OPEN FORUM ON HUMAN RIGHTS AND THE RULE OF LAW IN CHINA

ROUNDTABLE

BEFORE THE

CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

ONE HUNDRED EIGHTH CONGRESS

FIRST SESSION

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OPEN FORUM ON HUMAN RIGHTS AND THE RULE OF LAW IN CHINA

MONDAY, MARCH 10, 2003

CONGRESSIONAL-EXECUTIVE
COMMISSION ON CHINA,
Washington, DC.

The open forum was convened, pursuant to notice, at 2 p.m., in room 2200, Rayburn House Office Building, John Foarde [staff director] presiding.

Also present: Steve Marshall, senior advisor; and Lary Brown, specialist on labor issues.

Mr. FOARDE. Welcome, everyone, this afternoon to the Congressional-Executive Commission on China's open forum. The open forum is a format of our biweekly issues roundtables that we have been holding for just about a year now.

It is a special format in that we open it to anyone who wishes to register with us in advance to speak for 5 minutes on any subject within the mandate of the Commission, that is, on human rights and the development of the rule of law in China.

In the other issues roundtables that we hold, we normally invite specific speakers to address specific issues. But the open forum gives a chance for people who might normally not be able to appear on a specific issue panel to come and share their views with us. So, we are delighted to continue this format once in a while, and delighted that we have eight panelists this afternoon to share their views with us.

We are going to hear four panelists first, then four after a very brief break to change seats. Then we will do questions and answers and figure out the most convenient way to address those questions. We may have to set a microphone up over here on the side and let someone sit down there.

Each panelist is permitted to make an oral presentation for 5 minutes and then we will go on to the next speaker. We will have a question and answer session after everyone has spoken, so some of the points that you may not have had time for, we hope we will be able to get to during the Q&A session.

Our timer up here is set for 4 minutes, then I will give you a signal, either orally or by flashing a yellow card, that will tell you that you have 1 minute left to wrap up your remarks.

We have a very interesting set of speakers this afternoon, a very diverse set. Without further ado, I would like to introduce the president of the Association of Chinese Students and Scholars of the New York Area, Mr. Roy Zhou, who will help us.

Please, Mr. Zhou.

STATEMENT OF ROY ZHOU, PRESIDENT, THE ASSOCIATION OF CHINESE STUDENTS AND SCHOLARS OF THE NEW YORK AREA, NEW YORK, NY

Mr. ZHOU. Good afternoon. I am very delighted to come here and give this presentation to you on behalf of the Chinese Students and Scholars studying in the New York area. We are the largest group of its kind here in the United States, and the only regional one.

Today, I want to talk about this special group of people who are of increasing importance to both America and China—the Chinese students and scholars who are studying and living here.

I want to talk about three issues. First, most Chinese students come to the United States for the academic excellence and the opportunity to pursue their studies at American universities.

However, there are certain people who have been driven by some interests and advocated the so-called "China Threat" concept, and claim that many Chinese students are spies.

Recently, the New York Times reported that the FBI is recruiting Chinese students as spies for the United States Government. This has brought an in-depth discussion in the Chinese community. Most foreign students follow the rules and regulations well and are not interested in getting involved in politics. The Chinese community was silent in the past, but this does not mean we have no position. We want to stay away from politics and from spy issues.

We came to the United States for academic and personal development and for improvement of the U.S.-China relationship, not for spying.

Second, Chinese students receive acceptance into U.S. institutions through competitive exams and the rest of the admission process on an equal basis with American students. Unfortunately, many dreams are broken because of unreasonably high rates of visa refusals, including many of those who were granted a full scholarship at prestigious U.S. institutions.

A number of Chinese students who returned to China during the winter break were either refused a visa to reenter or had to wait for almost 6 months for a security check in China.

For example, there are at least four students from Stony Brook University who were not able to return to school for the spring semester and they are still waiting in China. They have to postpone their studies until the new semester starts.

For these students, the delay of visas imposed big difficulties to their study and personal life. For example, Heng Zhu, a post-doctoral scholar at Yale University in its Department of Molecular, Cellular, and Developmental Biology, was refused the visa.

The Wall Street Journal reported his story, saying, "His absence of work due to the visa issue has derailed work under a $1.5 million National Institutes of Health grant to understand how thousands of genes work, a process that could ultimately aid drug discovery." Clearly, the loss of such students and scholars undermines the U.S. national interest.

Third, we respect U.S. policy on homeland security and we firmly support the war on terror. However, treating foreign nationals nicely will help the U.S. global image.

We are wondering if it is possible for the Bureau of Citizenship and Immigration Services [BCIS] to consider providing a new serv-

ice to accept the security check application prior to departure from the United States for foreign aliens already in the United States.

Accredited foreign aliens will receive expedited processing when they re-apply for a visa in their home country. If possible, this would be beneficial to foreigners, especially enrolled students, while not compromising homeland security measures.

At last, we wish the two great nations prosperity and friendship. We also hope to be able to contribute to the increasing U.S.-China communications on politics, economics, trade, culture, and education, and help improve the relations between the two countries.

Thank you for this opportunity to share my thoughts with you. I would be glad to try and respond to any questions you may have. Thank you.

[The prepared statement of Mr. Zhou appears in the appendix.]

Mr. FOARDE. Thank you for your presentation. You bring up some very serious issues. I hope, in the question and answer session, we can have a minute to discuss them further. Thank you.

Our next panelist is an independent consultant currently with The China Group, but had a long and distinguished career with the U.S. Department of Agriculture as an agricultural economist, and a student of Chinese rural areas and Chinese agriculture.

I have benefited many times in the past from your presentations and look forward to hearing from you today.

Fred Crook.

STATEMENT OF FREDERICK CROOK, INDEPENDENT CONSULTANT, THE CHINA GROUP, GREAT FALLS, VA

Mr. CROOK. I appreciate the opportunity to come and participate on this panel. The topic that I would like to talk about is living conditions in rural villages. I would like to talk about three things.

The first one is the wide gap between urban and rural living standards. The second thing, is the growing tension between China's basic-level institutions, the popularly elected village committees, with the Party-appointed village party branch.

The third topic is the specter of famine that lies over many Chinese villages to this day and the effects that it is having.

I think probably one of the most serious problems China has, is that in the last 50 years China's leaders have constructed a two-sector society, a modern, urban, wealthy China and a backward, rural, and poor China.

This "house divided" is a major weakness in contemporary China. To unite this house into a major Asian power will take enormous effort and resources and may require decades to accomplish.

So many researchers in the United States and visitors go to China, and they usually go to Beijing, Shanghai, and Xian, and that is it. I have spent most of my career traveling in rural areas, so I thought I would be of most benefit to the Commission by giving you a little bit of a view of what I see in rural areas.

If you turn to the second page there, on the top is the Shanghai skyline. This is epitomized by cars, metros, good roads, department stores, Nanjing Road, sports stadiums, apartments with air conditioning, good secondary and primary schools, universities, McDonald's, Baskin-Robbins, Pizza Hut, international Internet bars, and five-star hotels.

If you look at the picture below, this is a picture I took in 1988 in Heilongjiang. What do you see in rural areas? You see lots of bicycles, crowded, small buses, small stores, a few houses with air conditioning, poor primary schools, small restaurants, limited Internet access, two-star hotels, if you can find them, and so on.

If you turn to the third page, I have a chart there that shows rural per capita income, and there is a massive gap that the Chinese leadership is having to deal with now. I took the picture below in Shanghai in August 2001.

If you turn to page four, you can get a quick view of consumer durable goods ownership, urban versus rural. So, for example, about 13 percent of urban Chinese households now have computers.

If you look back and forth between these two columns, there is a vast gap between what urban households have and what rural households have. I would guess that most of my Chinese colleagues here today came from urban China. There is a vast difference from what they experienced and what happens in rural areas.

If you look at the per capita income or per capita consumption in kilograms, you can see that urban people have a wide variety of food, and much more nutritious, healthy diet. They eat fewer grains, eat lots of fruits and vegetables, lots of pork and beef, more eggs, more milk, and so on. People in the rural areas eat a lot of rice and wheat products. They eat far fewer vegetables, far less fruit, and far less meat.

If you take a look on page five, I think this diagram is extremely important. What we have here is the village committee up in the upper left-hand corner, that has now been democratically elected. They may not be perfect elections, but they are democratically elected.

What really drives rural China is the Party branch. The people in the Party branch are selected or appointed by the Party committee at the township level, so they manage all the things that go on in rural China, all the resources.

They are the ones responsible for managing the land, labor, and capital. There is a tension between these two now, and how that plays out is going to be very important.

Finally, improved security. I usually go into Chinese rural houses and I find that they are stocking up grain because, in 1958 through 1961, and so on, a lot of people starved to death. Almost every Chinese farm family had someone in their family that died, and that specter is still hovering over the rural areas. Thank you.

[The prepared statement of Mr. Crook appears in the appendix.]

Mr. FOARDE. Thank you very much for the food for thought. We will come back to some of these questions in the question and answer session.

Our next speaker is a research associate at The Center for Defense Information here in Washington, DC. Her name is Chen Yali. We are very happy to have you here, Ms. Chen. Please, go ahead.

STATEMENT OF CHEN YALI, RESEARCH ASSOCIATE, THE CENTER FOR DEFENSE INFORMATION, WASHINGTON, DC

Ms. CHEN. Thank you very much. My topic here today is about China's press freedom. I believe most of you already have an idea about the state of China's press freedom. I think most people sitting here will agree if I say a Chinese journalist does not have as much freedom as an American journalist. But I do not know how many of you will agree with me if I say most Chinese journalists have a large amount of freedom in reporting and writing.

When news about harassment and the prosecution of Chinese journalists come out to the Western newspapers continuously, it might be counterintuitive to say that Chinese journalists have more freedom in reporting and writing than many Westerners believe.

Here, I want to make two points, actually, but I will focus on the first one. First, increasing diversity and freedom of the Chinese press. The second point is self-censorship. I will focus on increasing diversity and freedom and freedom of the Chinese media in my presentation, but would like to talk more about censorship later on.

The development of China's press freedom, I believe, can be generalized as two steps forward, one step back. The steps forward area is often the area that falls off of the Western world's radar screen: the socioeconomic development. If you look back to the Chinese newspapers 15 to 20 years ago, you will see reporting of the economic and social problems are far more restricted than now.

I still remember I wrote the first article criticizing the Chinese Government's corruption problem in 1998 immediately after Zhu Rongji, our premier, took power. However, it was unthinkable in 1993, or even 1994, to write such a story.

Also, another example is about family planning policy. It is one of the most holy policies from 1975 to 1998 for China. However, I was encouraged by my own editor in China to write a story about the policy debate on whether the family planning policy should go on. I can give you more examples later on, if you want.

The recent changes I see in the Chinese media is in the reporting on political policy, the area that is often a "one step forward and half step back" area. Recently, you might see a widely published article lashing out on North Korea and advocating why China should join the United States to pressure North Korea for China's own security.

Another example I can cite is a report on a study by Chinese scholars on why there is no direct causal relationship between educational level and the success of the direct election mechanism.

Chinese journalists are not faced with the "to-be-or-not-to-be" questions such as, "should we speak truth or not," or "shall I challenge the censorship or not," every day. Most Chinese journalists, including me, 3 years ago were just running around to news conferences or following leads that seemed interesting.

There is no evil mastermind sitting in my office watching every step I take or every word I write. For 85 to 90 percent of my work, I write about whatever I want to write. Chinese journalists who cover economic news probably have more freedom than I do, since I am working for the op-ed page.

I want to give three measures that Chinese journalists are using to create press freedom for themselves. One, is many journalists are trying to push the limit of political correctness—political, here, is in the literal sense—and are successful in doing so.

For example, we got a line saying we could not quote or write about a very liberal economist called Mao Yushi, but actually I did a full story about his opinions in the newspaper. I saw all kinds of cases in the Chinese media that Chinese journalists are trying to push the limit.

There are also counter measures in the Chinese media. When one newspaper is closed down or purged, the majority of editors and reporters will be transferred to another newspaper.

I want to emphasize here that I am not suggesting that Chinese journalists are as free as American journalists in writing and reporting. We are far from that. However, I am trying to explain that it is difficult to generalize whether Chinese journalists have, or do not have, free press freedom in a black and white manner.

As a transitional society inevitably heading for liberalization and social plurality, China should be treated with a more nuanced approach, and therefore the targeting policy from the outside world to help promote press freedom will see better results. Thank you.

