we will amplify and get out to other Members of Congress. So, thank you.

I'd like to ask our final witness, Ms. Zhao, before going to some additional questions, if you could present your testimony.

**STATEMENT OF TRACEY ZHAO, FALUN GONG PRACTITIONER,
FORMER DETAINEE IN CHINA**

Ms. ZHAO. Good afternoon, everyone. I would like to thank the Members of this Committee for the opportunity to speak at this hearing today. I hope that my testimony will help shed some light on what is happening right now in China regarding the suppres-

sion of Falun Gong and the persecution of innocent Chinese citizens.

Before I begin, I would like to briefly introduce myself. My name is Tracy Zhao. I was born and raised in Beijing, China. Currently, I am an American citizen residing in Queens, New York. I am 30 years old and working as a flight attendant. I am also a Falun Gong practitioner.

Falun Gong is known as Falun Dafa, a spiritual practice based on ancient Chinese principles. It has five sets of traditional exercises and teaches practitioners to follow the universal virtues of truth, compassion, and tolerance. It has attracted millions of people all over the world because of the positive effect it has on people's overall health and well-being.

In early February of this year, I traveled to Beijing with a number of other practitioners. I was interested to see what it was like for Falun Gong practitioners in China. I had heard stories through news reports and friends, but I wanted to get a firsthand look at what was really going on. I had no intention of participating in any protests nor was I there to cause trouble. I simply wished to observe the situation firsthand.

Shortly before midnight on February 4th, which was the night before the Chinese New Year, I arrived at Tiananmen Square. I saw many policemen beating and kicking Falun Dafa practitioners and dragging them into police vans. Many policemen were without coats and were sweating profusely from beating people, and practitioners were trying to peacefully practice their meditative exercises as a way to appeal to the government to allow them their constitutional right to freedom of belief, assembly, and speech.

I quickly took out a camera to take a picture. The flash caught the attention of the police and three of them immediately pushed me into the police van without asking me any questions. We were all taken to the nearby police station where there were hundreds of practitioners being held there. Some were bleeding in the face. Others had bruises or black eyes. There were children in detention too.

These Falun Gong practitioners had done nothing wrong, had not committed any criminal acts, but had only been exercising their constitutional rights. The Chinese government claims it is a country ruled by law, but it often violates its own laws. In the early hours of February 5th, around 1,200 practitioners, including myself, were taken to the Dong Cheng detention center on the outskirts of Beijing. For 24 hours, there was no water or heat. Each of us received only two pieces of Chinese bread for food and we were not allowed to use the bathroom for a while.

After 24 hours, the police questioned me and I told them I was an American citizen. They did not believe me and sent me to a prison cell. There were 15 other people there. Six of them were practitioners and they told me they had been secretly tried and had been sentenced for up to a year. All they had done was go to the Government Office of Appeals to offer their personal testimony to the government on how Falun Gong had improved their health and made them better people. They were arrested the moment they got there.

The Premier of China has recently urged the Government Office of Appeals to improve their operating procedures so that the offices would become better places for citizens to voice their concerns without fear of retribution. But for Falun Dafa practitioners, walking into these offices is more like walking directly into prison.

Every practitioner in my cell had been abused at some point by the prison guard and policemen. In prison, we were given two meals a day and it was always the same: two pieces of Chinese bread and cabbage soup. At night all of us slept on one big wooden platform with one blanket for two people and no pillows. It was very crowded. In the entire time I was there, we were not allowed to take any showers. None of the practitioners were allowed any contact with the outside, nor were family members or relatives allowed to visit. The families usually also faced huge fines.

In one instance, a female practitioner was trying to do the meditative exercises. But each time she started, a prison guard kicked her to the ground. This scene repeated itself many times until she had been kicked into a corner. The guard finally left her alone and she finished her exercises.

While I was in prison, the police interrogated me and threatened that if I didn't answer all their questions, I would be kept in prison forever. Finally, with the assistance of the U.S. embassy and reports made by the international media, I was released and deported on February 12th, eighth day of my detainment. I was not allowed to make any contact with anyone the entire time.

Since the ban on Falun Gong was announced on July 20, 1999, the brutality with which this ban has been enforced has continued to escalate. It is reported that more than 5,000 practitioners, including the elderly, pregnant women, and young children have been sent to labor camps without proper legal procedures, without trial, legal representation, or due process.

In addition, more than 300 practitioners have been tried in secret and jailed with sentences of up to 18 years. In November, an internal government report stated that, in Beijing alone, more than 35,000 practitioners have been detained, with many being held under extremely inhumane conditions. So far, 11 people are known to have died while in police custody, while countless others remain unaccounted for.

Unfortunately, as I commented before, the scope and severity of this persecution continues to escalate. For example, in January of this year, the Hong Kong-based Information Center of Human Rights and Democratic Movement in China discovered that some Falun Gong practitioners were now being in mental hospitals where they were being injected with various drugs and were subject to other tortures. This situation has been reported in the world news by CNN, AP, and Agence France Press, to name a few.

All of this is ironic in light of the fact that the People's Daily, the state-owned paper, published a report just last May stating that Falun Gong is a beneficial practice with no political motives that can help people improve their health. This was prior to the current crackdown.

Other television programs drew similar conclusions back then as well. Despite the overwhelming brutality currently happening in China, I would like to make it clear that Falun Gong practitioners

are not against the Chinese government. Nor do they seek any particular political change or reform. What they ask is that they regain the basic human rights to freedom of assembly and freedom of belief, which are protected under China's own constitution, as well under the U.N. Declaration of Human Rights that China has signed.

In short, we seek your help to open a dialogue with the Chinese government so as to peacefully resolve this crisis. On behalf of tens of millions of Falun Gong practitioners around the world, I want to thank Congressman Chris Smith for introducing House Resolution 218, which was unanimously passed by the House on November 18, 1999. This House resolution condemns China's brutal crackdown on Falun Gong. I would like to personally thank this Congress and the U.S. Government for the many steps it has taken thus far to encourage the Chinese government to end its persecution. I hope you will continue to support a peaceful resolution.

Thank you.

Mr. SMITH. Thank you very much for your testimony. The resolution passed overwhelmingly because members, I do believe, are deeply concerned and, frankly, are aghast at what's happening. We don't understand why, which is why these hearings are so important, not just for chronicling the abuse, but also for trying to ascertain the "why". I think there's been much too little, discussion on what is at the core.

Yesterday, I met with Wei Jingsheng and he spent about an hour or so talking to assembled Members of Congress and their staffs about our lack of depth as an institution, as a democracy, in understanding the true nature of this dictatorship and its malevolent intentions toward the United States and Taiwan and many other parts of the world, but especially toward the United States. We are very Pollyann-ish in our treatment of this dictatorship.

If China were a democracy, constructive engagement would be something we could be breaking our backs to accommodate, but we are, indeed, enabling the dictatorship, as you put it. Things could go from bad to worse. There is an escalation with regard to the Falun Gong, which we ignore at their peril and our own. I think all of your points were very well taken at this hearing.

I'd like to ask a few questions. According to our press reports, the Chinese government has rounded up a number of political dissidents—we know about Tibetan Buddhists and Falun Gong practitioners—in an effort, to preempt any demonstrations during the visit of Mary Robinson, the U.N. High Commissioner for Human Rights. What effects do you believe the High Commissioner's visit will have? Will she speak out, in your view, boldly and clearly, about what's going on there? I mean, if access is indeed denied, will she not then become a reason for silence? That should ratchet and amplify the message of repression. Would any of you like to touch on that? Mr. Qiang?

Mr. QIANG. Thank you. It was our press report 2 days ago and yesterday that got into the fact of the increased persecution of civilians, of the Chinese dissidents, trying to prevent them from speaking out or trying to meet the High Commissioner from the United Nations, Mary Robinson. Our office has been regularly in contact with Mary Robinson's office per her visit and provided a detailed,

in-depth analysis of information on the Chinese human rights situation to date.

Madame Robinson, who is a very respectable human rights advocate around the world, however in her last trip to China, in our view, was made quite a confusing statement by praising China's sudden progress in the human rights area, which didn't exist, including the village election and the needed reforms. Which we are trying our best effort to keep her informed. This time we certainly have asked her to speak out against those violations.

Mr. SMITH. Yes.

Mr. TSERING. Can I just add to what Qiang said? Any visitors to China or Tibet, whether it's the High Commissioner for Human Rights or any other government officials, unless they are well-prepared, it's likely that these may play into the hands of the Chinese government. Last time when Mary Robinson was in Tibet, I think there was a problem in a Tibetan prison.

Mr. SMITH. Many of us were shocked and dismayed when Kofi Annan made his visit to Beijing and claimed, according to press reports, that somehow he had gotten a "better understanding" of the Chinese treatment—we read that as mistreatment—of the Falun Gong. Ms. Zhao, do you have any comments on that?

I asked Mr. Sweeney and Mr. Wu earlier about Madame Albright's testimony yesterday, which was not unlike her testimony in this room just a few days earlier to the International Relations Committee. I posed a question to her regarding China and human rights. Her comment yesterday, and I'll just quote it again, was, "I believe that our business practices are such that really push the issue of worker rights and human rights. The way we treat our people is an example."

Is that naive? Or is that something else? Or is it accurate? Would anyone like to respond? Yes.

Mr. QIANG. The suppression of the Chinese people's effort to organize independent unions and any other autonomous organization is the most severe last year for Tibetans. We already established that through the State Department report. But I would add one more thing. The Chinese government has been using their PR machine to emphasize the so-called dialogue with the United States and other democratic countries on the human rights area as a way to divert or deflect the international pressure.

There is a simple question, I think, that the United States can pose to the Chinese government before establishing any meaningful dialogue. Which is, the Chinese government must start a dialogue on human rights with the Chinese people with any outside organizations. Those organizations, including my organization, has been routinely requested the meetings with Chinese officials to discuss the country's human rights situation and never had any response.

Mr. SMITH. Let me ask a question. Ms. Reyila, you might want to comment on this and Mr. Bhuchung, you as well. The Country Reports on China states, "Ethnic minorities such as the Muslim Uighurs and Tibetans are subject to less-stringent population controls and enjoy relatively lax enforcement of the government's population policy." This account seems to contradict testimony presented to this Subcommittee by a Uighur in late 1997. She described forced abortions being performed as late as the 40th week

of pregnancy and stated, “The birth control policy Uighurs is unbearable. Babies are being killed in delivery rooms”.

Do you agree with the State Department’s description of the implementation of Chinese population policy against ethnic minorities in Tibet?

Ms. ABUDUREYIM. Yes, I agree, because when mom—

Mr. SMITH. Wait. Let me say, you agree that it’s less stringent than in the rest of China, or stronger, or the same?

Ms. ABUDUREYIM. I don’t quite understand what you’re saying.

Mr. SMITH. The State Department is suggesting that ethnic minorities are treated less harshly than, say, the Han Chinese in the rest of China.

Ms. ABUDUREYIM. No, that’s not true.

Mr. SMITH. Thank you. Did you want to give any additional amplification on that?

Ms. ABUDUREYIM. Yes, it was 10 years ago, it happened to mom. I was going to say that, but I don’t know if you’re interested in that. My mom was put in 10 years ago and she was fined \$45,000 yuan. It was pretty big money in China 2 years ago. Because she was delivering her third child to my stepdad.

