

**Congressional-Executive Commission on China
Hearing on**

**The PRC's Universal Periodic Review
and the Real State of Human Rights in China**

Thursday, February 1, 2024, 10:00 am

2360 Rayburn House Office Building

**Statement of Senator Jeff Merkley
Cochair**

Thank you, Mr. Chairman, for convening this hearing. The topic is appropriate for our first hearing of 2024, as it covers the wide spectrum of human rights challenges in China.

Both this Commission and the Universal Periodic Review serve as mechanisms to review China's compliance with international human rights standards, in their own ways. The review of China, the fourth since the creation of the UPR process, gives us an opportunity to assess its outcomes to help us prioritize our work and inform the recommendations we make to Congress and the Administration.

Members of this Commission will find the issues raised at the UPR very familiar. We have documented in our annual reports and explored in our hearings genocide against Uyghurs, decimation of freedom in Hong Kong, colonial boarding schools in Tibet, and China's pervasive surveillance state, among other brutal behaviors.

These are facts – facts this Commission has reported, facts that member states raised in their UPR questions, and facts submitted by the UN and the stakeholder non-governmental groups to the review session. The Chinese government is obligated by international law to address these matters and put itself in compliance with the law.

I look forward to hearing from our witnesses about how these issues were discussed in Geneva, and recommendations on next steps in terms of holding the Chinese government accountable for its numerous violations of the law.

We also hope to hear about the methods the Chinese government employs to avoid facing these facts. As one NGO put it, the Chinese Communist Party “gaslights” the

world on its record by self-servingly redefining concepts and recruiting allies to deflect attention away from its actual conduct. And that conduct is in fact atrocious.

I commend the attention of Commissioners and the public to our new staff report on the prevalence of “PRC-sympathetic” groups at the UPR and how they distort the process. I offer my appreciation to the staff for working so hard to put this piece together.

The UPR remains a valuable platform for the international community to assess the human rights record of China and of every country, including our own. It is far from perfect, and we will hear criticisms of the process and how the PRC manipulates it.

But we must also take care not to let such criticism erode support for the UN system. Its treaty bodies and instruments are the places where international human rights law is defined and adjudicated. These universal standards are those that this Commission is mandated to assess the PRC’s conduct against. Let us not undermine that work.

Lastly, let us remember our most essential role, to help give voice to those who cannot freely express themselves, who languish unjustly in jail, who suffer repression. Earlier this month I joined Senators Rubio, Kaine and Blackburn on a letter asking the State Department to raise specific names of political prisoners at the UPR of China. Chairman Smith and Commissioner Wexton led a similar letter on the House side. I hope our witnesses will update us on cases of concern. Thank you so much for doing so,

I also note that the Chair and I have nominated our witness Sophie Luo’s husband Ding Jiayi, along with Jimmy Lai, Xu Zhiyong and Ilham Tohti for the Nobel Peace Prize. This is another way we seek to shine a light on prisoners of conscience.

Thank you to our witnesses for joining us today, and I look forward to your testimony and your insight.