[The prepared statement of Ms. Chen appears in the appendix.]

Mr. FOARDE. Thank you, Ms. Chen. Very interesting views. We will come back to them.

Our next speaker is a Tibetan living here in the United States, Mr. Lhundup Dorjee.

STATEMENT OF LHUNDUP DORJEE, A WASHINGTON, DC AREA RESIDENT SPEAKING ON BEHALF OF THE CAPITAL AREA TIBETAN ASSOCIATION [CATA]

Mr. DORJEE. I speak here today on behalf of the Capital Area Tibetan Association. Before I begin, I would like to thank the Commission and staff for providing us this opportunity to speak here.

As I speak here right now, members of the Tibetan community here, joined by our American friends and supporters, will be gathered in front of the Chinese Embassy to mark the anniversary of a very tragic event that took place in Lhasa, the capital city of Tibet, 44 years ago.

On this day in 1959, Chinese Communist troops massacred thousands and thousands of Tibetans, men, women, children, monks, nuns and lay people, who had gathered together in spontaneous demonstrations to protest the Chinese occupation of their country and to protect the life of their young leader, the Dalai Lama.

Finding indiscriminate fire insufficient, Chinese troops rained artillery shells into the crowds of innocent people to kill the maximum number. The Chinese soldiers spent days turning over the dead bodies of monks in the hope of finding the Dalai Lama's dead body.

Yet, for us Tibetans, the events of that day 44 years ago resonate with meaning and significance far greater than the tragedy of the day. It was a day on which the heroism, courage, and bravery of our people found expression as never before in the face of China's brutal might, and stirred the collective consciousness of new Ti-

betan identity, one that united all Tibetans, from Kham and Amdo regions, as well as Central Tibet.

The Chinese Government describes March 10, 1959, as quelling of a rebellion. We Tibetans call it the Tibetan National Uprising day and we proudly commemorate it every year in the free world, remembering our common sacrifices and rededicating ourselves to the cause.

Much water has flowed through the river Tsangpo in Lhasa since then. Or maybe, tears would be more apt, instead of water, for the suffering of our people under Chinese occupation was unprecedented and immeasurable. Or maybe it should be blood, for more than a million Tibetans have died as a result of their rule.

Sadly, the situation in Tibet is not getting any better today. The veneer of economic development taking place there notwithstanding, a veneer that many well-meaning observers seem to take as a sign of progress.

I would urge the members of the Commission to look beyond this veneer in assessing the situation in Tibet, for it masks issues of far greater and critical importance for Tibetans.

These are the transfer of Chinese settlers into Tibet, reducing Tibetans to a minority in their own homeland, economic and educational marginalization of ethnic Tibetans, gross violations of human rights, severe political repression, systematic efforts to undermine Tibetan culture and language, and environmental degradation.

While the fact of economic development taking place must be accepted by us Tibetans, it should be pointed out that since the Chinese Government is implementing economic development as part of a strategy to consolidate its colonial rule in Tibet, and not for the sake of improving the lives of ordinary Tibetans, the results of this economic development, in fact, tend to exacerbate the negative impacts of many of the issues mentioned earlier and will worsen the situation further in the long run.

His Holiness, the Dalai Lama, the leader of all Tibetan people, has long advocated and pursued a path of peaceful, negotiated solution by working with the Chinese. However, the Chinese Government has spurned his efforts and vilifies him repeatedly.

It is said that China is banking on a strategy of waiting for him to die to solve the Tibetan problem for good. It will be tempting for China to think this will be a smart option, since the Dalai Lama is a powerful symbol of the Tibetan freedom struggle and unifies all the Tibetans.

In spite of the visit of a delegation of exiled representatives to Tibet in the past year, it is not clear if China really has had a genuine change of heart and has reviewed this strategy. If not, it would be a very serious mistake.

In my opinion, if the Tibetan problem is not resolved during the lifetime of the 14th Dalai Lama, China can be assured of long-term instability in the region.

We hope that the new generation of leaders in Beijing will put aside their arrogance and suspicions and find the wisdom to realize that the only path that can be good for both the Tibetan people and the Chinese people is one that involves working with His Holiness, the Dalai Lama. Thank you.

[The prepared statement of Mr. Dorjee appears in the appendix.]

Mr. FOARDE. Lhundup, thank you very much.

Well done. I must say, all four of the panelists deserve credit for being so disciplined. Let me invite you all to stand and take a seat, if you can, in the first row. We will have the other four panelists up, and then go to the question and answer session when their presentations are complete.

Mr. Tenzin, Ms. Huang Ciping, Mr. Greg Walton, and Mr. Nury Turkel, please.

[Pause]

Mr. FOARDE. Our second group of speakers is now with us and we will begin, as we usually do, from window to wall, with another Tibetan speaker, also living here in the United States.

Mr. Tenzin, please.

STATEMENT OF MR. TENZIN, A WASHINGTON, DC-BASED TIBETAN EXILE WHO RECENTLY VISITED TIBET FOR THE FIRST TIME

Mr. TENZIN. Thank you. First of all, I want to thank you for letting us speak on these issues. I am fortunate to get this opportunity to speak because of my recent visit to Tibet.

I got an opportunity to go to Tibet a few months back. It was my first time. I always wanted to travel to Tibet because, growing up as a young Tibetan in exile, all the stories that you hear from your parents about Tibet, the beauty, and the stories of your ancestors, and all that. I pretty much longed to go to visit Tibet.

This happened to me recently, that I got a visa to go to Tibet. Fortunately, being an American citizen, that gave me the opportunity to visit. So after arriving myself, I felt such joy for me to land in my own country.

I was quite amazed to see Lhasa, the capital city, itself because of the buildings and everything. But as days went on, I met a few people who were willing to talk to me about the situation in Tibet. I see their faces now.

I got to talk to them and they mentioned to me about the railroad the Chinese Government is building going to Lhasa, and they feel that once this is built, it is going to be over for the Tibetans. Right now the Tibetans aren't getting the jobs. They are looked down on and it is very difficult to get jobs unless they speak Chinese or they have good Chinese language skills and so on. So in general for Tibetans, it is very difficult. So if the railroad is built, there will be more Chinese coming in. So that is why some of them told me about this.

There were a few people also who came from outside from another town to work, looking for jobs in Lhasa, and I met these two at the Tibetan tea shop. I talked to them a little bit. Of course, they were a bit nervous.

But I asked them if they knew how was it to get a job. They said it is very difficult. They had been looking for weeks to get a job. Finally, they found one and it pays less than $2 a day, and they work for 11 or 12 hours per day. This is helping building, like hotels and offices, and so on.

The interesting thing is that for the same work for the Chinese is, like, double the salary. The Chinese get more than the Tibetans.

The shop owner I was talking to, I was asking her about the school, how her children go to school.

She said it is very difficult to send her only child to school because it is very expensive and she cannot afford it. So these are some of the things that I have seen when I traveled inside the Tao region, as well as in Eastern Tibet.

As I came to Eastern Tibet, I met my relatives for the first time. They told me about the situation. Every time I met people, old people there, they tell me about the stories of the Cultural Revolution, the suffering they went through during those times.

One of my relatives has also been working for 12 yuan, less than $2 per day. So it is not just this one region, it is all over that Tibetans are paid less. So the living conditions, based on this, I can answer afterward. But it is very poor for Tibetans in general.

Mr. FOARDE. Mr. Tenzin, thank you very much. Very sobering views and testimony. We will come back in the question and answer session.

Our next speaker is the general secretary of the Uighur American Association in Washington, DC, Mr. Nury Turkel.

Nury.

STATEMENT OF NURY TURKEL, GENERAL SECRETARY, THE UIGHUR AMERICAN ASSOCIATION, WASHINGTON, DC

Mr. TURKEL. Good afternoon, ladies and gentlemen. It is a real honor to be here to address some of the issues which are of great concern to the Uighur people.

The political situation in East Turkestan has been increasingly worsening, especially after September 11, 2001. Here, I would like to address a few important issues for your attention.

China's "go west" campaign has an inherently destructive nature. Migrant Chinese have been the major beneficiaries of Western development programs in East Turkestan, but Uighurs are paying the highest price for it.

Chinese observers believe that the Chinese western development policies are designed to bring more prosperity to the west. Such a believe contradicts the reality where unemployment and economic disparity are rampant among Uighurs. Media reports indicate that the government favors Chinese who have migrated to the area over their more qualified Uighur counterparts in its hiring practices. Xinjiang Communist Party Chief Wang Lequan's recent statement further disproves such a belief.

At a recent meeting, when Wang stated that it is wrong to believe that economic development would help reduce and eliminate separatist activity in Xinjiang, so the Government's priority should be cracking down on separatist activity.

This reveals that the Chinese Government's real intent of developing the west is not to win over ethnic minorities in those areas, but attracting more ethnic Chinese immigrants into the region in order to permanently change the demographic structure of the region in favor of ethnic Chinese.

The changed demographic structure, in turn, will help the government's long-term policy of assimilating Uighurs into Chinese. China's discriminatory policies against Uighurs are a blatant violation of its obligations under the U.N. Convention on the Elimi-

nation of Racial Discrimination, to which China has been a signatory country since 1982.

So called "western development" now only facilitates China's attempt to make the Uighurs second class citizens in their own homeland, but also destroy Uighur cultural identity.

The pace of destruction is breathtaking. Today, the ancient city of Kashgar, that is considered as the cradle of ancient central Asian civilization, is virtually unrecognizable.

At the same meeting, Wang also called for a fight against Uighur dissent in an ideological front. He stated, "Xinjiang must promote patriotism and the unity of nationalities education, and resolutely condemn the distorted history promoted by ethnic separatists, including the history of ethnic development and religious progress."

Locking up historians, burning books, destroying historic sites, and imposing Chinese language education are not a recent phenomenon, but rather a continuing effort by the Chinese regime to wipe out the Uighurs from the face of the earth.

The Uighurs have long suffered such destruction since 1949, especially during China's notorious Cultural Revolution. Now they face even greater danger. The intentional destruction of the Uighur culture violates the U.N. convention that was also adopted at United Nations Educational, Scientific, and Cultural Organization [UNESCO] and signed by China.

Uighurs are discriminated against not only at home, but also in other Chinese cities. The Uighurs are not only facing discrimination and ill treatment in East Turkestan, but are also experiencing the same in Chinese cities.

It has been reported that the Uighur residents of Beijing have been evicted and even put on a train to be sent back to their hometowns. Harassment by the police, rejection of lodging, and disapproval of business licenses are commonplace in inner Chinese cities, thanks to Chinese propaganda that portrays the Uighurs as "terrorists."

The indoctrinated belief of the local Chinese residents and government's tacit approval of mistreating Uighurs have created enormous frustration and humiliation among the Uighurs.

Some of the Uighur "fortune seekers" are forced to come to inner Chinese cities to look for a job because of the limited employment opportunities at home, where all the jobs are taken away by migrant Han Chinese.

Denying access to information, Chinese authorities have been enforcing strict media censorship in past decades. This is true even during times of natural disasters. It has been reported that the Chinese authorities have rejected foreign journalists' requests to cover the deadly earthquake that took more than 266 lives, injured 4,000, and left many homeless in a cold winter.

Despite being in danger of being arrested and expelled, some journalists entered the area. The remaining ones only used photographs provided by the Chinese state-owned media.

The TV network is mainly broadcasting pictures of Chinese soldiers helping thousands of victims. However, no independent observers have been admitted into the disaster areas, and witnesses are disputing the official death toll and the effectiveness of rescue efforts.

The existence of the Uighur people is under extreme threat. The human rights situation is worsening day by day as the civilized free world is watching the perpetuators continue devastating and waging cultural genocide against the Uighur people.

Mr. FOARDE. I will have to ask you to stop there, but we will take it up some more in the question period.

Thank you very much.

Mr. TURKEL. Thank you.

[The prepared statement of Mr. Turkel appears in the appendix.]

Mr. FOARDE. Our next speaker comes to us from New York City, where he is an independent consultant, Mr. Greg Walton.

Greg.

STATEMENT OF GREG WALTON, A RESEARCH CONSULTANT FOCUSING ON THE INTERNET'S IMPACT ON HUMAN RIGHTS, NEW YORK, NY

Mr. WALTON. Thank you. Thank you to the CECC staff for arranging this forum.