Mr. SMITH. She was fined for that. Did you want to comment on that?

Mr. TSERING. Just that and also one sort of looking at all Chinese rules whether it’s on the family planning or any other rules, I think you’ve got to keep in mind what’s on paper and what’s in practice, whether it’s in Tibet or in Eastern Turkestan, anywhere. The family planning issue is one thing which we are sensitive to. It is our main charge against the Chinese authorities that they’re trying to destroy the Tibetan identity. Therefore, it’s clearly bad for Tibetans, even if the Chinese are implementing a slightly better policy in certain areas. Because of the sheer difference in numbers, that we face the brunt of the policy.

Mr. SMITH. Ms. Reyila, you mentioned that in November the Chinese government stated that it did not have enough evidence to put your mother on trial. Do you have any information as to how your mother is being treated in custody? Has any American diplomat made any effort on her behalf to try to intercede? I know you’ve pointed out State Department comments, but has there been any attempt to visit her?

Ms. ABUDUREYIM. Yes. February 3, 2000 was when mom was visited by the political consultation seven people on the political consultation. That’s all we know, as far as I know, that’s the only time.

Mr. SMITH. Mr. Song, we really want to keep a focus on what our own government is saying and on its lack of follow-through with regard to policy. The Country Report does say that your months of detention, and this is a quote, “raises concerns about a possible chilling effect on other Chinese researchers.” When I first saw that, I said, “Gee do you think?” But what signal do you really think that your incarceration sends to others?

Mr. SONG. In my case, think we might have two results. First is that I went to the trial, and they sentenced me at least 5 years under Article 111 of China’s Criminal Law. If I was in this situation for western scholar, who go to China to do the research, will

be very difficult. Why? Because actually what I did was a routine job for any researcher.

When I argued with these agents, I said, "If you sentence me, any university, any college teachers and scholars inside China as well as outside China should be sentenced for their research. Because we do the same job. We collect all the original material first, read them carefully, get an idea, and then write a book or essay.

But now the situation is a little bit different because we won. We won the battle. I was released. For the Chinese ministry part, especially for the national security agency part, they will be more careful, but for our parts, there is still potentially danger for Chinese-American scholars, is especially Chinese scholars only have green card and don't have citizenship to do the research in China. Their research materials could be classified as anything all those newspapers I called are openly available during the Cultural Revolution and openly available now, but they still classified them as "state secrets."

When the Cultural Revolution happened, all Red Guards, including me, produced tons and tons of those kinds of material anywhere in China, like air, like sunlight. Reclassifying these materials means the Chinese legal system does not work, not as they have written on paper. In practice, those secret agents never obey their law. They just use their internal regulations against the law. Who knows what kind of internal regulations they follow?

For instance, they told me, "You cannot bring out those old newspapers to the United States." Then I asked them: "I have read all of China's criminal laws. I didn't find one single sentence indicated that I could not bring the materials abroad. This is not secret. "They answered, we have internal regulations." I asked, "show me your internal regulations." They said: Because this is internal, we cannot let you read it." So who knows if the internal one exists or not?

Mr. SMITH. Thank you. Mr. Song. Let me ask you another question. Someone said that your release proves that constructive engagement and quiet diplomacy will yield more fruit than linking economic benefits to human rights. I suspect that your individual case will be used and maybe even exploited by some of those who take the other view with regard to permanent MFN. I would like to know from you what is your opinion in terms of linking human rights with trade?

Mr. SONG. Yes, my opinion is that the victory come from both sides, both hands. One hand did not work but both hands worked. In my case, however, I first owned my release to international pressure. It made Chinese government understand if they still detain me, if they sentence me, they would not get any change for WTO. So they released me. But I still want to say that communication also is our strategy to force them to understand the international standard of human rights as well as academic freedom.

Mr. SMITH. Mr. Qiang, let me ask you a question with regard to Secretary Albright's testimony. She attempted to deflect some of the criticism on MFN by merely pointing to the Geneva Resolution and the fact that we support the resolution there. We all know that that resolution ought not to be seen in isolation. It is a very con-

structive way of trying to press the case of human rights, but the U.S. only has one vote.

The question always arises: How serious is the U.S. effort? As I said in my opening comments, is it a full-court press where all of our embassies are trying to inform their host governments just how important and what a priority it is? It also could be a half-hearted, half-baked effort. One could then say, "See, but we tried." Then it's used to deflect the concerns that many of us have about the real big issue, and that is linkage of human rights and trade.

What is your take on that issue? How serious is our undertaking in Geneva?

Mr. QIANG. Let me first say, take the resolution at the Geneva Convention condemning China's human rights situation, it's an important step. It is the correct step. It requires much more effort than just sponsoring a resolution. China is a permanent member of the Security Council in the United Nations. It is tremendously influential, especially coming to the question of human rights, the Chinese government has been using all the diplomatic, political, and economic leverages to gain the votes from mostly Third World countries to deflect their human rights abuses.

But that requires that the U.S. Government, which is a premier sponsor of the resolution, who is also a leader of the democratic world, should put much more diplomatic effort from the highest level, from the White House, to every Ambassador in every member state of the Commission, to lobbying to gain the actual vote for the passage. That's what I urge the U.S. Government to do.

I also agree that, just as Geneva is not enough, there are the bilateral pressure and the multilateral pressure has to go hand-in-hand. That lack of a bilateral pressure and inconsistency in the current administration's human rights policy on China is a problem that contributes to the human rights situation in China, especially since 1998. Why 1998? Because the Chinese have got all they want from the United States, the two summits and the rest of the bilateral agreements.

On the human rights front, what the Chinese government has done is playing with I call it hostage politics or diplomacy. It is wonderful to see Mr. Wei Jingsing and Mr. Song Yong Yi, very few high prominent political prisoners are in exile. At least they are not in prison. However, that is by no means to say that the Chinese government has any sincere step to implement human rights as a country.

Mr. Song, we are very happy you are here, but, again, I wouldn't take that as any step for the Chinese government right now in improving human rights. If it is anything, it is the opposite. They are using, abusing with over broad so-called national security laws and under the name of so-called rule by law, continually prosecuting human rights inside of China.

Mr. SMITH. Mr. Bhuchung, let me ask you a question in regards to the whereabouts, of the Panchen Lama whom we're all deeply concerned about. Is there any recent information about him?

Let me ask you an additional question. This year's State Department report continues to refer to Gedhun Choekyi Nyima as, "the boy recognized by the Dalai Lama as the Panchen Lama," rather than just as the Panchen Lama. In a similar vein, it refers to

Catholics who are loyal to the pope and not to the government-sponsored Catholic Patriotic Association as “unofficial Catholics.”

Do you think that this way of reporting undermines the right of religious communities to define themselves? Does it give unmerited credibility to the government’s ability to say this person is the Panchen Lama?

Mr. TSERING. Mr. Chairman, can I answer the second question first? Yes, it does. When the United States comes up with such confusing statements it does affect religious position of the Tibetan believers.

Regarding the situation of the Panchen Lama, we are, of course, very much concerned. Particularly so because of some of the things you mentioned earlier. There was this news that the Panchen Lama may have even died. Today, although it is no more than 5 years since the Chinese have taken the Panchen Lama, there is no report as to his whereabouts. There is no indication about his health condition.

We have sought ways through the individual governments, including the U.S. Government, as well as through the United Nations agencies, including the United Nations Rights of the Child Committee, in order to impress upon the government of China the importance of this one boy.

This is not a political issue. This is an issue of religious rights of the Tibetan people. Even if they do not consider it as a religious issue, it is the right of a now 10-year-old boy.

Mr. SMITH. Let me ask you a general question, Mr. Qiang maybe you want to touch on this. The report makes clear that trafficking in women in the international sex trade is a problem in China and that the local government officials are often complicity in such trafficking.

As I think you may know, I introduced H.R. 3244. It’s a comprehensive anti-trafficking bill with particular emphasis on those women, most of whom were forced into prostitution. It would, at this end, in this country, increase punishment of those who are a part of that and anyone along the line who is apprehended. They could get up to life imprisonment. But it also would deny non-humanitarian aid to those countries that have not taken steps to deter trafficking. It also has some provisions dealing with helping women who are apprehended here as part of, say, a crackdown on a brothel, so they’re not put on the next plane and put right back in the cycle.

Now the trafficking in China has not been a very high visibility issue in the past, although there have been some reports. What’s your sense as to its severity? Do you think our legislation, if you’ve studied it, is helpful in trying to mitigate the problem?

Mr. QIANG. Thank you, Chairman, for addressing this issue. It is not very visible, but actually China has been trying very hard to raise the awareness of this particular issue, the trafficking in women. We did research in 1995, including in part of our report presented to the World Conference of the Women’s Conference in Beijing, and the followup report 2 years ago.

The importance of this issue also lies in the context of two things. One, it is human rights violation in China. It’s not just about a handful of dissidents. It’s not just about certain minority

groups or the workers' union. It's literally every citizen in the country.

The second one is the question of during these economic changes, economic reforms, opening up, those vulnerable groups and the new issues coming up, because of a lack of action or lack of protection of human rights and the victims of human rights abuses spread into the new vulnerable groups. The woman trafficking is one of those groups. It is of those groups. It is a severe issue in China, indeed. There is a lack of legislation and the political will to protect those vulnerable groups during those social changes.

But in addition to that, the fact of a lack of independent organizations, lack of a free press, lack of an independent judicial system severely contributes to those kind of violations.

Mr. SMITH. Let me ask the question, and anyone who would want to respond to this, please do. I've been informed that there is about to be a \$5 to \$7 billion initial public offering of a controversial foreign corporation, PetroChina, here in the United States. PetroChina is a subsidiary of the China National Petroleum Corporation. In addition to its possible complicity in inflicting serious environmental damage on Tibet, the CNPC is also a 40 percent equity shareholder in the oil consortium of the Khartoum regime in Sudan, which sponsors genocide, terrorism, and slavery.

In your opinion, how serious is the danger that the proceeds from this IPO will go to support the political activities of another rogue regime, that which is in Khartoum? Do you have any suggestions as to what we might do to try to stop, can the U.S. Government do anything to stop this stock offering?

Mr. TSERING. I would now like to take this question because it is related to the Tibetan people in a direct way. I think it involves two issues. One, of course, it is a well-known fact that in the past the CNPC has been using money it has gotten to support the regime in Sudan. Therefore, there is a coalition of organizations which has been launching a campaign against it.

But we have had information saying that the money that PetroChina proposes to raise this time through their IPO may be used to exploit gas and petroleum resources in Tibet, which is unfortunately or fortunately located near a controversial World Bank project. If such a project leads to explosion of gas, it would harm the Tibetans there. Second, it would change the demographic map of the region and, thereby, bring social and political unrest into the area.

So we have started a campaign recently along with other organizations. I believe AFL-CIO has also come aboard on this campaign requesting that American investors not buy from this IPO because if China wants investment, international money, China should learn to play by the rules. Right now, China doesn't play by the rules. Therefore, it's important that investors teach China this lesson by not buying the PetroChina shares.

Mr. SMITH. Let me ask Ms. Zhao, if you could speak to whether or not you think the U.S. Government response has been adequate to the atrocities committed against the Falun Gong, which, you pointed out, are escalating. I think the number you used was 11 people who have been murdered by the regime. Countless others have been incarcerated or beaten.