I am an independent research consultant focused on the impact of the Internet on human rights and democratic development, particularly in Asia. I have no particular affiliation to any organizations; however, I have working relationships with a number of international human rights NGOs and other groups and individuals engaged in advancing human rights in China—particularly in the digital sphere—through activism, or "hacktivism."

By "hacktivism," I mean specifically the adoption and extension of universal human rights principles and mechanisms to the needs of an information-based society, including where this runs counter to the preference of authoritarian regimes.

An information society increasingly employs advanced information and communications technologies in a double life. These technologies are, more often than not, derived from high-tech military research programs.

My research suggests that so-called neutral dual-use technology can easily be abused in the hands of totalitarian governments. In fact, in the absence of democratic accountability, nationwide data base-driven surveillance systems will be used against the interests of the general public in a highly dangerous way.

This afternoon I would like to tell you about the development of two parallel networks of routers that typify for me the development and the contradictions inherent in the Chinese Internet today.

One set of these routers restricts and chokes off the free flow of information, the other network, seek to expand the democratic sphere.

In the first story reported last week by the Associated Press [AP], it is reported that Chinese Internet users are "suffering sharp slow-downs in access, which industry experts blame, in part, on heightened efforts by the Communist government to police on-line content."

BBC confirmed that these problems have worsened as security operations in China have been stepped up as the annual National People's Congress meeting continues in Beijing.

The Commission staff will probably be aware that these problems date back to October 2002, when packet-sniffer software was in-

stalled. This software briefly holds each chunk of data that passes in and out of the Chinese Internet and screens it.

Beijing has effectively built an on-line barrier around China that requires traffic in and out to pass through just eight gateways. The result is a huge bottleneck and much slower service, progressively slower service, especially, as I said, at so-called sensitive times.

Drawn largely from the latest research by a company known as Dynamic Internet Technology, Incorporated, I would like to briefly highlight our initial understanding of how the system is working today, speculate about its capacity, and underline the reasons for its failure.

The second story I would like to touch on briefly today, and this is the other set of Internet routers, is from the story in E-Week Labs Review, in which the magazine is evaluating a beta version of the developer's edition of the Six/Four System by the hacking group "Hacktivism."

This software became available last week under the Hacktivismo Enhanced-Source Software License Agreement [HESSLA]. The Six/Four System is a peer-to-peer technology system that does make it possible to carry out almost any Internet activity, both securely, and more importantly, anonymously.

E-Week Review has found that this software has a huge potential in this regard, but at this date it has not quite achieved its goals. This network, which relies on many node clients with very few trusted peers to handle the routing, is understandably very slow right now, because the network is so small. Also, the system's capabilities are very raw, in that the developers have yet to develop an interface.

I anticipate that once this tool is ready, it will be widely distributed in China. My predication today is that ultimately the Six/Four System will render state censorship impossible. I think, in fact, I will submit the rest of the testimony in writing to the Commission, perhaps because it goes into considerable technical detail.

Basically, the bottom line of what I am saying today is that China really does not have a legal system, in the sense that it does not have the rule of law. Its economy exists without transparency and, as the Commission is no doubt aware, is rife with corruption. I would ask the Commission to further investigate the reality of Internet censorship in China and, where appropriate, apply pressure to all levels of the Chinese Government.

I also urge the Commission, particularly, to examine the role of U.S. corporations engaged in exporting censorship, as well as infrastructure, to the Chinese state.

Finally, I would urge the Commission to take every opportunity to remind governments and corporations that international legal instruments are very clearly a matter of the free flow of information.

[The prepared statement of Mr. Walton appears in the appendix.]

Mr. FOARDE. Thank you.

As you know, the Commission has already looked into a great many of the issues here, and you gave us more information just now. So, thanks for doing that. We will stay on top of those issues, because they are very important.

Our next speaker is representing, today, the Overseas Chinese Democracy Coalition and the Independent Federation of Chinese

Students and Scholars. She is Ciping Huang, who is our old friend, who has appeared many times before, particularly at these open forum sessions. Welcome again, Ciping Huang. Please go ahead.

STATEMENT OF CIPING HUANG, OVERSEAS CHINESE DEMOCRACY COALITION AND INDEPENDENT FEDERATION OF CHINESE STUDENTS AND SCHOLARS, WHITEHOUSE, OH

Ms. HUANG. Thank you to the Commission for the opportunity, and thank you for trying to accommodate my schedule.

My name is Ciping Huang. I represent the Overseas Chinese Democracy Coalition and the Independent Federation of Chinese Students and Scholars.

My topic today is about women's issues in China, which I have wanted to make since I attended the roundtable discussion on the same subject organized by this Commission on February 24, 2003. I was not satisfied with the way the subject was presented, which was on a similar path with the other subjects that were presented to this Commission.

I feel this Commission should be concentrating more on the Chinese human rights issues due to its founding background in the permanent normal trade relations [PNTR] debates and its mission to monitor human rights and the development of the rule of law in China.

I feel that it is very important to focus on the Chinese economic situation. However, focusing on the Chinese economic situation with respect to American business enterprises is not as important to me as it is to focus on the Chinese human rights conditions and the needs and demands of the Chinese people.

For this Commission, I hope we will have more fellow Chinese testify on the human rights abuses conducted by the Chinese Government and its officials—testimony that the Commission has been short of. Here again, I would like to offer assistance and help when you need it to locate victims and witnesses to testify in this regard.

Talking about women's issues, I want to point out the conditions described in your February 24, 2003 discussion are not quite to the essence of the problem. Also, today, since the session is so short and I can only give you a brief introduction, I will submit a longer written statement to you.

On the one side, I understand there is a time limit to discuss a very complex problem. I understand the scholars' and experts' insight and detail on certain aspects.

On the other side, I have learned that many scholars have restricted themselves from harsh criticism of the Chinese Government in concern for the typical retaliation from that government, which would simply not allow them to back to China or sabotage their studies and discredit them afterward. The Chinese Government has arrested and harassed the Chinese-born scholars in the past; they have upgraded this harassment from green-card holders to U.S. citizens, and now the threat and fear has reached even further to the United States. The arrest and trial of several scholars, such as Gao Zhan, Li Shaomin, and Xu Zerun, are just a few of their escalated episodes that have received media attention, but there were many more.

Dr. Jianli Yang was detained 10 months ago without any communication by him to the outside, even to his family, not to mention any other legal proceeding or trial. This is not just violating international standards, but also Chinese law itself.

Under this type of harsh environment for scholars, I feel more than ever a responsibility to speak out to speak for our fellow Chinese people, especially the unfortunate Chinese women. Partially due to my own background, of course, there is a social background supporting this issue.

However, for a government boasting perfect equality such as "women will hold half the sky," and a government that is so successful in carrying out its policy of suppressing dissidents and religious believers, one has to wonder why they could not carry out their slogans and policies for equity for women.

Women lack not just social and economic status, but also political status in China. There have been very limited, yet well-revealed stories in the press, about how women are treated in China. They were the victims of ignorance in the past.

With the economic development in China, they are further and further dragging behind the men and have become victims of cheap labor and exploitation, not just economically and socially, but also sexually. The highest suicide rate for women in the world is in China. This fact alone is one of the best pieces of evidence.

There is widespread knowledge of the present surge of prostitution, women trafficking, female fetus abortion, and abortion and sterilization of women. Sexual harassment is experienced by 84 percent of women. However, let me summarize the areas of my great concern for Chinese women regarding their rights.

One is the growth of China's economy is built on the abuse of human rights, especially for women, via the lack of unemployment opportunity for women and cheap labor exploitation of young girls engaged in "little-sister labor," and a diminution of the state-owned enterprises, as well as those people who do not respect women.

[The prepared statement of Ms. Huang appears in the appendix.]

Mr. FOARDE. We are going to have to leave it there, Huang Ciping, but we will come back in the question and answer session.

I think what we are going to do, because we are a little pressed for space, is ask our four original panelists to come up, and we will get some chairs, and just have you come up right next to the table. If you spoke on the first panel, we would like you up here, please.

Then we will address some questions to all of the panel members. Of course, this is an excellent opportunity to make some additional points, if you have them.

I get to exercise the privilege of the chair, but then I am going to call on my colleagues to help as well. What we normally do is each questioner gets 5 minutes to ask a question or two and hear responses, and then we will move on and we will do as many rounds as we either have time and interest in, or until we reach 3:30, whichever comes first.

So let me begin by asking Lhundup Dorjee, your assessment of how things are going in Tibet with respect to the Chinese Government's relationship, or lack of relationship, with the Dalai Lama and the Tibetans in exile was very downbeat. Is there any reason

at all for hope from the visit of the Dalai Lama's special representatives to China and to Tibet last year?

Mr. DORJEE. There is ground for hope with the mere fact that a visit occurred in the first place. But, in my own opinion, even while the visit was taking place, accompanying events and statements that Chinese Government officials made, government officials and diplomats overseas, did not seem to reflect any genuine change of heart in their assessment of the situation in Tibet and how they intend to solve that problem.

Also, the skepticism shared by many in my own community is that the visit was arranged to facilitate a face-saving public relations effort for Jiang Zemin's impending visit to Texas in October 2002.

Yet, in the case of Tibet, any small development is a good development. We keep hearing of a visit of a second delegation, although I have no confirmed information on that. But that would be more grounds for optimism that something real may be happening. So far, we have not seen much effort to back it up.

Mr. FOARDE. Thank you very much. Very, very useful.

Greg Walton, I am really interested in the Six/Four System that you were talking about. Can you give us a little bit more detail? I have got about 3 minutes for you to do it in.

I am particularly interested in why you think this is going to be so revolutionary in kind of blowing apart the bottlenecks in the information pipe on the Internet, and whether the Chinese Government, which has a great number of very adept code writers, will have any success in overcoming it or finding a solution to it that will escalate some other new innovation elsewhere, et cetera.

Mr. WALTON. Right. I think that Six/Four is one of a number of systems that could, in the future, be of use in circumventing government censorship. I pick it out in particular, or rather that class of software known as peer-to-peer software. I pick it out in particular as being useful in this regard.

Mainly, if I could use the metaphor of a wheel, in fact, at the moment under the current way in which the Internet works, we have a client-server system. So there is the opportunity for centralized control, in this case, the eight international gateways in and out of China.

With the peer-to-peer system, we distribute that controller, or rather, we circumvent it by routing the data around the outside of the network, around the edges of the network, as it were.

More importantly, perhaps, than the censorship issues—and in fact this Commission has addressed, as you mentioned, in the past, the censorship issues on one or two occasions—something which concerns me more is the surveillance aspect of this situation.

I am very concerned that, in the past, the U.S. Government might have funded programs which have helped the Chinese security efforts and to identify people who are circumventing the state-sponsored censorship.

So, I am particularly concerned about not just circumventing the fire wall, but doing so anonymously and securely. By doing so securely, I mean with military-grade encryption technology. That is the case with Six/Four.

I should just mention, actually, that the Department of Commerce, 2 weeks ago, licensed the export of this software because it contains munitions-grade encryption.

I intend to present to the Commission the full-page summary, really, which answers in considerable detail these questions, and keep you updated on the development of that software.

Mr. FOARDE. Great. Some of our Commission members—Senators, Congressmen, and Administration officials—are, in fact, pretty technically savvy. One or two of our staff is as well, so we are quite interested in these details.

Mr. WALTON. Sure. Yes.

Mr. FOARDE. Great.

I would like to cede the floor to our friend and colleague, Steve Marshall. Steve is a senior advisor on the Commission staff, and I am sure he has a question or two. So, please, Steve, go ahead.

Mr. MARSHALL. I think everything everybody said is very interesting and important. But because today is the special anniversary, or a very un-special anniversary, of the 10th of March uprising in Lhasa, I would like to ask another question of Tenzin and Lhundup. I would like both of you to comment on this.

Lhundup, you said something very interesting, that you thought that if the situation was not solved in some respect, some improvement I would take it, between the Dalai Lama and the Chinese within his lifetime, that it would be a very serious situation, a very serious consequence. My question is, what do you mean by "very serious consequences?"

Mr. DORJEE. I think there is not enough appreciation of the leadership that the Dalai Lama has been providing to the Tibetan people, in the sense that he has advocated a very non-violent approach.

So far, the Tibetan movement, even after almost 50 years of Chinese invasion and occupation, has not turned violent. While there are a few people who do disagree with him, his leadership has been effective in keeping the movement on track on a non-violent path. I think there needs to be a real appreciation of his contribution on that side.