It is indefensible for this government to be engaging with china in a way that enables or facilitates that to happen. I mean, in plain daylight. I've been following the reports every day of people having their legs kicked out from under them, according to Reuters. I'm interested. Some of my Republican and Democratic colleagues are deeply interested. But has the administration done enough to protest? What would be your recommendation for what we might do further to try to get them to lay off this relatively new repression?

Ms. ZHAO. I think right now the hardest thing is to communicate with the Chinese government. All these people are trying every day from all over the world and all over China. They try to tell the government we want an open dialogue with the Chinese government and there is no way to get them to receive the message, I guess. So I think just to let them know that we need an open dialogue with the Falun practitioners. To let them know that we want all the practitioners that have been arrested, to let them go free and we can practice in public legally. That's what we want.

Mr. SMITH. Thank you.

Are there any additional comments that any of our witnesses would like to make before we conclude the hearing?

Mr. TSERING. Just one.

Mr. SMITH. Yes.

Mr. TSERING. It's not just the people in Tibet. Also they are proposing to exploit oil fields in Eastern Turkestan so the Eastern Turkestan people may also like to be involved in this campaign.

Mr. SMITH. Yes.

Mr. QIANG. Just two points. First, is to reemphasize what Ms. Zhao and I said earlier about a dialogue with the Chinese people. Ten years ago, the students in Tiananmen peacefully demonstrating required a dialogue with the government officials. What they got was tanks and machine guns. Now the Falun Gong people are in the reeducation-through-labor prisons. People like myself, they are in exile. Without that basic step, how can we say there is any human rights movement improvement in China?

Second, those human rights violation has a direct implication to the business or the business rules dealing with China. Let me give you two examples. One is, as you probably have read through the press, the report recently from the New York Times. A Chinese citizen who lived in the United States for 20 years, Mr. Vuan, who recently visited his family back in Shanghai as a messenger to meet one of the Tiananmen mothers, the mothers of Tiananmen victims, trying to deliver some humanitarian donations to the mother.

But the security police stopped him, interrogated him. They then, when they found out he doesn't have the money with him, they forced him to write out a check from his U.S. bank as a condition that otherwise they will implicate there his family and sentence him. So, basically, this is extortion. He has to write that check out of his U.S. bank. That kind of outrageous behavior, I think it is directly to do with the business rules.

There is another one, even more serious. My organization Human Rights in China has wired \$20,000 U.S. dollars through the Chase Manhattan Bank in New York to the Bank of China to a recipient who will help us deliver this money to the Tiananmen

mothers. But the money was reported by the Bank of China to the Chinese security and the security came, forced the recipient to restore the money, and confiscated the money.

This is the last year, last June, however, when Human Rights in China has been asking Chase Manhattan to withdraw this money because we realized there was the possibility of this. The Bank of China—they are a business partner of Chase Manhattan Bank—replied the simply false information saying the money had already been taken. At that time, we had clear evidence the money was still in the Bank of China.

So by violating those business rules and the so-called National Security Law, I think that human rights violations clearly are non-existent, just on those dissidents, but also, directly, in this case, as a business partner when you're dealing with China.

Mr. SMITH. I want to thank our very distinguished witnesses for being here today, for your testimony, for your brave efforts on behalf of human rights in China. The information that you conveyed to this Subcommittee will be given to the Members of the House and some Senators, but certainly to Members of the House. I do believe that the knowledge that we glean from these hearings, and especially this one, will become ammunition in the upcoming fight.

Because right now there's an all-out, as you know, public relations effort being made by the Secretary of State, the President of the United States. Arms will be twisted to try to go along with permanent MFN in the next several weeks and couple of months. But the information you give as witnesses helps us to make informed decisions. I always believe just go wherever the facts take you. What you're giving us is further insight into the barbarity of the Chinese dictatorship. That has to get out and we will do everything we possibly can to ensure that it does.

So, thank you so much for being here and taking the time. This hearing is adjourned.

[Whereupon, at 4:15 p.m., the Subcommittee was adjourned.]

A P P E N D I X

MARCH 2, 2000

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Congress of the United States
House of Representatives
Washington, DC 20515-3004

Statement by Rep. Christopher H. Smith
Chairman, Subcommittee on International
Operations and Human Rights

March 2, 2000

Human Rights in China and Tibet

I am pleased to convene this hearing on human rights in China and Tibet as depicted in the State Department's Country Reports on Human Rights Practices, which were released last Friday. This Subcommittee will hold a worldwide hearing on the Country Reports next Wednesday, March 8, but the gross and systematic human rights violations committed by the Beijing regime during the last year are so egregious that they require a separate hearing for an in-depth analysis of their nature, scope, and possible solutions.

I am happy to say that the Country Report on China is honest, extensive, and hard-hitting. Sadly, this is because there is so much to hit. This year's report is about 14,000 words longer than last year's. It confirms that during 1999 the already despicable behavior of the Chinese communist regime has gotten worse in virtually every category of human rights concern. In the words of the State Department, "[t]he [Chinese] Government's poor human rights record deteriorated markedly throughout the year. . . . [It] continued to commit widespread and well-documented human rights abuses." The quotations that follow are the administration's own words, as taken from the new Country Reports:

- "The Government intensified efforts to suppress dissent" such that "almost all dissident activity effectively was halted." The crackdown against political opposition "broadened and intensified during the year."
- Regarding freedom of religion and conscience: "The Government continued to restrict freedom of religion, and intensified controls on some unregistered churches." The Report notes that "religious services were broken up and church leaders or adherents were harassed, and, at times, fined, detained, beaten, and tortured." "Police closed many 'underground' mosques, temples, seminaries, Catholic churches and Protestant 'house churches'. . . . Some were destroyed." During the past year, "Tibetan Buddhists and Muslim Uighurs came under increasing pressure" and "Tibetan Buddhism came under increasing attack." As

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part of a massive crackdown, “[t]ens of thousands of Falun Gong members were reported detained in outdoor stadiums. . . . An unknown number of members who refuse to recant their beliefs remain detained; others are serving prison or reeducation-through-labor sentences.” In addition, “[t]here were credible reports of beatings and deaths of [Falun Gong] practitioners in detention who refused to recant their beliefs.” There was also a chilling report that the 10-year-old Panchen Lama, who has been in detention for almost four years now, had died in government custody. The Chinese government denies this report, but because they refuse to allow anyone to see the child, there is no way to know whether they are lying. And remember, the Country Report only covers 1999. During the last two months several Falun Gong leaders have been sentenced to long prison terms, and just three weeks ago approximately 150 agents converged to arrest 80-year-old Catholic Archbishop John Yang Shudao of Fujian Province.

- The Report also notes the Chinese regime’s “[v]iolence against women, including coercive family planning practices – which sometimes include forced abortion and forced sterilization.” During the past year, “there was a significant increase in the number of couples undergoing sterilization procedures after giving birth to two children in at least one inland province.” In another province, newly promulgated rules state flatly that “unplanned pregnancies must be aborted immediately.”
- The Report details increased repression of minorities: It states that “authorities have cracked down harshly on suspected Uighur nationalists and independent Muslim religious leaders” and notes numerous summary executions and thousands of arbitrary detentions of Uighurs in Xinjiang. In addition, “the rate at which Tibetan political prisoners are dying in detention or soon after their release, demonstrably as a result of treatment while in detention, is increasing.”
- The Report makes clear that Beijing “continued to restrict tightly worker rights.” “Independent trade unions are illegal” and “[t]he Government continued its effort to stamp out illegal union activity, including through detention or arrest of labor activists.” Chinese authorities “have been uncooperative” in fulfilling their obligations under the U.S.-China prison labor Memorandum of Understanding (MOU) and Statement of Cooperation. The United States renewed numerous inspection requests (dating all the way back to 1992) to inspect facilities suspected of producing slave-made goods. However, according to the State Department, “The Ministry of Justice did not respond to any of these requests during the year.” And the reason for their non-response is no mystery: the report makes clear that “forced labor is a serious problem, particularly in penal institutions.”
- Finally, the Report states that “trafficking in persons and the abduction of women for trafficking are serious problems.” It notes evidence of complicity in trafficking by “local officials. . . . as well as the police and the military.” And the Chinese government rarely imposes effective

punishment on the traffickers. Instead, it punishes the victims by imposing “fines for illegal immigration” and sometimes “a term in a reeducation-through-labor camp” against trafficked persons who are repatriated to China.

I look forward to hearing from our distinguished witnesses today, not only about some of the details of these atrocities, but also what the United States can do to put an end to them.

Two suggestions come readily to mind. First, the Administration has announced that it will lead the effort for a tough resolution on China at this year’s session of the United Nations Human Rights Commission in Geneva. This effort is being led by Assistant Secretary of State for Democracy, Human Rights, and Labor Harold Koh, who is an effective and committed public servant. But the Administration must ensure that the Geneva effort is not “ghettoized” in the DRL bureau. If the Administration really cares about winning on this, then it must ensure that every desk officer in the State Department, every Ambassador and every political officer in every one of our embassies, makes clear to their interlocutors in foreign governments that the resolution is a top priority in United States policy and that we urgently need their government’s vote in the Human Rights Commission.

Even more important, Beijing’s regression on human rights puts a spotlight on the Administration’s horrendous timing in proposing to give permanent Most Favored Nation Status to the PRC. Remember, the question this year is not whether we should grant another one-year extension of MFN. Rather, the Administration has asked Congress to sign away once and for all our right to ever object to MFN for the Beijing regime.

A couple of years ago the official name of MFN was changed to “normal trade relations,” to spare Members of Congress from having to vote in broad daylight for a policy which still legally entitles Beijing to “most favored” status under our customs and trade laws. But even after this emergency cosmetic surgery, MFN or NTR is still such an embarrassment that many of its fondest supporters would prefer never to have to vote on it again.

But when it comes to the rights of political and religious dissenters, of workers, of torture victims, of women and their unborn children, the annual vote on MFN is critically important leverage. At an appearance before this Subcommittee shortly after his expulsion from China, former prisoner of conscience Wei Jingsheng testified that before an important vote in the U.S. Congress, such as the annual MFN vote, the beatings and torture of political prisoners tended to be less frequent and less severe. After the vote gave Beijing what it wanted, the beatings and torture got worse again. Similarly, a Uighur Muslim woman from Xinjiang Province testified that our annual MFN review even helps Chinese provincial authorities in that distant province decide whether to kill people or to let them live. In response to demonstrations sparked by China’s arrest of Muslim religious leaders during Ramadan, she stated that Beijing waited until after the MFN vote before it staged public executions of seven Uighur demonstrators and sentenced 23 others to prison terms.

The permanent surrender of our MFN leverage ought to be unthinkable at this point in time. As the Country Report makes clear, conditions in the PRC are the worst they have been since the

1989 Tiananmen Square massacre. This is a time of crisis for freedom in China -- political freedom, freedom of conscience, of religion, of the press, of assembly. A grant of permanent MFN now would send an unequivocal message to the Beijing regime: We do not really care. But I believe we Americans do still care, and I hope the actions of Congress in the coming weeks will reflect a continuing commitment to the promotion of democracy and the protection of fundamental human rights in China.

I look forward to hearing the testimony of our witnesses.

Testimony of Xiao Qiang
Executive Director, Human Rights in China
House Committee on International Relations
Subcommittee on International Operations and Human Rights

March 2, 2000

Mr. Chairman, I would like to take this opportunity to thank you for holding this very important hearing. Last Friday, the State Department released its 1999 Country Report on China. This year's report is clearly critical, and reflects the grim truth – that this past year has seen the most ruthless suppression of dissent in China since the crackdown on the 1989 Democracy Movement. The freedoms of expression, association and assembly have been routinely violated, despite the fact that these rights are enshrined in China's own Constitution, as well as guaranteed by the two key treaties that China signed in 1998 and 1997 respectively, namely the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. It thus comes as no surprise that Beijing has failed even to announce a timetable for the ratification of the two covenants. Other ongoing violations of human rights include arbitrary detention, political and religious imprisonment, widespread failure to enforce laws protecting the rights of workers and women, suppression of religious freedom and the use of physical and psychological coercion in the implementation of the population control policy.

Beginning in the fall of 1998, the Chinese government broadened and intensified its crackdown against the China Democracy Party, and at least 200 China Democracy Party members have been arrested and detained since that time. By year's end, almost all of the key members of the China Democracy Party were imprisoned, and facing some of the longest prison terms handed down to dissidents in the past decade. In one week in August alone, China Democracy Party members Liu Xianbin, She Wanbao, Zha Jianguo and Gao Hongming were sentenced to prison terms of 13, 12, 9 and 8 years, respectively.

Moreover, in the past year, tens of thousands of members of the outlawed Falungong spiritual group have been arrested and detained, and hundreds of others were sentenced to administrative detention in labor camps under Reeducation Through Labor. Several Falungong leaders were sentenced to long prison terms in late December, including the 18-year sentence meted out to Li Chang, a 59-year-old official in the Public Security Ministry.

These prisoners and detainees are subject to deplorable conditions, and are frequently denied access to proper health care. Indeed, just two days ago, He Xintong, the wife of China Democracy Party founder Xu Wenli, began a hunger strike to protest prison authorities' refusal to allow her to bring medicine to her husband last year. Xu suffers from hepatitis, and is currently fourteen months into a thirteen-year prison term imposed for supposedly "endangering state security."

Mr. Chairman, over a decade after the June Fourth massacre and subsequent nationwide wave of repression, hundreds of citizens remain in prison for participating in the peaceful protests, and hundreds more remain in exile. Moreover, the families of June Fourth victims and those injured in the massacre continue to be subject to harassment and persecution, including prohibition from publicly mourning of their loved ones and prevention from receiving purely humanitarian assistance from abroad. They submitted a petition to the Chinese Supreme People's Procuratorate almost ten months ago requesting a criminal investigation into the June Fourth massacre, but the Procuratorate has to date not even bothered to respond to this petition.

Yet while the State Department aptly documents these abuses in its Country Report, the salient question remains: what can and should the United States, as the leader of the free world, do to promote a true respect for, and adherence to, universally recognized human rights standards in China? The key, I believe, lies in this country's response to two matters of immediate concerns: the resolution condemning China for its human rights record at the upcoming United Nations Human Rights Commission in Geneva, and permanent Normal Trade Relations.

Certainly, Mr. Chairman, the United States is to be commended for sponsoring the China resolution at this year's Commission meeting. Contrary to what the Chinese government would have us believe, the record shows that multilateral pressure, rather than dialogue alone, has generally been a useful vehicle in achieving human rights improvements in China, such as the signing of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights; the release of certain high-profile political prisoners; the acceptance of a visit from the U.N. Working Group on Arbitrary Detention and the enactment of some long-overdue legal reforms. The very fact that China puts such a great deal of effort into derailing the prospect of any Commission resolution, however mild, is itself an indication of the seriousness with which China takes these measures.

However, in order for the resolution to be effective, it must be passed. As Executive Director of Human Rights in China, it is my sincere hope that the United States will actively seek support from other Commission members from Europe, Latin America, Asia and Africa to ensure passage of the resolution. I further respectfully urge Congress to write to President Clinton, explaining the urgent need to promote the resolution from the highest levels of the U.S. government.

In addition to the resolution, permanent Normal Trade Relations is the most important Congressional debate on United States-China relations. In the eagerness to build trade relations with China, it is crucial that China's human rights situation remains a focal point of the PNTR debate. Prior to 1994, the United States had set certain conditions that China was required to meet to renew its MFN status. These conditions included taking steps toward implementing the standards delineated in the Universal Declaration of Human Rights; releasing and providing an acceptable accounting of political and religious prisoners; allowing access to prisons by international humanitarian and human rights organizations; protecting Tibet's religious and cultural heritage; and permitting

international radio and television broadcasts into China. Yet today, six years after trade and human rights were officially “delinked,” these rudimentary conditions have not been met. On the contrary, it is all too apparent that they have markedly deteriorated. The United States must face up to this fact, and match its efforts to make China a more reliable trading partner with other, genuine initiatives to increase the pressure on human rights.

Thank you, Mr. Chairman.

Statement of Song Yongyi
Librarian and Researcher, Dickinson College
Former detainee in China
March 2, 2000

Hearing on "Human Rights in China and Tibet"

Mr. Chairman and members of the Committee:

I am honored to be here to testify at the hearing on "Human Rights in China and Tibet." As a new American citizen, I am also glad to be here as a witness to serve my country. My testimony will be based strictly upon my personal experience in China's prison for about six months (from the beginning of August last year to the end of January this year). During my ordeal there, I was able to witness how China's secret police deprived a scholar of his academic freedom for historical research and how China's problematic legal system violated a Chinese citizen's basic human rights.

I traveled to China last July to conduct my academic research on China's Cultural Revolution (1966-1976). On the morning of August 7, China's state security agents detained my wife, Helen Yao, and me and sent us to the Detention Center of Beijing Bureau of State Security. According to the Criminal Procedure Law of China, we had legal rights to see our lawyers as soon as we were detained, and the Beijing Bureau of State Security should have notified my relatives in Beijing within 24 hours. Unfortunately, none of the above happened in accordance with the law. First, those secret policemen told us that they did not allow us to hire or see any lawyer because of their internal regulations. Second, they started to inform my elder brother in Beijing about our detainment three days after we were detained (more than 72 hours), which caused my brother to put our names as missing people into Beijing Bureau of Public Security. On the first night of our detainment, we both asked those secret policemen why they detained us. Ridiculously enough, the answer I obtained was that "You should know! What is this place? This is the Beijing Bureau of State Security!" For my wife, they even simply answered: "Because you are Yongyi Song's wife!" Although my wife has never been involved with any of my research activities, she was detained in China for about three and half months (101 days) just because she is my wife! When they released my wife on November 16, 1999, the secret policemen forced her to sign a written statement of repentance but she wrote her comments about her reservations on the statement.

Due to lack of evidence, China's secret police changed my "criminal charge" following their inclinations during the whole six months of my custody. All of these ridiculous charges were even against The Criminal Law of China. First, they described my research on the Cultural Revolution as "oversteps the boundary [they] allow any scholar to cross," so my academic studies had ideologically "become a great danger to China's national security." However, the new China's Criminal Law indicates clearly that there is not ideological crime in China any more. Second, they charged me for "stealing state secrets" based upon the published materials I collected in China from flea markets and used bookstores. These original materials, i.e. Red Guard newspapers and

handbills were publicly produced in China anywhere during the Cultural Revolution and are still openly available now. When they wanted to gain a judgement of re-classification of these materials, their application was rejected by China's Secrecy Bureau. Finally, they accused me of "providing intelligence to foreigners." They re-classified these published materials as "intelligence" since there is never a clear definition in The Criminal Law of China of the term "intelligence." Under this laughable charge, they formally arrested me on December 24, 1999. I argued with those policemen in every interrogation on each of the charge and I won every time. However, these secret agents told me that they would still sentence me on the upcoming trial though they always fell silent on finding themselves defeated in argument.

Under the pressures from the US Congress, the State Department, China Study Scholars across the world, Dickinson College community as well as all the American people, Chinese government released me on January 28 and dropped all criminal charges against me. Before I boarded the Northwest airplane, a young official told me that I was unfortunately a hostage being exchanged for WTO. How shameful it is for a government to obtain favorable trade status by using its own citizen as hostage! The result of my release shows that China is currently not as isolated as it was 33 years ago in the Cultural Revolution because Chinese government could no longer disregard international pressures on the human rights. But my painful experience also obviously evidenced that Chinese legal system has so many problems and there is still a long and bumpy way to go for China's human rights record to improve.

**House Committee on International Relations
Subcommittee on International Operations and Human Rights**

**Testimony of
Bhuchung K. Tsering, Director, International Campaign for Tibet**

**March 2, 2000
Hearing on Human Rights in China and Tibet**

Mr. Chairman. Let me begin by thanking you for this opportunity to testify before your committee on an issue with which I am not only professionally involved, but also have a life-long personal commitment, namely the issue of Tibet. I would request that my full statement be placed in the record while I summarize the same before you today.

My name is Bhuchung Tsering and I am the director of the International Campaign for Tibet. The International Campaign for Tibet is a Washington, D.C. based non-profit organization which monitors human rights and democracy in Tibet. Since its inception in 1988, ICT has undertaken a number of projects aimed at protecting the human rights of the Tibetan people and propagating democratic freedom in Tibet.

The Tibet section of the State Department's Human Rights Report this year depicts a good effort to describe in detail a situation of "tight controls on religion and on other fundamental freedoms." The 13-page report on Tibet is a marked improvement from reports four or five years ago. It is the strongest and detailed report to come out of the State Department.

The report provides significantly more detail about human rights abuses against Tibetans throughout Tibetan areas, not just in the Tibet Autonomous Region. Earlier reports have limited themselves to developments within the Tibetan Autonomous Region only, thus neglecting more than half of the traditional Tibetan areas in which a majority of the Tibetans live.

However, the report, as was the case in the past few years, continues to contain a number of deficiencies and relies heavily on NGO reporting, reflecting somewhat poor first-hand intelligence gathering abilities. I would like to touch on some of them later on and also provide certain recommendations for follow-up actions by the United States.

1999 saw the tightening of state control over every sphere of Tibetan life. Over 100 Tibetans were arrested in 1999, according to one report from Tibet, for peacefully expressing their beliefs. The 'Strike Hard' campaign launched in 1996 aimed at eliminating allegiance to the Dalai Lama, the Tibetan Panchen Lama and Tibetan nationalism. Initially limited to the monastic institutions, the campaign was broadened in 1999 to include all of Tibetan society.

1999 did not see any decrease in the levels of abuse of prisoners in Tibet. A Tibetan surrogate program, Voice of Tibet, broadcast from Norway, reported the expansion of several prisons in

Tibet where political prisoners are believed to be detained.

According to the United Nations High Commissioner for Refugees, 2,474 Tibetans fled Tibet in 1999. Among them were 1,115 Tibetans below the age of 18.

Mr. Chairman, according to one estimate, there are currently over 600 documented political prisoners and prisoners of conscience in Tibet. The Chinese authorities monitor information about Tibet very strictly and it is possible that these numbers are higher. Prominent political prisoners include Tanak Jigme Sangpo, Ngawang Choephel, Phuntsok Nyidron, Ngawang Phulchung, Jamphele Jangchub, Lobsang Tenzin, Phuntso Wangdu, Gyaltzen Dolkar and Jigme Gyatso. The India-based Tibetan Center for Human Rights & Democracy has done a good job in documenting the case stories of some of these political prisoners.