If China does not realize the value of what the Dalai Lama is proposing and the wisdom of the path that he is proposing, once he is out of the picture, if the situation is not resolved within his lifetime, the Tibetan people will suffer also, definitely.

But that does not mean that China will win. China does not win when Tibetan people suffer more. If the Dalai Lama is out of the picture, my fear is that the Tibetan people will not have a centralized leadership and will not have a guiding principle like the path of non-violence to follow, and the movement will get fragmented, and that would cause instability in the region.

Mr. MARSHALL. Instability was the word I was looking for. Tenzin, we have got a minute or so left. Could you add to that? Do you feel that the Tibetans would have the capacity or the will to actually create instability if some sort of improvement is not made through the Dalai Lama process?

Mr. TENZIN. Yes. I think the younger generation, especially, is basically tired of not having any results from His Holiness' ap-

proach to the Chinese Government. There is growing, I would say, tension among youths who are losing patience, basically.

I think, as Lhundup said, the Dalai Lama is asking to benefit not only the Tibetans, but also to benefit the Chinese people with his approach. So I think it would be wise to accept this middle way approach by the Dalai Lama before he passes away. That is what I want to say.

Mr. FOARDE. I next recognize our friend and colleague, Lary Brown, who is a specialist in labor affairs for us. I am sure he has a question or two.

Lary, please.

Mr. BROWN. Mr. Crook, in your presentation you mentioned the growing disparity in income between urban and rural areas in China. I was wondering if you could tell us a little bit what needs to happen in rural areas before they can begin to catch up with the income levels in the urban areas. I am sorry, that is a big question and you do not have very long to answer it.

Mr. CROOK. I think that what has to happen is there has to be a resource transfer. I think that the central government needs to start funding, for example, primary and junior/middle school education. That is something that should have been going on for a long time.

In urban areas, the government pretty much does that. In rural areas, farmers pay. But that is one thing. I think they need to reduce the burdens on the peasants. If you look at the tax burden, it is about five times higher in rural areas than it is in urban areas.

I would say that the modern urban China has been built on the backs of Chinese peasants. There has been a resource transfer. That is not unusual, because that happens in almost every developed country. That is what has happened.

But I think there comes a stage when the urban areas have to slow down the growth. We think about per capita or GDP growth rates. That is not the main question now for China. The main question, is what kind of growth, unfair growth or a more fair growth?

So, I think that it is transfers, I think they need to reduce the burdens in rural areas. They need to allow rural people, not just in Tibet, but in Anhui and so on, to be able to move. For many years, labor could not move. They have to allow the rural people to start to move.

Mr. BROWN. Ms. Chen Yali, I found your discussion of the controls on Chinese journalists to be very interesting and very nuanced. Could you maybe elaborate a little bit about what needs to happen and what changes need to take place in order for Chinese journalists to have an internationally acceptable level of freedom to do their jobs?

Ms. CHEN. I did not mention in my presentation about self-censorship, which is a major form of the censorship system in the Chinese media. My central point is, I think to break the censorship system in the Chinese media, to win more freedom for Chinese journalists, the first thing is to help empower, help advocate and train Chinese journalists, and learning to work within the system.

From my own experience, I clearly know, in the Chinese media, there are two groups of journalists. One, is the "in the system"

journalist, one is a journalist "living on the edge" who is a troublemaker who might have some explosive things to say but anyway stays in the media area. I think they need to get more opportunities to go to the United States, to get some scholarships for training opportunities. These people are the hope for breaking the censorship. Thanks.

Mr. BROWN. One more quick question for Mr. Tenzin, and Mr. Lhundup may want to chime in.

One thing that you mentioned, is as the economic development flows into Tibet and the new economy develops, it is mostly the Chinese that seem to be benefiting. One factor you mentioned, going back to Tibetans, was the fact that they do not speak Chinese.

So my question to you is, if the Tibetans, in fact, were bilingual, would the discrimination stop? Or is the discrimination that they face in the newly developing economy based on something more than just language?

Mr. TENZIN. I do not think it is just the language itself. Tibetans are allowed to learn the Tibetan language. I mean, they teach it on a basic level. But once you get in school and so on, I think they do not teach Tibetan.

But even if they do, I think it would definitely improve and people would be willing to train Tibetans. Because, right now, there is no basic incentive to train Tibetans. So, I think in that sense it would help the Tibetans.

But I think there is more than just the languages, just basic treatment, looking down on the Tibetans, I think, are a factor. It would help if the Chinese would allow Tibetans to study Tibetan and give them jobs based on their knowledge and their skills. That is all.

Mr. BROWN. Can I interrupt? My actual question is, if their Chinese language skills were better, would they be in a better position to compete or would they still be discriminated against based on the fact that they are Tibetan?

Mr. TENZIN. Oh. All right.

Mr. DORJEE. Actually, that is happening right now. In fact, the Tibetan language is not the primary language in operation in Tibet. Tibetan is taught at the primary level, I think. As you move along the systems. Chinese is required to get a job, or even get in the government, or even go for higher studies. So what you are thinking is happening right now, but that does not change the basic underlying problem, which is, really, China's intent of economic development effort in Tibet. As my Uighur friend mentioned, China's plan is to really consolidate their colonial rule in Tibet, as well as in Xinjiang. Because the intent is to consolidate rule, the projects focus on doing things that are not directly beneficial to the Tibetans, or to the other minorities, I guess. So, the underlying problems have to be addressed, I think.

Mr. FOARDE. Let me pick up the thread here and ask a question or two of Mr. Roy Zhou, please. You spoke quite eloquently about the interests of Chinese students and scholars coming to the United States and about the recent problems that Chinese scholars have faced trying to visit the United States for purposes of scholarships, and also those who are already here, because of the height-

ened attention and heightened interest in foreign students in the United States after 9/11, and just because of security concerns, generally.

I wonder if you could tell us, for the record, what you understand about why it is taking so long for Chinese students and scholars to get visas to come to the United States at this present moment.

Mr. ZHOU. Your question is a really good one. In my opinion, China has the largest population in the world, so it has the largest number of students and the learning skills of the students are excellent. As I said, they were accepted by the U.S. institutions and are competitive through the whole process and are admitted into U.S. institutions. So there are many students who go to the U.S. Embassy or the Consulate in China and apply for a visa. As far as I know, your Immigration office in the U.S. Embassy in Beijing—and there were lots of Chinese students applying for the visa because of their significant opportunities are really good, and so——

Mr. FOARDE. So, in part, it is because of just the numbers. Is that what you are saying? The large numbers of people that are applying?

Mr. ZHOU. Yes. I think that might be the most important one.

Mr. FOARDE. Oh. All right. And are there other reasons for the extra-long period of time that it is taking? Because my understanding was, Mr. Zhou, and correct me if I am wrong, that traditionally you would get a response to a student visa application in China relatively quickly, within 2 or 3 days. Now, according to what you told me, sometimes it is taking 3 months, 4 months, 5 months, 6 months. Why the long time, now?

Mr. ZHOU. Can I refer this question to a student here from Columbia University called Michael Ren?

Mr. FOARDE. Yes, please. Could you identify yourself for the record, please?

Mr. REN. Yes. Sure. Mike, from Columbia, associated with the Association of Chinese Students and Scholars of the Greater New York Area.

There are instances of Chinese students and scholars not being able to return to the United States, at Columbia, as well. I think the number one reason is the sheer number.

Mr. FOARDE. Can I stop you, just to understand you a little better? We are talking about scholars that have already been here in the program and that have returned to China for a family visit or for a vacation or something, not necessarily all first-time scholars.

Mr. REN. It is both.

Mr. FOARDE. It is both.

Mr. REN. Right. Right. For returning students, for example, students went back to China this winter, but they were not allowed to come back because they had to go through the security check that the State Department does. The security check.

Mr. FOARDE. The security advisory opinion.

Mr. REN. Right. Right. That the State Department established after 9/11 in response to the heightened security situation. As Mr. Zhou eloquently mentioned in his remarks, we students are here primarily as students and do not really pose a threat to national security.

Our International Students Office already has a measure where they certify each student for their enrollment in school prior to departure from the United States. That should be adequate in terms of establishing that the student is enrolled and is in good economic standing.

With the added measure of 9/11, that just seems not to be enough for the visa officers. The measure that Mr. Zhou proposed was that, if it would be possible to establish a mechanism where these students can be certified by security before they would come to the United States.

Mr. FOARDE. Mr. Zhou, I think you suggested that there was an organization that could do that. Did you say BCIS?

Mr. ZHOU. That is the Bureau of Citizenship and Immigration Services at the INS.

Mr. FOARDE. At the INS. All right. We need to get you on mike to say that. BCIS stands for?

Mr. ZHOU. It is the Bureau of Citizenship and Immigration Services, I think.

Mr. FOARDE. All right. Is that the name of this department as part of the Immigration Service as it has in the new Homeland Security Bill?

Mr. ZHOU. Yes.

Mr. FOARDE. It is. All right. All right. That is useful to know.

Steve Marshall.

Mr. MARSHALL. I would like to address a question to Mr. Turkel here. I think it is widely understood that there is a certain amount of Uighur nationalism that is expressed through means that any government would probably disagree with, such as with arms, or with a bomb, or something.

But I think there is also an impression that China treats the Uighur culture itself, the religion, the Uighur identity, as a threat, even when there is no violence involved. Do you believe that is true? And if you do believe that is true, why?

Mr. TURKEL. I believe that is very true, and I appreciate the question. It is a very important question to address, so I would like to go into a little bit of details on that.

The Chinese have been trying to assimilate the Uighurs into the Chinese culture for the last 54 years, and have realized that it has not gone very well because of the different culture that the Uighur people have been proudly living with for centuries. So, the Chinese feel that the Uighur culture is standing in their way to assimilate the Uighurs to make them think, eat, and act like the Chinese, therefore they come up with this new war, that is, a cultural genocide. They have been locking up Uighur historians, banned the Uighur language, banned the Uighur cultural gathering. In other words, Chinese authorities outlawed anything that is posing a threat to the Chinese assimilation policies.

One of the ways that the Chinese are successfully doing this is by making Uighurs' lives difficult, by limiting economic and employment opportunities, so that the Uighurs think nothing but to make a living. The Chinese have carried out policies to assist the migrant Chinese to become an economically advantaged class of citizens, and this led the Uighurs to admire the Chinese lifestyle because of their better living conditions and earnings. This has

been making the Uighurs feel inferior and causing enormous frustration for becoming economically and socially disadvantaged people in their own homeland.

Mr. MARSHALL. And this happens irrespective of whether or not there is a threat of violence. This happens even in the case of peaceful behavior?

Mr. TURKEL. Yes. In the last several years, many peaceful demands for human rights and self determination have been brutally suppressed. And those isolated incidents and acts of violence need to be correctly addressed. Because those isolated incidents do not represent the will of over 15 million Uighurs. The majority of the Uighurs does not agree with the means of violence to achieve their objectives. And the Uighurs are peace loving people and they disagree with violent acts against any people. But one thing needs to be understood. The frustration and humiliation in the Uighurs' daily lives, and the international community's lack of awareness for the Uighur sufferings may have been causing those incidents. And once again, any of those isolated acts of violence does not represent voices of 15 million Uighurs.

Mr. MARSHALL. Thank you very much.

A technical question for Mr. Walton. Today, the People's Daily of China announced a new VeriSign network, a VeriSign Corporation product that would allow, apparently, more secure surfing. I am wondering, whose security benefits more from the VeriSign software, the user or the state? Did you see that article?

Mr. WALTON. I have not seen the article. I do not know the details.

Mr. MARSHALL. But, given the nature of VeriSign products, what do you think?

Mr. WALTON. Well, I think that VeriSign is generally engaged in e-commerce certification. I assume that it is somehow connected with that. I think that is a good thing.

We cannot have e-commerce without trust, and we cannot have e-commerce within China, or between China and other countries, without a level of trust. Commercial-grade encryption is necessary—it is illegal in China, in fact—but I think that the Chinese Government realized that that wasn't going to work. So, as far as I understand, Chinese legislation still holds all forms of encryption illegal.

But, gradually, corporations are rolling it out piece by piece, presumably. The first one has now got their form of encryption, or whatever, legitimized by the Chinese Government. The bottom line is, in this particular case, it is good for everybody, I think.