The prevalence of torture as a means of crushing the resistance of individuals is alarming although China is a Party to the Convention Against Torture. Over 60 Tibetans have died as a direct result of torture since China signed the convention in 1986. In 1999 alone, six Tibetans died due to torture in 1999.

There have been reports of the use of torture in almost every stage of the legal process, starting from incarceration, during initial detention, in transit to detention facilities, during interrogation, and in prisons and detention centers. The various methods of torture include: beatings, electric shocks, attacks by dogs, painful shackling, forced labor and exercise, prolonged periods of solitary confinement, deprivation of food and sleep, and denial of adequate medical care.

In 1999, over 1,000 monks and nuns were expelled from their monasteries and nunneries, including 49 Tibetans arrested for resisting 'patriotic re-education.' Since the beginning of the 'Strike Hard' campaign in April of 1996, over 11,000 monks and nuns have been expelled from their religious institutions.

The above, Mr. Chairman, is a brief summary of the situation of human rights in Tibet today. Some of these do not find a place in the State Department's report. Others are touched tangentially without any analysis. Human rights violations in Tibet have also been projected as just an offshoot of the overall situation in China, which is not the case.

The report, by saying that the authorities suppress only those religious activities viewed as "vehicles for political dissent", seem to be condoning most of the Chinese actions on Tibetans. In Tibet, culture, religion, identity and politics are intertwined and therefore China can use any excuse they want if they wish to suppress the Tibetan people.

The situation of the 10-year-old Panchen Lama, Gedhun Choekyi Nyima, is of utmost concern to us. The State Department report does not take up the case strongly and clearly. Rather, there is an apparent attempt to equate the status of the Panchen Lama with the boy, Gyaltzen Norbu, that the Chinese Government has appointed. The recognition of the reincarnation of the Panchen Lama is a deeply spiritual process and the United States should be categorical in respecting the position of the Tibetan people. The Chinese Communists authorities have absolutely no legitimacy in the process of identifying Tibetan reincarnated lamas.

The report also merely mentions in two sentences the dramatic escape of the Gyalwa Karmapa, a prominent Tibetan Buddhist leader, from his monastery in Tibet to India late last year. This difficult decision by the 14-year-old Karmapa is significant in that it symbolizes the mental state of the Tibetans in Tibet. The Karmapa was being projected as a symbol of religious freedom in Tibet and was being given preferential treatment by the Chinese authorities while in Tibet. Here is what he had to say about the situation in Tibet during his first-ever public address in Dharamsala, the headquarters of the Tibetan Government-in-Exile, India on February 19, 2000.

"Generally speaking, many parts of the world suffer from strife and deprivation of freedom. In the particular case of our snow land of Tibet, Buddhism and Buddhist system flourished there in the past. However, over the last two or three decades, Tibet has suffered great losses. Tibetan religion and culture have reached the point of complete destruction. I pray that the Tibetan people achieve happiness as a result of the efforts of His Holiness the Dalai Lama, the Bodhisattva motivation of the great spiritual beings of all sects, and the common merit and prayers of the Tibetan people themselves."

Mr. Chairman, the escape of the Karmapa as also that of another senior Tibetan Buddhist leader, Agya Rinpoche, are clear evidence of the fact that even those Tibetan leaders who cooperate with the Chinese authorities know that Chinese attitude towards Tibetan religion and culture is dangerous and antagonistic. Agya Rinpoche, who held prominent political and religious position at the national level in China sought asylum in the United States because he could not support the Chinese religious policy towards Tibet, particularly on the issue of the recognition of the Panchen Lama. Today, Agya Rinpoche has received asylum in the United States and is writing an autobiography, which may contain much information on the true nature of China's religious policy towards Tibet.

It is now the 5th year of incarceration of Tibetan music scholar Ngawang Choephel. China has not even consented to allow his mother her legal right of visitation of her son in prison even though the U.S. has made this request on her behalf.

I also want to draw your attention to PetroChina, China's state-owned oil company, which is going public on the NYSE. We fear that the money raised would be used to build a major pipeline in Tibet, near a controversial proposed World Bank project, about which the report comments in its China section. This project will be extremely damaging for Tibetans, both environmentally and socially.

The report also refers to the opening of Internet service in Tibet but fails to mention that it is censored and people feel extremely reluctant to use it for many purposes. Internet users in Tibet do not have access to independent sites on Tibetan issues. Most sites, including that of the International Campaign for Tibet www.savetibet.org and the Tibetan Government-in-Exile www.tibet.com cannot be logged on by Internet users in Tibet.

Recommendations:

1) Keep Normal Trade Relations (NTR) annual instead of permanent: This report also is a strong reminder on why the Administration should abandon its effort to secure permanent normal trade status with China and keep its annual review process. Such a position is not only timely but will also indicate to the international community that the United States is serious.

Abandoning the effort to secure permanent NTR would show to Europe and the rest of the world that the U.S. is consistent in its stated commitment to censure China at the United Nations Human Rights Commission in Geneva.

2) High level follow-up action in Geneva: Last year even though the State Department's report on Tibet was quite damning the United States nevertheless hesitated in announcing its decision to take up China's human rights practices at the UN Commission on Human Rights in Geneva. This year, the U.S. has already announced its intention to raise the issue. This report provides ample evidence why such a resolution against China is valid. Therefore, the United States should take follow-up action at the highest level and actively embark on a diplomatic effort to see the passage of its China resolution in Geneva.

Finally, Mr. Chairman, human rights violations in Tibet are merely symptoms of a bigger problem, which is political. Unless political issues are addressed we cannot expect the human rights situation in Tibet to improve. The United States has a policy of encouraging unconditional negotiations between the Tibetan leadership in exile and the Chinese leadership. This policy needs to be more actively implemented.

I thank members of this sub-committee, members of the Congress as well as the government and the people of the United States for your continued support to His Holiness the Dalai Lama and the Tibetan people in our endeavor to regain the rights and freedoms of our people.

Mr. Chairman, once again, I thank you for this privilege of testifying today in this august body.



HEARINGS AND MEETINGS OF THE
**SUBCOMMITTEE ON INTERNATIONAL
 OPERATIONS AND HUMAN RIGHTS**

CHRISTOPHER H. SMITH, CHAIRMAN

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**Statement of John J. Sweeney
 President, American Federation of Labor and
 Congress of Industrial Organizations (AFL-CIO)
 March 2, 2000**

Hearing on "Human Rights in China and Tibet"

Thank you, Chairman Smith, and members of this committee, for the opportunity to express the views of the AFL-CIO about the human and worker rights situation in China. This is an extremely important and timely discussion given the intensifying debate in Congress over whether the United States should grant China permanent Normal Trade Relations status and the recent release of the State Department's Annual Country Report on China's human rights record for 1999.

The State Department report, all 110 pages of it, is staggering in its scope and breadth. It confirms once again that China is one of the worst offenders of human rights in the world. China is a country that does not tolerate political dissent or free speech. It uses executions and torture to maintain order, persecutes religious minorities, and violates workers' rights. And as the State Department reports, China's human rights record is getting worse not better, having "deteriorated markedly throughout the year, as the Government intensified efforts to suppress dissent."

This has occurred as China's corporate apologists in the U.S. have intensified their campaign to provide the regime with all the benefits of globalization while holding it accountable to not even a minimum standard of civil behavior, nor even to the commitments it has made in the past. China - which has not yet ratified the two United Nations covenants on human rights it agreed to sign before President Clinton's trip to China in 1998 - has broken every agreement it has signed with the United States over the past ten years. Chinese government officials are already saying they have no intention of complying with the agreement they signed with the U.S. only three months ago.

Mr. Chairman, China has undertaken dramatic economic reforms during the past decade which has resulted in a significant improvement in the standard of living for some citizens. But for millions of Chinese workers, the past few years have been the leanest of the post-Mao era.

Workers are responding in growing numbers. Worker protests over lay-offs and plant shut-downs, over the non-payment of wages, severance pay and pensions, and over the massive corruption of their factory bosses and the local party bosses are a daily occurrence all over the country. Such protests have become a fact of daily Chinese life. For the most part, workers' demands have remained economic. Workers just want to earn enough for their families to live on. But this can change quickly especially as reasonable economic demands remain unmet.

It is abundantly clear that the major concern of the Communist leadership is to keep the protests from escalating and challenging its right to rule. The State Department report chronicles the record of arrests and sentencing of worker activists virtually on a monthly basis throughout 1999. Accurate figures as to the number of worker activists who have been detained are difficult to come by since there are no reports of arrests in the official press. Many workers simply disappear in the Laogai prison system. It is only a matter of time, however, before any worker attempting to exercise his or her most basic rights will be arrested.

Let me highlight a more recent arrest not included in the State Department report. Quo Qiqing worked at a chemical factory in Jinment City, Hubei Province. He was arrested on August 21st last year for leading 2,000 fellow workers and family members in a demonstration that stopped traffic in the city for a day. The protest was over some money that the factory management had deducted from the workers' wages in 1996 and then absconded with after the factory closed down. Guo had tried to discuss the matter with the Vice Mayor to no avail. He was tried and convicted of 'disturbing public order' and is now serving his one year prison sentence. Such stories are commonplace in today's China.

Forced labor continues to be a serious problem particularly in penal institutions. The AFL-CIO believes that products made with prison labor enter the U.S. market on a regular basis and that the Memorandum of Understanding (MOU) signed in 1992 prohibiting trade in prison labor products is not worth the paper which it is written. The State Department now concedes that "in recent years the authorities have been uncooperative." In fact, the last time the authorities permitted a visit by a U.S. Customs official to a suspected prison labor facility was three years ago!

The depths of the leadership's concern about any independent political activity can also be seen in its harsh response to the attempted formation of a tiny opposition party, the China Democracy Party. The State Department reports that by year's end "almost all of the key leaders of the China Democracy Party were serving long prison terms or in custody without formal charges, and that only a handful of dissidents nationwide dared to remain active publicly." A number of worker activists have been detained because of their association with the China Democracy Party.

The only legally-recognized trade union structure, the All China Federation of Trade Unions (ACFTU), like all Chinese institutions, remains under the control of the Communist Party. Its leader is not only a member of the politburo but has oversight responsibility for the security apparatus! In many ways, the ACFTU's traditional role of mobilizing workers to achieve party objectives and improving labor discipline remains the same. Fully 90% of the 103 million members it claims to represent work in state-owned enterprises, making the task which has been assigned to it of ensuring that growing membership dissatisfaction and desperation does not erupt into political action an impossible one. One thing is for sure, however, the ACFTU considers the thousands of workers who have found the courage to stand up and protest, many of whom have been arrested and remain in prison as we speak, to be petty criminals. That is the message the ACFTU has given to the international trade union movement every time the issue of worker detainees has been raised.

Before I conclude, I would just like to make a few comments about religious persecution in China. The harshness of the crackdown on the Falun Gong spiritual movement is another reflection of the leadership's preoccupation with preserving its own rule. What was so challenging to the authorities was not the spiritual precepts Falun Gong represents but the fact that it was able to organize tens of thousands of Chinese citizens into an independent movement. Its demonstrated ability to organize, independent of the state and the party, could not be tolerated.

Religious persecution goes well beyond the Falun Gong spiritual movement as you well know, Mr. Chairman. The repression of the Catholic Church continues. The latest in the arrest of Catholic leaders happened less than a month ago when Archbishop Yang, 81 years old, was arrested in the middle of the night by security police. His whereabouts are unknown at this time. Archbishop Yang has spent over 30 years of his life in Chinese prisons for refusing to denounce the Pope as the supreme authority of the Roman Catholic Church and for his refusal to cooperate with the authorities to form a Chinese independent church.

And of course the persecution of Tibetan Buddhists continues unabated. Associated Press reported only yesterday that the family of the Karmapa Lama, who recently fled to India, has been detained. The widespread publicity given to the plight of this particular monastery may offer some protection for the Karmapa Lama and his family. It is the six million Tibetan Buddhists who live outside the international spotlight who continue to be the victims of Chinese government religious persecution.

As you know, Mr. Chairman, the AFL-CIO is urging Congress not to grant China permanent Normal Trade Relations status and discard annual congressional reviews of that country's human rights record. The AFL-CIO recently commissioned a new national survey of registered voters conducted by Peter Hart Research Associates. Public opinion is strongly opposed to ending the system of annual review for China. Americans feel strongly that U.S. trade agreements should prevent the loss of jobs in the U.S., protect the environment, and stop unfair competition from countries who violate workers' rights.

According to the Hart Research survey, the majority of voters (65 percent) oppose giving China permanent trade access without allowing Congress to annually review its record. Sixty-three percent of Democrats and 75 percent of Republicans oppose permanent normal trade relations for China.

Seven in 10 voters reject the argument frequently made by supporters of permanent free trade with China that "the best way to improve human rights in China is not to restrict trade, but to engage China and include it in important international bodies, such as the World Trade Organization." They also reject the arguments that the agreement will "expand our exports and create good jobs in America" and that "American business will be hurt if other countries have access to the Chinese market and we don't."

This is not the time, in our view, to reduce the leverage we may have on China to improve this dubious record by ending the annual review and giving the Chinese government a blank check.

Statement of Harry Wu
Executive Director, Laogai Research Foundation
Before the Subcommittee on International Operations and Human Rights
Of the
Committee on International Relations
United States House of Representatives
March 2, 2000

Last week, the State Department released its annual human rights report for China. The report spelled out what we all know about China- it is a country run by the Communist Party that abuses the rights of its citizens in the most brutal ways.

I would like to commend the State Department on its honest and complete reporting of the human rights situation this year. China may criticize the United States for "interfering in internal affairs" and "playing the human rights card." It is very important that the United States stand up to this kind of talk. Human rights are not internal affairs. As authoritarian governments have done for ages, the Chinese Communist Party confuses the power to control its population for the right to do so. A government does not have the right to abuse its own citizens.

In my testimony today, I would like to focus on three areas of China's

human rights abuses: forced labor in the Laogai, which is China's forced labor camp system, China's population control policy, and executions and organ harvesting.

The State Department report correctly states that quote "forced labor is a serious problem" end quote. The Chinese Laogai is not a simple prison. It continues to be governed by the fundamental idea that "reform is the goal, forced labor is the means." In the Laogai, prisoners are forced to give up their religious or political beliefs, confess their so-called crimes, and submit to reform to become new socialist beings. This can be a form of psychological torture.

Since China began on the road to economic reform, the production part of the Laogai system has become more and more important. Prisoners are regarded as tools of the regime. They must fulfill work quotas or face beatings, reduction of food or have their sentences extended. Prisoners in re-education through labor camps are there with no trial at all, and due process is severely lacking for just about everyone who goes through the Chinese judicial system.

Some of the products that these prisoners made are exported illegally to the United States. The State Department report says that, quote, "A 1999 directory of Chinese corporations published by a foreign business-information company listed at least two correctional institutions as having business enterprises." This refers to Dun & Bradstreet, the well known business directory. The Laogai Research Foundation actually discovered 99

forced labor camps listed in this directory. Two of them had the words "Reform through Labor" in their title, but there were 99 in total. Some of them include camps whose products are already banned by the US Customs Service. These companies are still looking for international customers and international investment.

We do not know what products, or what part the Laogai plays in China's national economy. This is because all of these facts are considered state secrets, and China does not comply with the MOU on prison labor. They no longer allow Customs officials to visit the camps and they do not give information about suspected camps, as they are required to do.

As Amnesty International and the State Department report noted, China executes more people than every other country in the world combined. People sentenced to death are often paraded in the streets and humiliated at public sentencing rallies. The government calls this "killing the chicken to scare the monkey." The prisoners are then taken to secret execution sites. In some cases, the family of the victim can ask for and receive the ashes of their loved one.

The State Department reports that there are "credible reports that organs from some executed prisoners were removed, sold, and transplanted." I believe that this is a serious understatement. The organ harvesting policy is a national policy, coordinated by many different branches of government. The courts, police, jails, and hospitals--all run by the government--work together to get the organs from executed prisoners

and use them for transplant operations.

In 1998, this committee held a hearing on this gruesome practice. In the past, the Chinese government has repeated that this practice occurs. Now they just lie and deny it altogether. But the evidence keeps coming from China. Just last month, a Hong Kong newspaper reported that Hong Kong patients were going to the mainland to get liver transplants from executed prisoners. The problem continues and it is spreading.

Lastly, I would like to talk about China's population control policy. This national policy affects every man, woman and child in China. Without a government permit, a woman cannot have a child. There are some exceptions to the one-child policy, but those exceptions are still controlled by the government. The main issue is what happens to the woman if she goes against the government rules. Sometimes the family must pay very stiff fines. But in many other areas, women who become pregnant are forced to abort and women who have an extra-plan child are sterilized. Many children born outside of the plan are not given the identification papers that are needed to get an education, health care, and a job. Because they were not in the plan, the government does not care about them.

This is a government that does not know the meaning of individual dignity. But yet, here we are again, talking about whether or not to expand our trade with this country.

For years, the debate was about MFN--Most Favored Nation. And

each year I asked, why do we favor this country? We did not favor the Soviet Union, and we do not favor North Korea or Cuba. Then they changed the name to NTR--Normal Trade Relations. But I tell you today--China is not a normal country.

And now the administration and big business wants the United States to give up the yearly review of NTR, and give China permanent NTR. They say that unions, human rights activists, some members of Congress and others are standing in the way of permanent NTR and China's entry into the WTO. But what about the Chinese government? The Chinese government leaders continue human rights abuses, military threats against Taiwan, and anti-American rhetoric. They are standing in the way. By their own actions, they prove that they are not reliable partners. Granting permanent NTR will only make those leaders stronger. That is not what the United States should be doing.

It is a sad reality that all of these human rights abuses take place without any meaningful action in the international community. It is not enough to for the United States to sponsor a human rights resolution against China at the United Nations Human Rights Commission in Geneva. I agree that it is important to take a stand in Geneva, but this is the least that the United States can do. Why go do we need to go all the way to Geneva to take a stand on human rights? We can take action in Washington. Because the administration will not do it, it is up to Congress to take a stand for a principled China policy that puts people over profit.

February 28, 2000

I thank the American people for arranging this meeting. I thank the Senators in congress. I thank the congress members. I thank the powerful United States of America.

Rebiya loves the Uighurs, and she is a patriot.

Rebiya Kadeer was born in Altay (a province of Uighuristan) on November 15, 1948.

In 1959, an uprising of Uighurs happened in Altay. After the Chinese armed crackdown, Rebiya's father Kadeer was given penal colony, and kicked out of Altay, and moved to Aksu (a province of Uighuristan).

In Aksu, Rebiya was engaged in local businesses, she has made and sold shoes, washed clothes. With the money she collected, she was feeding her children, and also, was expanding her business.

From September 1978 to 1980, in inland China, like, Shanghai, Guangdong, she was engaged in business like moving goods from inland China to Uighuristan. Chinese insulted Rebiya by saying she does business in black market. Chinese Government used to take away her stuff, that she sells, and her money.

After Chinese government started the Improvement Act, in 1982 she got a Legal Business Permit. With 60 yuan she had left in her pocket, she bought 60 scarves. With these she started her business once again.

After 5-year business, in January 1987, in Urumqi on the Bulag Beshi Street, Rebiya rented a 2-storey building that has 40 rooms, for 30,000 yuan a year, and named it "8-March Women Bazaar".

In 1989, she built a 7-storey apartment building with 3 million 700 thousand yuan. After this apartment was finished in 1990, end of the year she built another 8-storey building with 7 million yuan. This building was 13,000 km, and Rebiya named it "Rebiya Kadeer Market". The same year she built "Akida Business Company", "Rebiya Kadeer Market" was a part of the company. This Market was passed out to the Uighur business people. Now there are about 500 Uighurs individual businessmen and women in this market. Including their families, about 2500 Uighurs depend on this market for living.

On September 2, 1992, when Rebiya Kadeer imported 7 cars from Kazakhstan, Urumqi City Customs Unit took all the cars away and gave them to Urumqi City's Chinese major Mu's son. Rebiya Kadeer bought each car for about 20 thousand dollars in Kazakhstan. Son of the Chinese major paid

Rebiya 5 thousand dollars for each car. She was damaged 15 thousand dollars on every car.

From November 1992, to July 1993, Rebiya Kadeer imported 15,000 ton iron and steel from Kazakistan. At that time these iron and steel should be 45 million yuan in the market, but Rebiya Kadeer owed 7 million yuan instead of gaining 45 million yuan by selling the iron and steel. It's hard to finish, telling the reasons. Briefly, Rebiya Kadeer doesn't have any rights, and authorities didn't give her any chance to bargain. I joined in this iron and steel business with her.

In 1994, after Rebiya Kadeer had worked hard for one year and paid off her 7 million yuan dept, she finished building one of her 7-storey Apartment from 1994 to 1995. Rebiya Kadeer joined the meeting of women delegates that was arranged by United Nations in Beijing in 1995.

In January 1995, she engaged in cotton and woolen business in independent countries in Central Asia like Kirgizistan etc. In 1995, in one year she had left 600 thousand dollars in Central Asia. Uzbek, Kirgiz, Kazak tricksters deceived Rebiya and took away her 600 thousand dollars, saying "we'll give you cotton, we'll give you woolen". I believe that Chinese ambassador in those countries are behind all this bandits.

From 1992 to 1995, twenty-three Uighur businessmen were killed in those countries, but none of the Chinese businessmen was even hurt. Doesn't this indicate that the relationship between Chinese and Central Asia is becoming very tight?

In 1995, when Bill Gates arrived in Urumqi to meet with Rebiya Kadeer, the Chinese Security Sent spies and set fire on the 5th floor of "Rebiya Kadeer Market" in September 15. Chinese government's purpose was not to let Bill Gates and Rebiya Kadeer to meet. But in September 19, 1995, Mr. Bill Gates arrived in Urumqi and met with Rebiya Kadeer, even though they were given half-hour to meet, but Mr. Bill Gates spent 2 hours meeting her.