Mr. FOARDE. Lary Brown.

Mr. BROWN. I have no more questions.

Mr. FOARDE. No more questions. All right.

We have a few minutes left. Let me ask a few more questions.

Fred Crook, I think it would be really useful, for the record, if you would not mind, to give us all a sense of, we see a variety of figures on the number or percentage of Chinese population that is rural, the amount of employment in the agricultural sector in rural China, et cetera. I wonder if you can give us your best figures on the scope of China's rural population in 2003.

Mr. CROOK. I do not know if I can give really definitive numbers. But I guess I would say 65 to 70 percent of the Chinese populace can be considered rural. It is changing.

A lot of farm people are leaving the land and working in small villages and townships. So it is not just that people are leaving the villages to go to Shanghai. Sometimes they leave the village to go work in the local township, the county town, or the provincial town, and so on.

I worked with a researcher at the Ministry of Agriculture. I think her estimate was about 130 million people, young men and young women, leave the villages and work outside their townships.

A large part of it is linked to education. If a young person living in a rural area has a junior/middle school education, or senior high school education, the probability is extremely high that he is not going to be a farmer. He is going to move off of the farm.

So that kind of links back to the state as an advantage, and it should take up the education responsibility. As it exists now, what happens is, if a village invests in a child, in a young student, and the student leaves, they have lost their investment because the investment is gone.

If the state does it and the student moves to Wuhan or Shanghai, then he is still inside the Chinese realm, or to Tibet, or Xinjiang, wherever they go. They are still within China, so there is a lot to be said for that.

I think that in the next 20 years, we are going to see a major population change take place in China. A number of our colleagues here at the table were talking about whether there needs to be a Uighur in the Chinese system, whether there needs to be Tibetan, and so on. But it is also, what does it mean to be a rural person? Part of what goes on is just not simply, you are Uighurs, but you are from west China, and poor, and so on.

So I think that in the urban areas, if the urban people looked down upon Tibetans, Uighurs, and farm people, then you are going to have a lot of tension in Chinese society. I think it is a major, major problem that China has to face.

They have created this monster, this two-sector country that is really two countries in China. There is poor, rural China, and then there is rich, urban China. Somehow, in the next 20 years, Chinese leaders have got to address that problem. How they do that is going to affect stability and what happens with U.S.-China relations.

Mr. FOARDE. This is a really important point. A lot of times we see people in our offices who say, "Well, I have just been to China." "Well, where have you been?" "I have been to Beijing, Shanghai, and Hong Kong." I said, "the real China is really elsewhere."

What we are trying to do on our own staff trips, to the maximum extent possible, you have to go to one of the Big Three, but try to go to other places, because that, to me, is where the real China is. So, it is really useful.

Mr. Nury Turkel, I would just give you an opportunity, if you wanted to, for a minute to talk more about the recent earthquake. As you do that, I just wanted to say that both our chairman and co-chairman, Congressman Jim Leach of Iowa and Senator Chuck Hagel, are very concerned about the earthquake and the death toll,

because they raised it with me when we met, and we have had a long discussion about it. So, if you had a couple more thoughts on that.

I am particularly interested in the difference in the casualty totals between the official Chinese ones, and then some that we are hearing from our friends in the Uighur community in exile, and anything else you wanted to say about that for a couple of minutes.

Mr. TURKEL. This is a really important question. Radio Free Asia [RFA] recently opened up a hotline that made it available for the Uighurs to channel their voices out and express their concerns, and provide non-fictional information to the journalists in the United States.

I think they can provide you firsthand information. Because that information was provided by the victims, the relatives of the victims, and/or people who lived in that area that has ties to the disaster area.

According to the RFA reports, the victims are not even allowed to accept humanitarian aid. What we are talking about isn't foreign aid, but domestic. Another RFA report indicates that monetary and other humanitarian aid from the local Uighur business communities was rejected without any explanation.

We have heard from the media that some of the countries, such as Greece, Turkey, and the United States offered humanitarian assistance, especially the Turks, but their offers were rejected. Since Turkey is one of the most experienced with earthquakes, they have very well-equipped and experienced rescue forces that they can send to Turkestan to help the earthquake victims, but the Chinese Government bluntly rejected their offer. We have heard that similar types of help offered by other countries was also rejected.

The Uighurs have tried to collect some donations to send to the victims in the region and want to make sure that this money will be given to the victims directly, not to the pockets of the Chinese officials or the other people who can use it for some other purposes.

There are instances in the past that foreign aid or monetary donations went straight to the government to build or upgrade their offices and even buy ambulances in major hospitals in the capital city, Urumqi, but not in the earthquake area. This information was provided to us by reliable sources.

Here, we would like to ask the U.S. Government to send an independent observer to investigate the actual death toll and monitor the rescue effort. I personally believe that the actual death toll exceeds what has been reported by the Chinese Government-owned media outlets. That is the only media outlet that was allowed to go to the disaster area to make reports. So, I doubt that 266 is an actual death toll.

We would like to ask the U.S. Government to work with the Chinese authorities to provide all necessary humanitarian assistance to the victims. We believe that it can be done and is not too much to ask because the victims are really suffering. It's hard to imagine in a civilized world that the victims of natural disaster are treated heartlessly. Instead of providing humanitarian aid, the Chinese Government is collecting blankets, daily supplies, and food from the local communities while rejecting the foreign aid by telling the world that China is capable of taking care of the earthquake vic-

tims. The Chinese Government can use the money from the international community to rebuild schools, homes, and hospitals. Many victims and kids who lost their parents are still staying outside in cold winter weather. It's been reported that heavy clothes and blankets didn't provide much shelter for the victims to stay warm in recent heavy snow and freezing weather.

Here, we are not asking the whole world to come together to liberate Uighurs but simply asking for humanitarian assistance which will help them to get back on their feet. What they are facing is a real danger and they need the world community to tell the Chinese to pay attention to the sufferings of the earthquake victims.

Mr. FOARDE. Thank you very much.

Mr. TURKEL. Thank you.

Mr. FOARDE. Very useful.

I will let my colleague and friend, Steve Marshall, ask the last set of questions for this afternoon.

Please, go ahead.

Mr. MARSHALL. Thank you. We are going to come back to March 10 again. I will point out that the Chinese Government has just released today, and posted on their Web site, a new white paper focusing on the Tibetan environment and ecology.

When they say "Tibet," they mean just the Tibet Autonomous Region. One entire chapter of this white paper is dedicated to the study of the railroad that may be built between Golmud and Lhasa. Both of the Tibetans have mentioned the population issue. Mr. Turkel, I think, and the Uighur people are very familiar with the population issue.

If the railroad is built and the population influx continues and accelerates, what can the Tibetans do to cope with the population pressure and still maintain their identity? Let's face reality head-on. If there is no option, and you cannot just turn the railroad off, but you want to preserve your self-identity, how do you do it? Somebody?

Mr. TURKEL. May I answer that question?

Mr. MARSHALL. Sure.

Mr. TURKEL. There has been an influx of Chinese immigrants flooding into the region, especially since the southern railroad is built in Xinjiang. There is a city called Kashgar in the southern part of East Turkestan. Kashgar is not only considered as an important historic city to the Uighurs but also is regarded as the cradle of Turkic civilization for the Turkic people in the entire Euro-Asian continent.

After the building of the railroad, Kashgar is almost becoming another Chinese city. In order to facilitate the settlement of the migrant Han Chinese, the Chinese Government is destroying the ancient streets and old residential districts to connect the new train station to the city center. Ancient streets, historic buildings and sites have been the major driving force for the local economy, and demolition of such tourist attractions is making it impossible for the local Uighurs to make a living. Obviously, tourists won't go to Kashgar to see high-rise apartment buildings and wider streets, but rather they are much more interested in learning the Uighur

culture and history. As a signatory country of UNESCO, China should protect the Uighur cultural heritage but not destroy it.

Having said that, the Uighurs are not opposed to the construction of the modern transportation to catch up with the rest of the world if such projects are not based on the destruction of cultural and ethnic heritage. So called "western development" policies aren't designed to help the Uighurs and Tibetans to have a better life but it was designed to facilitate migrants to settle in the lands of the Uighurs and Tibetans.

It is unfortunate but I think my Tibetan friends might face the same consequences as a result of this railroad project. Now, the Kashgar residents are frustrated because they are losing their homes. Those homes might be a few hundred years old. The ancient city is disappearing, local economy is getting hurt badly and thousands of Han Chinese immigrants are arriving daily and they are the real beneficiaries of this so called "western development" program at the heavy price that the Uighurs are paying.

Mr. MARSHALL. We have only got a minute or so left, so could I cut in and see if Lhundup wants to add something? Do you have something to say?

Mr. DORJEE. Thank you for your question. This is a very difficult question really to even try to think through. But, trying to think through it, if I go back to the agenda of today's forum, where I see human rights and the development of rule of law in China, and protection of minorities, and development of democratic structures and institutions.

I mean, we can fight for those kinds of rights and institutions and probably those can provide some sort of protection for our cultural identity, though I remain very optimistic. I have not seen Tibet. I was born in India, in exile.

My parents were from Eastern Tibet in the Amdo region, now called Qinghai. In the areas bordering China, traditional ethnic Tibetan areas bordering China, the influx of Chinese settlers, Han as well as Hui, the changes that have come about seem to be irreversible now. The concern that this can happen in central Tibet from the railroad construction could be really difficult to imagine for us. Thank you.

Mr. FOARDE. We have run out of time, unfortunately. Very rich and interesting conversation with each one of you.

On behalf of Chairman Jim Leach and Co-Chairman Chuck Hagel, and the other Members of the Congressional-Executive Commission on China, and every one on the staff, I would like to thank each of the eight speakers today who helped us by giving us your views and your very interesting information on all these questions.

Our next issues roundtable will be held on Monday, March 24, in room 2255 of this building, the Rayburn House Office Building, at 2:30 p.m. We are going to focus on non-governmental organizations in China and we will have a distinguished group of panelists to help us.

The time has come for us to give up the room to another group at 4 o'clock. We thank you once more on behalf of the CECC, and thanks to everyone who came. We will see you again at the next

open forum. I hope we will have another of this type of forum later in the year, and I hope it is as successful as this one.

Thank you all, and good afternoon.

[Whereupon, at 3:30 p.m. the open forum was concluded.]

A P P E N D I X

PREPARED STATEMENTS

PREPARED STATEMENT OF ROY ZHOU

MARCH 10, 2003

Good afternoon, I am very delighted to come here and give this presentation to you on behalf of Chinese Students and Scholars studying in New York Area. We are the only regional and the largest group of its kind here in the United States. Today, I want to talk about this special group of people who are of increasing importance to both America and China—the Chinese students and scholars who are studying and living here.

I'll start with a story, a story that happened on a fierce winter of 1854. After 98 days on a tea ship called "Huntress" from Guangzhou, Mr. Yung Wing, the first Chinese national who ever received admission from a prestigious U.S. institution, set his rugged cotton shoes on the hustle-bustle port of New York City. The prosperous street views shocked Mr. Wing, who realized that a legendary land existed outside of his motherland "Central Kingdom." Five years later, on a similar bone-freezing winter, Yung returned to China as a Yale graduate. Among his meager luggage, he bundled not only diploma but also a dream—a dream that later influenced several generations of China's youth. "During my last year at Yale College, I had almost decided what I wanted to do. I believe the next generation of China youth should have the same opportunity to receive the education that I have received. Through the Western education that its citizens would receive, China may turn into regeneration, and become more civilized and stronger. It is the goal of my life to make this dream true," said Mr. Wing.

The road to Yung's dream proved to be rough. During the most part of the 20th century, China and its youth suffered consecutive wars: including the two World Wars, the numerous military conflicts waged by colonial powers like Britain and Japan, and the Civil War. China plunged into unprecedented poverty, ignorance, and chaos. China's youth still dreamed about traveling and studying overseas but very few of them made their way into institutions of higher education in the West. Especially during the cold war, the hostility between different ideologies caused tremendous difficulties for young intellectuals to fulfill their dream of studying in America. It was not until late 1970s, after Richard Nixon's visit to Beijing, that American universities started admitting an increasing number of Chinese students and scholars.