In February 5, 1997, Uighurs who wants freedom and independence demonstrated in Ely (province of Uighuristan) but the armed Chinese cracked it down. In February 15, 1997, I arranged a demonstration with one hundred people against the crackdown of Chinese, in front of the White House and Chinese Embassy in Washington. The Chinese government was informed about the demonstration, I arranged in Washington, so in March 27, 1997, while Rebiya Kadeer was going to Tashkan, Chinese forced her to take her cloth off to search her and that was the day Rebiya's passport was taken. Chinese police told Rebiya that her husband had arranged a demonstration aboard, so she was not allowed to go anywhere aboard. After

Rebiya's passport was taken, she couldn't go to Central Asia to get her money back, and she also couldn't come to America to be with her children.

From that day Rebiya was under a lot of political stress, and economic stress. The electric company tortured her by cutting off the electric, Water Company tortured her by cutting off the water, fire department tortured her by fining her and Tax office tortured her by doubling her taxes. The people were scared of the power of the Government and so they were appropriate for the government's stress on Rebiya.

In December 12, 1997, Rebiya gathered 400 businesswomen in "Rebiya Kadeer Market" and built "Thousand Mothers Movement" to help women to rise. Chinese government first passed out legal permit to this company. In December 25, 1997, Chinese government kept 2 million yuan from the "Thousand Mothers Movement" in the bank, and ordered to break up the "Thousand Mothers Movement".

Rebiya Kadeer was a member of Uighur Autonomous Region's political consultation, after that she became a member of Chinese national political consultation since 1993.

In September 18, 1997, immigrant Wang Loquan, the Secretary of the Autonomous Region, government declared that Rebiya Kadeer was kicked out of the Chinese national political consultation.

The beginning of August 1999, Miss Carry, from the Library of US Congress, told me that she was going to Urumqi and was going to meet with Rebiya Kadeer, so asked me for Rebiya's phone number, and I gave it to her. Then in August 11, 1999, after the American guests had arrived in Urumqi, Miss Carry called Rebiya in the morning and invited her to the hotel to meet her.

Rebiya took her friend Ramila and two people with the cameras alone with her. On the way to the Yendu hotel to meet American guests, Chinese polices and Security Offices' Chinese agents arrested her in front of the hotel. After the Chinese polices arrested Rebiya on August 11, at midnight they arrested our sons Ablikim, Alim, and her secretary Kahrman Abdikerim. My son Alim Abderiyim was released 24 hours later. My son Ablikim and secretary Kahrman were sentenced to 2 years and 3 years in Olanbay labor camp on November 20.

On August 16, fifty Uighur business people went to the government telling them to release the innocent Rebiya. The government, using polices, arrested those 50 Uighurs, and held them for one day.

After the Government court organs got Rebiya's case, they returned her case to supervise organs two times. On November 20, 1999, they declared that there was not enough evidence to put Rebiya on trial.

On January 5, 2000, 4 days till the Rozi Holiday of Uighurs, Government was afraid that Uighurs would rise up in revolt about Rebiya's problem, when they gather for the Rozi Pray. So they allowed the children to meet Rebiya.

On February 3, 2000, right after the Sen. William Roth's resolution about Rebiya on February 2, Chinese government sent seven people from Chinese People Representative delegates, into the prison to see Rebiya. I was not informed about what they talked about.

After Rebiya was arrested her nearly done 12-storey building was stopped.

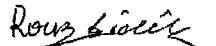
After the New York Times' article on February 9, and spokesman Rubin's statement about the immediate release of Rebiya, I was very happy, I can't tell you how happy I was. I can not tell you how happy the 20 million Uighurs were.

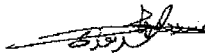
I waited for Chinese to release Rebiya, Ablikim, and Kahrman, but they didn't release them. February 28, Rouxiangul, my daughter in Urumqi, informed me that Chinese court organs charged Rebiya with "selling state secrets across the boarder". On Rebiya's issue, Chinese are opposing international society, opposing America people. Now China revealed it's despotic nature, and it is going to put Rebiya on trial.

But today, I am very happy that American people, American Congress, American government know about Rebiya, they know about Uighurs.

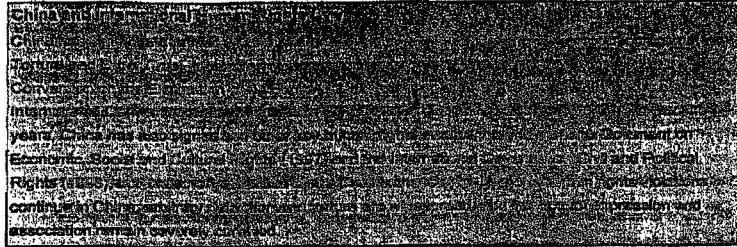
Rebiya Kadeer and my son Ablikim would love to come to United States and be together with their family. Today I ask kind American people's help.

God bless America!
God bless you, American people!


Rouzi Sidik



Translated by Akida
youngest daughter of
Rebiya.



TAKE ACTION!

- ✉ Please write letters to the Chinese authorities expressing the following concerns:
- ✓ Rebiya Kadeer is a prisoner of conscience detained arbitrarily solely for the peaceful exercise of fundamental human rights and her association with her husband. The charges brought against her are believed to be entirely unfounded and politically motivated;
- ✓ for political reasons, the government has banned the "Thousands Mothers Movement" initiative, and then proceeded to impose restrictions on and then arrest Rebiya Kadeer.

Ask the minister(s) to:

- ✓ Immediately and unconditionally release Rebiya Kadeer, as well as her son, Ablikim Abdiriyim, and her secretary, Kahrman Abdulkirim. AI considers all three to be prisoners of conscience.
- ✓ ensure that Rebiya Kadeer, Ablikim Abdiriyim and Kahrman Abdulkirim, while in custody, are being treated in accordance with international standards for the treatment of prisoners; that they will not be ill-treated and will receive all necessary medical care to ensure they remain in good health while detained.

Rebiya Kadeer is a well-known businesswoman and mother of 10 from the Xinjiang Uighur Autonomous Region (XUAR) in China. In 1995, she was part of China's official delegation to the UN Fourth World Conference on Women held in Beijing. A charismatic woman, she drew a lot of attention from amongst the Chinese and international women's delegates at the Conference.

As a former member of the Chinese People's Political Consultative Conference¹ and the most prominent woman among the Uighur ethnic minority in China, Rebiya Kadeer has made important contributions to promote women's rights in the country. Her contributions included the creation in 1997 of the forum - the "Thousands Mothers Movement" - which was potentially the most significant step in China since the UN World Conference on Women took place in 1995 for promoting the rights of and create employment for ethnic minority women. This initiative is particularly significant in a region, the XUAR, which is one of the least developed in China.

In 1997, Rebiya Kadeer was arbitrarily deprived of her right to freedom of movement when the government confiscated her passport. She was subsequently subjected to police harassment resulting in further restrictions of her movement. These actions by the state were apparently aimed at putting pressure on her husband - a former political prisoner who was living abroad - to stop him from making public statements critical of China's treatment of the Uighurs - the majority ethnic group among the predominantly Muslim population in the region. Rebiya Kadeer was thus made a "hostage" and prevented from joining her husband and some of her children abroad. Her business activities also suffered as a result of the persecution to which the authorities subjected her.

On 11 August 1999, she was arrested in Urumqi, the capital of the XUAR, when she was on her way to meet a group of American visitors from the United States Congressional Research Service. She has been detained since then at Liudaowan jail, notorious for its torture and ill-treatment of prisoners. In September 1999 she was eventually charged with "providing secret information to foreigners". The

¹ The Chinese People's Political Consultative Conference (CPPCC) was founded before the establishment of the People's Republic of China. Its 4,000 members are personalities "representing" groups such as overseas Chinese, scientists, religious groups, etc. There are regional and local CPPCCs. It normally meets annually at the same time as the National People's Congress (parliament) and is a forum for opinions and (mild) criticism of the Party. The CPPCC has no formal powers.

charge is thought to relate to her planned meeting with members of the US Congressional Human Rights Service group. Rebiya Kadeer is not known to have had access to any information which could be legitimately described as constituting a "state secret". Nor is she known to have been involved in any political opposition activities. Rebiya Kadeer is reportedly now suffering from poor health in prison.

One of Rebiya's sons, Ablikim Abdiryim, and her secretary, Kahrman Abdukirim, were also arrested at the same time as her. They too were reportedly accused of "providing information to foreigners" or "people outside the borders". On 20 November 1999 Ablikim Abdiryim was assigned to two years of "re-education through labour" (an administrative punishment imposed by a government committee without charge or trial), and Kahrman Abdukirim to three years of "re-education through labour". Both men are reported to have been ill-treated in detention.

On 1 November 1999, Chinese officials visited Rebiya Kadeer's home and reportedly demanded a large amount of money from her relatives, apparently to pay for Rebiya to be taken to hospital. On 4 November 1999, she was reportedly taken to hospital for a check-up but no further details about her health have emerged since.

In early December 1999, a court in Urumqi examined the prosecution's case against Rebiya Kadeer, but reportedly refused to accept the case for trial and returned it to the Procuracy. 'Return of the case to the Procuracy' is a procedure often used in China when the prosecution's evidence is inconsistent or insufficient to secure a conviction, particularly in political cases. This procedure does not mean that the court has quashed the case. It means that the Procuracy has to "re-investigate" the case. In cases which are considered important, this procedure may also be used as a pretext to allow for consultation with appropriate political authorities. According to unofficial sources, Rebiya Kadeer's case has been referred to authorities in Beijing for a decision. This seems to indicate both that there is insufficient evidence against Rebiya Kadeer to convict her of the charge and that her case is considered too important to be decided upon by the regional authorities. Rebiya Kadeer is a prisoner of conscience.

11 AUGUST 1999 Rebiya Kadeer, Ramilla, Ilham and a photographer went to the Yingdu Hotel in Urumqi to meet a member of the Congressional Research Service of the Library of Congress and other staff members of congressmen and senators' offices at a private dinner. At 7.00 pm they were arrested at the door of the Hotel.

Rebiya Kadeer, Uighar, the 'millionaire woman' of Urumqi, XUAR married to Sidik Rouzi, a former political prisoner in China, who fled to the US in 1996 after anti-government papers he had written were published. and where he was granted asylum

Ramilla, married to a businessman presently on the run in Pakistan, owner of a creche in Rebiya Kadeer's Trade CO Bldg

Ilham, employee at the Holiday Inn in Urumqi and teacher of English at a night school at Rebiya Kadeer's Trade Co Bldg. He accompanied Rebiya to act as translator.

12 AUGUST 1.30 AM PSB went to Rebiya's house in Urumqi and arrested her sons Ablikim Abdiryim 26, and Alim Abdiryim 24. They also put her older sons Kahar Abdiryim 34, and ~~Abdul~~ Abdiryim 28, under house arrest in Aksu. (Sidik

? ← how long were they under house arrest??