Since the normalization of U.S.-China relations in the 1970s, hundreds and thousands of excellent Chinese students and scholars have been overseas to places like the United States to learn the Western technology, culture, political and economic systems. They have also spread knowledge of Chinese culture to the United States. After their study, many students were either hired locally, devoting their effort in academic and business areas, or returned home with the knowledge. More and more students are returning to China, like a bridge connecting the two countries. Among the ones that stayed in the United States, many of them achieved quite remarkable success in the business world. For example, there is one company called "UT Starcom" based in New Jersey, which was started by a student called Wu Ying in 1992. After 10 years, UT Starcom is an ISO 9001 certified company providing 2,500 job opportunities to American workers. We can find similar examples in which Chinese businessmen devoted to the society all over the nation. There are many other success stories, like Hong Chen, who founded an IT Firm called GRIC, and Zhu Min, who founded WebEx which provides Online Meetings Service. Both are leading in the their respective industries.

The United States and China are two great countries of great human talents and intellectual heritages. The reopened opportunities for exchanging students have seen many young Chinese receiving their degrees from the best universities in the United States and many of them going on to contribute in both China and America in various fields. There is an interesting pattern in the history of Chinese Students and Scholars coming to America. Early on, thousands of them decided to stay and work for big corporations and academic institutions because they felt that China was too backward in their research area or too rigid in governing. This trend once wreaked havoc on some Chinese government officials who worried about "brain drain" due to the high rate of non-returning students and scholars. But now this worry turned out to be less than temporary. Since China's accession into the WTO, Chinese students and scholars are more than willing to return for the unprecedented opportunities for growth at home with the knowledge they have learned in

the United States. Just take a look at recent recruiting, business opportunities and investment conferences held by different Chinese municipalities, the long line waiting outside of the meeting place is stronger evidence than any words or arguments.

Even the Brookings Institute's China expert David Shambaugh exclaimed that the next 10 or 20 years, America will see the most tremendous impact that it has on China due to the large number of students and scholars returning to their motherland. President of U.S.-China Business Council Dr. Robert Kapp also predicted that the fast development of China and its market economy has drastically reduced its distance from the most developed countries, therefore its business, cultural and intellectual talents are facing a new round of relocation and integration. All these changes point to a brighter future for both China and America. It's a mutual benefit to both governments.

Having said that, I want to talk about three issues affecting Chinese Students and Scholars.

First, most Chinese students came to the United States for the academic excellence and the opportunity to pursue their studies at American universities. However, there are certain people who have been driven by some interests and advocated the so-called "China Threat" concept, and claimed that many Chinese students are spies. Recently, New York Times reports that FBI is recruiting Chinese Students as spies for the U.S. Government. This has brought an in-depth discussion in Chinese Community. Most foreign students follow the rules and regulations well and are not interested in getting involved in the politics. The Chinese Community was silent in the past, but this does not mean that we have no position. We want to stay away from politics and from spy issues. We came to the United States for academic and personal development and for the improvement of U.S.-China relationship, not for spying.

Second, Chinese students receive acceptance into U.S. institutions through competitive exams and the rest of the admission process on an equal or less-advantaged basis with American students. Unfortunately, many dreams broken because of unreasonably high rate of visa declining, including many of those who were granted full scholarship at prestigious U.S. Institutions. A number of Chinese students who returned to China during the winter break were either declined re-entry visas or had to wait for almost 6-month security check in China. For example, there are at least 4 students from Stony Brook University who were not able to return to school for this spring semester and they are still waiting in China. They have to postpone their studies when new semester starts. For these students, the delay of visas imposed big difficulties to their study and personal life. For example, Heng Zhu, a post-doctor student at Yale University in its Department of MCDB (Molecular, Cellular and Developmental Biology) was declined the visa. Wall Street Journal reported his story, saying "his absence of work due to visa issue has derailed work under a $1.5 million National Institutes of Health grant to understand how thousands of genes work, a process that could ultimately aid drug discovery." Clearly, the loss of such students and scholars undermines U.S. national interest.

Third, we respect U.S. policy on Homeland Security and we firmly support the war on terror. However, treating foreign nationals nicely will help the U.S. global image. We are wondering, if it is possible for BCIS to consider providing a new service to accept Security Check Applications prior to departure from the United States for foreign aliens already in the United States. Accredited foreign aliens will receive expedited processing when they re-apply for visa at their home country. If possible, this would be beneficial to foreigners, especially enrolled students, while not compromising homeland security measures.

At last, we wish the two great nations prosperity and friendship. We also hope to be able to contribute to the increasing U.S.-China Communications on politics, economics, trade, culture, educations, and help improve the relations between the two countries.

Thank you for this opportunity to share my thoughts with you. I would be glad to try and respond to any questions you may have.

APPENDIX

U.S. Security Stymies Scientists By Bernard Wysocki Jr. 01/21/2003, The Asian Wall Street Journal, Page A1

FBI Recruiting Chinese Students in US—NYT 02/07/2003 Dow Jones International News

Homeland security? Don't forget homeland sensitivity. By Tom Plate. 02/17/2003 Straits Times

China Reforms Bring Back Executives Schooled in U.S. By Jonathan Kaufman 03/06/03, Staff Reporter of the Wall Street Journal

PREPARED STATEMENT OF FREDERICK W. CROOK

MARCH 10, 2003

LIVING CONDITIONS IN CHINA'S VILLAGES

For the past 43 years I have focused my interests on China. I have lived in China (mainland, Taiwan, Hong Kong) for a total of 10 years. I served as an Agricultural Attache in Hong Kong, and worked on a TDY basis in the US Embassy in Beijing, and in the US Consulate Generals in Shenyang and Chengdu. I retired from USDA with 30 years of service and in 2000 organized The China Group that provides information to clients about China's rural economy and agricultural trade. In the past 3 years I made 14 separate trips to visit China's rural areas.

Since most US visitors to China typically travel to Beijing, Man, and Shanghai but given my background and experience I thought I could be most useful to the Commission by providing some views about rural China—the China that most visitors seldom see.

My presentation addresses three topics.

1. The wide gap between urban and rural living standards.
2. The growing tensions in China's basic level institutions Party appointed cadres in the Village Party Branch Democratically elected Village Committees.
3. The shadow of famine in rural villages—two strikes and you are out.

URBAN WEALTHY (MODERN CHINA) AND RURAL POOR (RELATIVELY BACKWARD CHINA)

My view is that one of China's most serious problems is that over the past 50 years China's leaders have constructed two China's: a modern wealthy China and a backward rural poor China. This "house divided" is a major weakness in contemporary China and to unite this house into a major Asian power will take enormous effort and resources and may require decades to accomplish.

Many researchers in China and in the United States have focused effort on analyzing the effects China's entrance into WTO may have on China's rural economy. But when I have asked some of my colleagues in China to highlight major problems looming for China in this decade their answer typically is: "WTO is not the primary problem. The main problem is the 'Dual Structure.'"

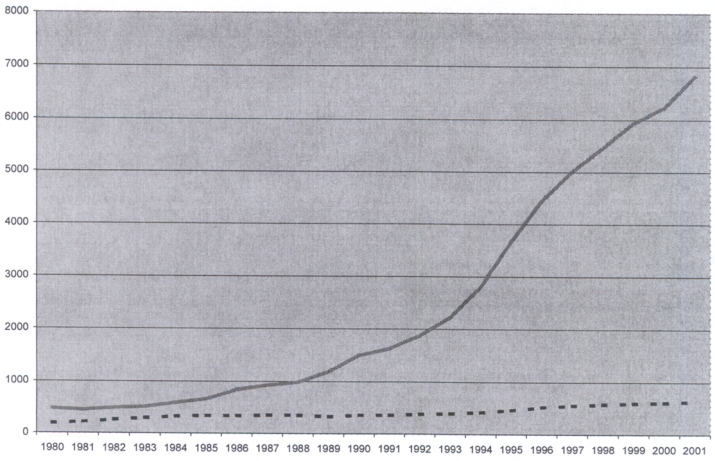
Shanghai skyline, 2001.

Cars
Subways
Good roads
Big stores
Stadiums
AC
Good schools
Colleges
KFC
Internet bars
5 star hotels

Farm house with attached saw mill, Heilongjiang, 1988.

Bicycles
Small buses
Poor roads
Small stores
Few AC in houses
Poor schools
Few restaurants
2 star hotels
Gov't guest houses
Limited internet
Access.

Real urban and rural per capita income, 1980 to 2001.



Shoppers in Shanghai, August 2001.

Shoppers in Shanghai.

Consumer durable goods per 100 households, urban/rural comparison

Commodity	Urban 2001	Rural 2001
Bicycles	165	121
Sewing machines	51	NA
Washing machines	92	30
Electric fans	171	129
Refrigerators	81	14
Motorcycles	19	25
Tape recorders	49	NA
Cameras	40	3
TV sets:		
Color	121	51
Black and white	NA	54
Telephone sets	93	34
Computer	13	NA
Cell phone	34	NA
Air Conditioning	36	NA

Source: NBS, China Statistical Yearbook, 2002. Table 10–12 and Table 10–28.

Per capita consumption, 2001

[In kilograms]

Grain	80.0	238.0
Fresh vegetables	116.0	98.0
Edible vegetable oil	8.0	4.4
Pork	16.0	16.0
Beef	1.9	0.4
Poultry	5.0	2.0
Eggs	10.0	2.3
Aquatic products	10.0	3.4
Sugar	1.7	1.3
Fruits	51.0	13.0

Source: NBS, China Statistical Yearbook, 2002. Table 10–11 and Table 10–27.

Village Level Political Issues

2 Current Village Institutions

Village Committee

Village Assembly or Village Representative Assembly

The Party Branch

Economic Cooperative

Cun min xiao zu

Production Team

Enterprises

Farm households

3/5/2003 F W Crook, The China Group 19

Village election in Yunnan province, December 2002.

Food Grain Security, "Two Strikes and You Are Out!"

Household grain bin, Liaoning.

Suggested layout for a farm house.

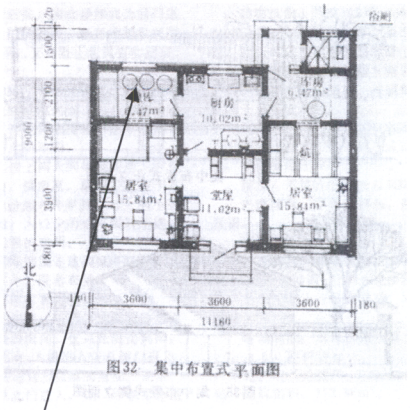
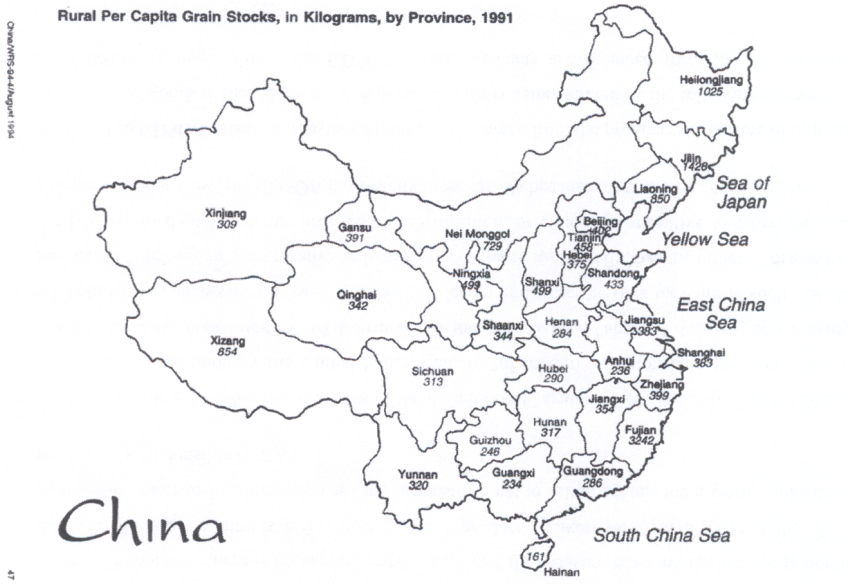


图32 集中布置式平面图

Placement of grain bins in farm house.

Household grain bin, 2001, Hebei.

Selling sheet metal grain bins, 2002.



Many farm households in 2003 had a family member or a relative that starved to death during the great famine in 1958–1961. The primary cause for this famine was irrational government policies. My view is that since 1961 the Party has lost a great deal of its legitimacy in rural areas. Before 1961 farmers were forbidden to store grain in their farmstead and houses. But since 1961 farmers began to store grain as a major part of their family's survival strategy. The grain serves as a hedge against extreme price fluctuations, injury and sickness insurance, and insurance against crop failures.