Kahriman Abdulkirim, Rebiya's secretary was also re-arrested - he had previously spent over eight months in detention and only been released on 7 August

12 AUGUST Ilham and the photographer released

12 Alim released - that he had been made to stand all day facing a wall. They tried to make him sign a document confirming his mother's crimes but he wouldn't

13 AUGUST 20 police searched Rebiya's house and offices and presented Alim with warrants for the arrest of Rebiya and Ablikim to sign - he did not. Rebiya's warrant dated 13 August detained "on suspicion of endangering state security" (place of detention not given). Ablikim's warrant dated 13 August detained "on suspicion of illegally supplying secrets or intelligence across the border - detained in Tianshan Region PSB

14 AUGUST Ramilla was released

15 AUGUST Informed that Rebiya had been transferred to Ludawan Jail. Rebiya's secretary and Ablikim held in Urumqi Police School's Jail

16 AUGUST Ramilla taken in for questioning again but released

18 AUGUST Alim went to Tianshan Region PSB to request permission to see his family but this was refused

20 AUGUST 3.00 Ramilla was taken to the PSB again and questioned 3-9.00pm. Questions include: What's the relationship between you and Rebiya?/ Rebiya's relationship with other people/ Will you husband come back here or will we have to get him here? PSB on the same day went to Ramilla's house and searched it and took her passport away.

who did diagnosis? 23

Information received that on 20th the doctor had diagnosed that Rebiya had a heart attack. (Sidik expand please) details of medical problem

- 2 SEPTEMBER Rebiya was officially charged with "illegally offering state secrets across the border". Rebiya was reportedly forced to sit in an electric chair and had her hair pulled in an attempt to make her sign the charge paper. (~~Siddik sign a confession?~~ Sign the arrest warrant? ~~Sign what?~~)
- 6 SEPTEMBER 50 business people went to the Autonomous Region People's Government Building in Urumqi and asked for the release of Rebiya. At 9.30 am all were ~~arrested (arrested?)~~ and taken to the Urumqi City Party School's Meeting Hall. They were released at 7.00 pm after being made to write and sign a declaration saying that they did not have any relationship with Rebiya and that they would not ask for the release of Rebiya again. The names and addresses of all concerned were taken. An employee at Rebiya's Trade Building and his wife were detained overnight then released.
- where they were questioned?*
- 7 SEPTEMBER A neighbour of Rebiya's was arrested in his house (He had not been among the 50 who went to the government building)
- 9 3.00 pm Rebiya's new secretary was arrested at his workplace
- 12 The neighbour and the secretary were released but told to report every day to Galbiyet Street Public Security Bureau and report what they did, said etc. *for one week*
(~~Siddik how long did this last??~~)
- 27 Visitors to the Ludawan prison were refused permission to see Rebiya but spotted her being taken to the washrooms. She was seen to be limping.
- 1 NOVEMBER A Chinese procurator went to Rebiya's house saying that she was ill and demanded 2,000 yuan to look after her.
- 2 Rebiya was taken to the Air Force Hospital and her health checked
- 20 Ablikim and Kahrman were transferred to the Wulabal Labour Reeducation School, Ablikim to serve two years and Kahrman three. Both were seen in transit and reportedly neither could stand properly and both clutched at their stomachs.
- 5 JANUARY Rebiya was reported to have been on hunger strike from 21-25 December in protest at her unfair treatment. On 25 she reportedly fainted and was taken to hospital where she was given injections 25-27.
- 31 JANUARY Ablikim and Kahrman were reported to have rheumatism and needed medicine
- FEBRUARY The family took 10,000 yuan to the jail to cover Rebiya's medical expenses ~~???~~ She is reportedly suffering internal problems

KAHRIMAN ABDUKIRIM

aged 30, from Kashgar, XUAR

Kahriman studied at Xinjiang University, Urumqi, graduating in 1996. While at university he reportedly discussed political issues with other students and spoke about "Eastern Turkestan". On graduating he was given a job at the regional Academy of Sciences. He was reportedly dismissed from this when the academy heard he had spoken about Eastern Turkestan while at university.

At the end of 1996 he started working as Rebiya Kadeer's secretary.

On 21 November 1998 he was taken away by police from his workplace and held for one night in a local police station where he was reportedly beaten. On 22 November 1998 he was transferred to the Detention Centre of Urumqi City Public Security Bureau. He was held here without charge until 7 August 1999.

On 11 August Rebiya Kadeer was arrested on her way to a private dinner with a member of the Congressional Research Service of the US Library of Congress and other staff from different senators' and congressmen's office. At 1.30 am on 12 August 1999 he was re-arrested at the same time as Rebiya Kadeer's sons Ablikim Abdiryim and Alim Abdiryim. Alim was released on 12 August but Kahriman and Ablikim were held in Urumqi Police Schools Jail (or were they transferred to Tianshan Region PSB Jail ??- Ablikim's Notice of Arrest says held in Tianshan PSB Jail) until they were transferred on 20 November 1999 to Wulabai Labour Reeducation School, Kahriman to serve three years and Ablikim two. Ablikim's Notice of Arrest gave the reason for his arrest as "suspicion of illegally supplying secrets or intelligence across the border". A formal Notice of Arrest is not known to have been issued for Kahriman. Neither have been tried and both are reported to have been tortured while in the Urumqi Police School Jail.

ABLIKIM ABDIRYIM

Ablikim Abdiryim was born on 12 November 1973 in Onsu County of Aksu. He was the ?? child born to Rebiya Kadeer and ??

1979 Started Primary School
 1990 Finished Senior Middle School
 1990-1994 Attended a part-time course studying ? (day school/night school? what did he do the rest of the time?
 1994 Went to Urumqi to study English for two years at Xinjiang University
 On completion of his course he could not find a job so started working for his mother's trading company, Rebiya Kadeer Trading Co.
 11 August 99 was arrested on the same night as his mother was arrested, taken from his home at 1.30 am
 13 August Notice of his arrest was given to his family. In this the reason for his detention was given as "suspicion of illegally supplying state secrets or intelligence across the border". He was detained in Urumqi Police School's Jail OR Tianshan Public Security Bureau Jail??
 20 November Transferred to Wulabai Labour Re-education School to serve two years. He has not been tried and was seen to be in a bad physical state when transferred.

He has never been involved in any political activities.

Testimony of Tracy Zhao, Falun Dafa Practitioner

**Congressional Hearings, March 2, 2000
Subcommittee on International Operations and Human Rights
Committee on International Relations**

Good afternoon everyone. I would like to thank the members of this committee for the opportunity to speak at this hearing today. I hope that my testimony will help shed some light on what is happening right now in China regarding the suppression of Falun Gong and the persecution of innocent Chinese citizens.

Before I begin, I would like to briefly introduce myself. My name is Tracy Zhao. I was born and raised in Beijing, China. Currently, I am an American citizen residing in Queens, New York. I am 30 years old and work as a flight attendant. I am also a Falun Gong practitioner.

Falun Gong, also known as Falun Dafa, is a spiritual practice based on ancient Chinese principles. It has five sets of traditional exercises and teaches practitioners to follow the universal virtues of "Truth, Compassion, and Tolerance." It has attracted millions of people all over the world, because of the positive effects it has on people's overall health and well-being.

In early February of this year, I traveled to Beijing with a number of other practitioners. I was interested to see what it was like for Falun Gong practitioners in China. I had heard stories through news reports and friends, but I wanted to get a first-hand look at what was really going on. I had no intention of participating in any protests, nor was I there to cause trouble. I simply wished to observe the situation first-hand.

Shortly before midnight on February 4th, which was the night before the Chinese New Year, I arrived at Tiananmen Square. I saw many policemen beating and kicking Falun Dafa practitioners, and dragging them into police vans. Many policemen were without coats and were sweating profusely from beating people. The practitioners were trying to peacefully practice their meditative

exercises as a way to appeal to the government to allow them their constitutional right to freedom of belief, assembly, and speech.

I quickly took out a camera to take a picture. The flash caught the attention of the police and three of them immediately pushed me into the police van without asking me any questions. We were all taken to the nearby police station. There were hundreds of practitioners being held there. Some were bleeding in the face; others had bruises or black eyes. There were children in detention, too.

These Falun Gong practitioners had not committed any criminal acts but had only been exercising their constitutional rights. The Chinese government claims it is a country ruled by law, but it often violates its own laws. In the early hours of February 5th, around 1,200 practitioners, including myself, were taken to the Dong Cheng detention center on the outskirts of Beijing. For 24 hours there was no water or heat. Each of us received only two pieces of Chinese bread for food. And we were not allowed to use the bathroom.

After 24 hours, the police questioned me and I told them I was an American citizen. They did not believe me and sent me to a prison cell. There were 15 other people there. Six of them were practitioners and they told me they had been secretly tried and had been sentenced for up to a year. All they had done was go to the government office of appeals to offer their personal testimony to the government on how Falun Gong had improved their health and made them better people. They were arrested the moment they got there.

The Premier of China has recently urged the Government Offices of Appeals to improve their operating procedures, so that the offices would become better places for citizens to voice their concerns without fear of retribution. But for Falun Gong practitioners, walking into these offices is more like walking directly into prison.

Every practitioner in my cell had been abused at some point by the prison guards and policemen. In prison, we were given two meals a day, and it was always two pieces of Chinese bread with cabbage soup. At night all of us slept on one big wooden platform, with one blanket for two people and no pillows. It was very crowded. In the entire time I was there, we weren't allowed to take

any showers. None of the practitioners were allowed any contact with the outside, nor were family or relatives allowed to visit. And the families usually also faced huge fines.

In one instance, a female practitioner was trying to do the meditative exercises. But each time she started, a prison guard kicked her to the ground. This scene repeated itself many times until she had been kicked into a corner. The guard finally left her alone, and she finished her exercises.

While I was in prison, the police interrogated me and threatened that if I didn't answer all their questions I would be kept in prison forever. Finally, with the assistance of the U.S. embassy and reports made by the international media, I was released and deported on February 12th, the eightth day of my detainment. I was not allowed to make any contact with anyone the entire time.

Since the ban on Falun Gong was announced on July 20th, 1999, the brutality with which this "ban" has been enforced has continued to escalate. It is reported that more than 5,000 practitioners, including the elderly, pregnant women, and young children have been sent to labor camps without proper legal procedures - without trial, legal representation, or due process.

In addition, more than 300 practitioners have been tried in secret and jailed with sentences of up to 18 years. In November, an internal government report stated that in Beijing alone, more than 35,000 practitioners have been detained, with many being held under extremely inhumane conditions. So far, 11 people are known to have died while in police custody, while countless others remain unaccounted for.

Unfortunately, as I mentioned before, the scope and severity of this persecution continues to escalate. For example, in January of this year the Hong Kong-based Information Center of Human Rights and Democratic Movement in China discovered that some Falun Gong practitioners were now being held in mental hospitals where they were being injected with various drugs and were subject to other tortures. This situation has been reported in the world news by CNN, AP, and Agency France Press, to name a few. All this is ironic in light of the fact that *The People's Daily*, the state-owned paper, published a report just last May stating that Falun Gong is a 'beneficial

practice' with no political motives that can help people improve their health. This was prior to the current crackdown.

Other television programs drew similar conclusions back then as well. Despite the overwhelming brutality currently happening in China, I would like to make it clear that Falun Gong practitioners are not against the Chinese government, nor do they seek any particular political change or reform. What they ask is that they regain the basic human rights to freedom of assembly and freedom of belief, which are protected under China's own constitution as well as under the UN Declaration of Human Rights that China has signed.

In short, we seek to open a dialogue with the Chinese government so as to peacefully resolve this crisis. I would like to personally thank the United States government for the many steps it has taken thus far to encourage the Chinese government to end this persecution, and I hope you will continue to support a peaceful resolution. Thank you.