PREPARED STATEMENT OF CHEN YALI

MARCH 10, 2003

PRESS FREEDOM

My topic today is about China's press freedom. I believe most of you already have an idea about the state of China's press freedom. I think most people sitting here will agree if I say a Chinese journalist does not have as much freedom as an American journalist. But I don't know how many of you will agree with me if I say most Chinese journalists have a large amount of freedom in reporting and writing.

When news about harassment and prosecution of Chinese journalists comes out to the Western newspaper continuously, it might be counterintuitive to say that Chinese journalists have more freedom in reporting and writing than many westerners believe. Here I want to make two points because both of them are crucial components of the state of China's press freedom: first, the increasing diversity and freedom of the Chinese media; the second self-censorship. I will focus on the increasing diversity and freedom of Chinese media in my presentation but would like to talk more about censorship later on.

The development of China's press freedom, I believe, can be generalized as "two steps forward, one step back." The steps-forward area is often the area that falls out of the western world's radar screen: the socio-economic development. If you look back 15–20 years, the reporting on the economic and social problems in China is much more liberal and sophisticated now. I still remember I wrote the first article criticizing the Chinese Government's corruption problem in 1998 immediately after Zhu Rongji took power. However, it was unthinkable in 1993 or even 1994 to write such a story. Family planning policy is one of the most holy policies from 1975 to 1998. However, I was encouraged by my own editor to write a story about the policy

debate on whether family planning policy should go on. I can give you more examples later if you want.

The recent change is in the reporting on political policy, the area that is often one step forward and half-step-back area. Recently, you might have seen a widely published article lashing out on North Korea and advocating why China should join the US to pressure North Korea for China's own security. Another example is a report on a study by Chinese scholars on why there is no direct causal relation between educational level and the success of direct election mechanism.

Chinese journalists are not faced with the to-be-or-not-to-be questions such as "should we speak truth or not" or "shall I challenge the censorship or not?" Most Chinese journalists, including me 3 years ago, are just running around the news conference or follow a lead that seems interesting, or talking to scholars and trying to contact officials. There is no evil mastermind sitting in my office, watching every step I take or every word that I write. For the 85–90 percent of my work, I write about whatever I want to write. Chinese journalists who cover economic news probably have more freedom since I am working for the op-ed page.

PUSH THE ENVELOPE

Many journalists are trying to push the limit of "political correctness" and are successful in doing so in many cases. Mao Yushi; Dong Yuyu

FREEDOM CREATED FOR STRUCTURAL REASONS

Media outlets directly under the propaganda watchdogs suffer from strictest censorship. Media outlets under the provincial propaganda authority will have more leeway to move around if the local propaganda authorities are more flexible. Beijing Youth Daily for example is under the Propaganda office of the Youth League, which is a part of the Beijing Municipal Government. Therefore, the Central Propaganda Ministry has to go through layers of bureaucracies to send warnings to them. Take another example: Nanfang Zhoumo (Southern Weekend) is under the Propaganda Branch of the Guangdong Provincial Government, which is kind of independent in economic policy and even domestic politics anyway.

CREATING FREEDOM IN WRITING

Avoid direct confrontations and avoid advocating the slogans that immediately draw fire on you but use small details and facts to communicate what you mean. Avoid putting the criticism as your own judgment. You can write or structure your ideas in the way that is less inflammable and therefore unnoticed by the censorship. To read a story on China Daily, start from the last five paragraphs. Chinese readers are smart readers. They can read between lines.

COUNTERMEASURES: "THERE IS A POLICY FROM ABOVE, AND THEN THERE IS COUNTERMEASURE FROM THE BOTTOM"

When one newspaper is closed down or purged, the major set of editors and reporters will be transferred to another newspaper. Where there are needs, there are deeds. Nanfang Zhoumo, when purged, turned into 21st Century Herald. Internet and commercialization are two factors to help these activities.

I want to emphasize that I am not suggesting that Chinese journalists are as free as the American journalists in writings and reporting. We are far from that. However, I am trying to explain that it is difficult to generalize whether Chinese journalists have or don't have press freedom in a black-and-white manner. As a transitional society inevitably heading for liberalization and social plurality, China should be treated with a more nuanced approach and therefore the targeting policy from the outside world to help promote the press freedom will see better results. One immediate policy implication for the western countries is to help educate, train and empower Chinese journalists, especially those with more free spirit but sidelined, instead of criticizing the lack of press freedom in China.

SELF-CENSORSHIP

I have to say the "evil mastermind," if there is any, is a shadow sitting in my own mind or the minds of every Chinese journalist: that is self-censorship. Self-censorship is the major form of media control in China. Self-censorship in Chinese media is like in the US you should be careful not to say anything "politically incorrect." Self-censoring yourself in China as well is not to say something politically incorrect, here politically in the literal sense. The censorship system helps enforce the self-censorship by giving guidance in advance and making examples, punishing those that crossed the line too far.

CENSORSHIP TAKES EFFECT IN RECRUITING JOURNALISTS AND JOURNALISTS' PROMOTIONS

Two distinctive groups of journalists: in-system (follow the rules, obedient to their superiors and always get the best opportunities) and those living on the edge of the system. You cannot write what you are not allowed to write; but, as a journalist, you can often refuse to write what you don't want to write; Case: Falun Gong. The latter group of journalists is often regarded as "trouble-makers" in this profession. Media organizations want to keep them because their articles are more marketable than others. However, these people won't have much chance to get major promotions. In China, promotions are related to salary, bonus, housing, training opportunities, good beats, interesting topics and in one word other people's respect. This group of journalists are often discouraged, pushed around and ripped off good opportunities. Two ways for these people: go out of the system and work for the private sectors or go abroad; swallow their pride and join the "mainstream."

ACTICAL PROBLEMS FOR CHINESE JOURNALISTS: MONOPOLY OF THE GOVERNMENT OVER INFORMATION

Personal relations with these ministries are also very important. Guanxi plays in Chinese journalism as well. Alternative source: scholars, more open-minded and have less restraint to speak. How much you can reply on an non-official source, it depends on which area you are talking about. The ownership of China's information was still very much held in the hands of the government, statistics, market research and opinion polls are very much controlled. In many cases, only the government control the information, for example, when a policy is to be let out and what the policy might look like. Since China is not a democracy, government agendas and policy debates are more or less held in black box. Journalists therefore depend on government for information. So going back to alternative source, if in economic news, you have much more other resources you can rely on, more critics that like to jump out to make comment. But you talk about, for example, arms control, you very much rely on the foreign ministry and Moftec for any information since the think tanks in this field rely on the government as well.

Government officials took journalists, especially journalists from the mainstream media groups, as "their own people." They would talk a lot, I guess even a lot more than American government officials would do, to the reporters. On the other hand, journalists in turn will watch for the ends of these officials, sifting through things provocative or sensitive, which might bring troubles to this official. In many cases, journalists know much more about the story behind than they appear to, i.e., the articles published. That is the rule of the game. Chen Xiao was put onto the blacklist of Moftec. Nobody talks to him ever. You could write one provocative story or two, but then you lost your jobs afterwards. You have to do something else.

PREPARED STATEMENT OF LHUNDUP DORJEE

MARCH 10, 2003

My name is Lhundup Dorjee and I speak here today on behalf the Capital Area Tibetan Association [CATA]. Before I begin, I would like to thank the Commission and the staff for providing us this opportunity to speak here.

As I speak here right now, members of the Tibetan community here, joined by our American friends and supporters, will be gathered in front of the Chinese Embassy to mark the anniversary of a very tragic event that took place in Lhasa, the capital city of Tibet, 44 years ago. On this day in 1959, Chinese Communist troops massacred thousands and thousands of Tibetans—men, women and children—monks, nuns and lay—who had gathered together in spontaneous demonstrations to protest the Chinese occupation of their country and to protect the life of their young leader, the Dalai Lama. Finding indiscriminate fire insufficient, Chinese troops rained artillery shells into the crowds of innocent people to kill the maximum. The Chinese soldiers spent days turning over the dead bodies of monks in the hope that the Dalai Lama's body could be found among them. Yet for us the events of that day 44 years ago resonate with meaning and significance far greater than the tragedy, for it was a day on which the heroism, courage and bravery of our people found expression as never before, in the face of China's brutal might, and stirred the collective consciousness of a new Tibetan identity, one that united all Tibetans—from Kham and Amdo regions as well as Central Tibet. The Chinese government describes March 10, 1959 as the quelling of a rebellion. We Tibetans call it the Tibetan

National Uprising Day and we proudly commemorate it every year in the free world remembering our common sacrifices and rededicating ourselves to the cause.

Many waters have flowed through the river Tsangpo in Lhasa since then. Or maybe, tears would be more apt, instead of water, for the suffering of our people under Chinese occupation was unprecedented and immeasurable. Or maybe it should be blood, for more than a million Tibetans have died as a result of their rule. Sadly, the situation in Tibet is not getting any better today, the veneer of economic development taking place there notwithstanding; a veneer that many well-meaning observers seem to take as a sign of progress. I would urge the members of the Commission to look beyond this veneer in assessing the situation in Tibet for it masks issues of far greater and critical importance for Tibetans. These are the transfer of Chinese settlers to Tibet reducing Tibetans to a minority in their own homeland, economic and educational marginalization of ethnic Tibetans, gross violation of human rights, severe political repression, systematic efforts to undermine Tibetan culture and language, and environmental degradation.

While the fact of economic development taking place must be accepted by us Tibetans, it should be pointed out that since the Chinese government is implementing economic development as part of a strategy to consolidate their colonial rule in Tibet, and not for the sake of improving the lives of ordinary Tibetans, the results of economic development, in fact, tend to exacerbate the negative impacts of many of the issues mentioned earlier and will worsen the situation further in the long run.

His Holiness the Dalai Lama, the leader of all Tibetan people, has long advocated and pursued a path of peaceful, negotiated solution by working with the Chinese. However, the Chinese government has spurned his efforts and vilifies him repeatedly. It is said that China is banking on a strategy of waiting for him to die to solve the Tibetan problem for good. It will be tempting for China to think this will be a smart option since the Dalai Lama is a powerful symbol of the Tibetan freedom struggle and unifies all the Tibetans. In spite of the visit of a delegation of exiled representatives to Tibet in the past year, it is not clear if China really has had a genuine change of heart and reviewed this strategy. If not, this would be a very serious mistake. In my opinion, if the Tibetan problem is not resolved during the lifetime of the 14th Dalai Lama, China can be assured of long-term instability in the region. We hope that the new generation of leaders in Beijing will shed aside their arrogance and suspicions, and find the wisdom to realize that the only path that can be good for both the Tibetan and the Chinese people is one that involves working with His Holiness the Dalai Lama.

Thank you.

PREPARED STATEMENT OF NURY TURKEL

MARCH 10, 2003

CHINA'S WESTERN DEVELOPMENT PROGRAM AND ITS DELETERIOUS IMPACT ON THE LIVES OF THE UYGHUR PEOPLE

It is a real honor to be in here. I would to thank the Congressional-Executive Commission on China for giving me this opportunity to address some of the issues, which are of the gravest concern to the Uyghur people in East Turkestan.

The political situation in East Turkestan has been worsening increasingly, especially after September 11. Despite many criticisms and warnings by the United States government and human rights groups, China's persecution of the Uyghurs in the name of the War on Terror has escalated. As a result, more than 3,000 Uyghurs have been arrested, and a percentage of whom were executed. At this crucial moment, the Uyghurs desperately need the attention of the international community listen to their grievances to urge the peace-loving people of the civilized world to make the distinction between terrorists who seek to take innocent lives and those who simply seek self-defense from a brutal and intolerant regime. Here, I would like to address a few important issues for your attention; (1) the Chinese communist chief, Wang Lequan's recent statement in which he proposed the policy whereby Uyghurs live with economic adversity, and intentional destruction of ancient Uyghur buildings and sites in Kashgar, (2) the expulsion of the Uyghurs from Chinese cities, and (3) China's denial of the foreign media requests' to cover the recent earthquake in the Kashgar region.

DESTRUCTIVE NATURE OF CHINA'S "GO WEST" CAMPAIGN

The migrant Chinese have been the primary beneficiaries of the western development program in East Turkestan; however, the Uyghurs are paying a huge price for it. China watchers believe that China's western development policies are designed to bring more prosperity to the west. Such a belief contradicts the reality of the unemployment and economic disparity which are rampant among the Uyghurs. Media reports indicate that the government favors Chinese who have migrated to the area over their more qualified Uyghur counterparts in its hiring practices. The Secretary of the Chinese Communist Party in Xinjiang, Wang Lequan's recent statements further disprove such a belief. At a recent meeting, when Wang stated that it is wrong to believe that economic development would help reduce and eliminate separatist activity in Xinjiang, he implies that government's priority should be that of cracking down on separatist activities. This demonstrates that Chinese governments' real intent of developing the West is not to win over ethnic minorities in those areas but to attract more ethnic Chinese migrants into the region in order to change irrevocably the demographic structure of the region in the favor of the ethnic Chinese. Resulting changed demographic structure, in turn, would help the government's long term policy of assimilating the Uyghurs into the Chinese. China's such discriminatory policies against Uyghurs are a blatant violation of its obligations under the U.N. Convention on the Elimination of Racial Discrimination which was ratified by China in 1982.

So called "Western development" not only facilitates China's attempt to make the Uyghurs second class citizens in their own homeland but also to destroy the Uyghurs' cultural identity. Foreign travelers have expressed their disappointments when they witnessed the disappearance of central Asian charm and destruction of the valuable Uyghur cultural heritage. The pace of the destruction is breathtaking. The community has been destroyed, the charming neighborhoods are gone with no compensation, and people have been rusticated. Today, ancient city of Kashgar, that is considered the cradle of Turkic civilization in Central Asia is virtually unrecognizable.

At the same meeting, Wang also called for a fight against Uyghur dissent on the ideological front. He stated, "Xinjiang must promote patriotism and the unity of nationalities education, and resolutely condemn the distorted history promoted by ethnic separatists, including the history of ethnic development and religious progress." "Xinjiang must sow the ideas in the minds of people to preserve stability." Wang's statement further displays the hidden intent to wipe out the Uyghur identity. This has been achieved by Beijing's waging relentless destruction of Uyghur culture. People are identified by their culture, rather than not by their religion, race and facial complexion. The Uyghurs are very proud of their cultural heritage despite their long suffered humiliation and cultural annihilation. Locking up historians, burning books, and destroying historic sites, and imposing Chinese language education are not a recent phenomenon but rather a continuing effort by the authoritarian Chinese regime to wipe the Uyghurs out from the face of the earth. Since 1949, the Uyghurs have born the brunt of these destructive policies especially during China's notorious Cultural Revolution; and now they face even greater danger. The intentional destruction of the Uyghur cultural heritage is a violation of the U.N. convention adopted by UNESCO which China is a signatory country. Such reckless acts perpetuated by the Chinese authorities constitute harmful impoverishment of world heritage.

UYGHURS ARE FACING DISCRIMINATION BOTH AT HOME AND CHINA

Not only the Uyghurs are facing myriad types of discrimination and unspeakable treatment in East Turkestan but also in China. It has been reported that the Uyghur residents of Beijing has been expelled and even forcefully sent back to their hometowns. That is causing enormous social tensions and discontent, and it appears to be increasing. A Uyghur woman in Beijing told Western journalists that Uyghurs are not allowed to work and live in Beijing, she, herself, had been ordered to leave. She also said, millions of Han Chinese can go to East Turkestan and do whatever they want but that hundreds of Uyghurs may not live in Chinese cities. Police harassments, denial of lodging, and disapproval of business licenses are commonplace in Chinese cities thanks to the Chinese propaganda that portrays the Uyghurs as "terrorists." This indoctrinated belief of the local Chinese and government's tacit condonation of the mistreatment of the Uyghur people has created enormous frustrations and humiliations among the Uyghurs. Some of the Uyghur "economic migrants" are forced to go to Chinese cities to look for jobs because of the lack of employment opportunities in East Turkestan where all the jobs are taken by the Han Chinese. In fact, Chinese authorities are trying to limit Uyghurs' employment

opportunities and economic resources wherever possible in order to make the Uyghurs think of nothing but their most basic survival; so that the people do not have the luxury of independent thought.

DENYING ACCESS TO INFORMATION IN EAST TURKESTAN HAS DEEP ROOTS

China has been enforcing strict media censorship in past decades. Such censorship can best serve China's objective to keep its brutal crackdown on political dissent behind the closed doors and thereby mislead the world and its own people with false information. This has even been true during times of natural disaster. Denial of access to and dissemination of information in East Turkestan is not a sporadic, but rather is systematic. It has been reported that the Chinese authorities have turned away foreign journalists who came to cover the devastating earthquake which took more than 266 lives, injured 4000 and left tens of thousands homeless in Kashgar's cold winter. Despite the ban, several foreign journalists have entered the areas, at their personal risk of being arrested and expelled they filed their reports. The remaining international media have been restricted to using only still photographs, or news received from the Chinese State media, this includes CCTV, the only national TV network whose members are given access to disaster areas. The network is mainly broadcasting pictures of Chinese soldiers helping thousands of disaster victims. However, no independent observers have been admitted into the disaster areas, while witnesses are disputing the official death toll and the effectiveness of the rescue efforts. Foreign media have been systematically banned from using the real footage of the recent earthquake. This clearly demonstrates how the Chinese authorities mislead the foreign media in order control the flow of information.

The very existence of the Uyghur people is threatened. The human rights situation is worsened day by day as the civilized free world watches Chinese authorities' continuing to wage cultural genocide against the Uyghur people. The people of East Turkestan need help from the free and democratic world to put pressure on the Chinese government and urge it to respect the fundamental human rights of the Uyghur people. We hereby respectfully ask the United States government to appoint a special coordinator at the State Department to monitor the human rights situation in East Turkestan.

Thank you very much for your kind attention in this very important matter.

PREPARED STATEMENT OF GREG WALTON[1]

MONDAY, MARCH 10, 2003

GREAT WALL, SMALL WORLD[2]

Washington DC.—Good afternoon. Thank you to the CECC Staff for organizing this forum. I have followed the proceedings of the Commission since its inception, and note with interest the real progress being made with regard to understanding human rights, the rule of law, and the Internet in China.[3]

My name is Greg Walton. I am an independent research consultant focused on the impact of the Internet on human rights and democratic development—particularly in Asia. [I will reference the URL of my eJournal for supporting documentation and further written testimony I wish to submit for the record.][4]

I have no affiliation to any organization. However, I have working relationships with a number of international human rights NGOs, and other groups and individuals, engaged in advancing human rights in China—particularly in the digital sphere—through Internet activism or "hacktivism." By "hacktivism"[5] I mean specifically the adoption and extension of universal human rights principles and mecha-

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[1] CECC Open Forum, Monday, March 10, 2003, at 2 PM in room 2200 of the Rayburn House Office Building. http://*www.cecc.gov*

[2] The Great Firewall of China, Xiao Qiang and Sophie Beach http://*www.cpj.org/news/2002/China—Firewall25aug02.html;*

The Small World problem. S. Milgram Psychology Today, 2:60–67, 1967

Citations: http://*citeseer.nj.nec.com/context/302442/0*

[3] Noting particularly the innovative roundtables: China's Cyber-Wall: Can technology break through? (11/04/02)http://*www.cecc.gov/pages/roundtables/110402/index.php?PHPSESSID=544c601e2b3f199980e642804f9e84d1;* the quality of the contributions to Wired China: Whose Hand is on the Switch? April 15, 2002 http://*www.cecc.gov/pages/roundtables/041502/index.php*

[4] http://*go.openflows.org/cecc*

[5] Hacktivism and Human Rights: Using Technology to Raise the Bar: http://*www.cultdeadcow.com/panel2001/hacktivism—panel.htm*

nisms to the needs of an information-based society[6]—"including where this runs counter to the preferences of authoritarian regimes."[7]

Information Society increasingly employs advanced information and communication technologies in daily life. These technologies are—more often than not—derived from hi-tech military research programs. Sophisticated networks which were originally designed to track the movements of troops on the battlefield, for example, are increasingly part of the modern surveillance arsenal. Such systems have been described as the "central nervous system of the repressive regime that connects the brain to the boot."[8]

My own preliminary research suggests that the application of such so-called "neutral," dual-use technology is a double-edged sword. It can easily be abused in the hands of totalitarian governments—in fact, in the absence of democratic accountability, nationwide data base-driven surveillance systems—for example—will be used against the interests of the general public in a systematically destructive way:[9] it's a path that gradually but inevitably suffocates civil society.

Now, more than ever, it is critical for technologists to act responsibly: one suggestion within a trust model inspired by the Hippocratic Oath—"Above all, do no harm."[10]

The fundamental question that should be asked is, "Does this technology expand the democratic experience, or does it cause irreparable damage?" It is a given that any technology can be abused by the enemy's of democracy. But, going by the averages, does the technology do more good than harm?

This afternoon, I would like to present a snapshot of my inbox last week and examine how the development of two parallel Internet routing technologies underscores the importance of these questions in everyday China.

Developed in the labs of a cutting-edge hi-tech corporation, the first set of routers are governed by code that restricts—closing down the free flow of information, and deployed right across national networks hard wired for centralized control.

The other network of routers, a shared resource developed around an open source protocol, opens up secure, decentralized channels of communication—connecting people in a secure, private, trust-based environment.

A respected industry consultant in Beijing characterized the current end-user impact of the "closed" routers as being as if all China's online population were "breathing through the same tiny air hole."[11]

In obvious contrast, the open network of routers seeks to expand the global democratic sphere through "peer-to-peer technology that makes it possible to carry out almost any Internet activity securely and—more importantly, for all sorts of reasons—anonymously."

There is little time for extended analysis so I hope to allow the facts speak for themselves.

So in our first story[12] AP reports that China's Internet users are "suffering sharp slowdowns in access, which industry experts blame in part on heightened efforts by the communist government to police online content." The BBC reports that "these

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[6] Article Zero::Access Universal, on the occasion of the World Summit on Information Society in Geneva. Forthcoming, December 2003

[7] What if There is a Revolution in Diplomatic Affairs? David Ronfeldt and John Arquilla: http://*www.usip.org/vdi/vdr/ronarqISA99.html*

[8] http://*www.amnesty.ie/news/2001/irelandarms.shtml* The use of the term arms trade has the effect of making many people think that it is only tanks and guns and weapons of mass destruction that are the problem . . . By focusing solely on weapons and torture equipment, we can ignore the fact that in some cases it is state of the art technology and communications equipment that allows repressive governments to monitor and arrest human rights defenders and pro-democracy campaigners. Electro-shock equipment and leg irons may be the visible implements of torture but it is the use of global positioning devices and call interception equipment that enables a government to track the movements of its opponents.

[9] http://*www.ichrdd.ca/english/commdoc/publications/globalization/goldenShieldEng.html* [English] http://*Internetfreedom.org/gb/articles/1069.html* [Chinese]

[10] http://*www.almaden.ibm.com/software/dm/Hippocratic—Data bases/hippocratic.pdf*—scientists at IBM Almaden are working on a system where "contracts" are created between data bases and administrators/primary users to ensure the privacy and integrity of data. This contract system is based on 10 principals, including stipulations that the information will be kept accurate and up-to-date, the data is used solely for what it was specifically collected for, and the data is only retained for as long as it is needed.

[11] Michael Iannini, general manager of Nicholas International Consulting Services Inc. in Beijing. "Through this hole the government has set up many filters," he said. http://*www.securityfocus.com/news/2907*: China's Web surveillance slows access even as government promotes Internet use. [The Associated Press Mar 5 2003]

[12] ibid.

problems have worsened as Security operations in China have been stepped up as the annual National People's Congress continues in Beijing" [13]

The Commission's staff will be aware that these problems emerged in October after "packet-sniffer" software was integrated into key routers on China's Internet backbone—this was following the redirecting of Google's domain name.[14]

It was also noted at the time that Chinese authorities were systematically hijacking the domain names of thousands of Websites—including some belonging to the U.S. Government, human rights organizations, and other civil society organizations.[15] Banned topics include human rights and the outlawed Falun Gong spiritual group.[16] The result is a huge—quite intentional—bottleneck, and a much slower service, especially at "sensitive" times. This was at the same time that ICANN—the body that governs the global Domain Name System (DNS)—was meeting in Shanghai.[17]

I would like to draw the commissions attention to forthcoming research by Dynamic Internet Technology Inc.[18] I would like to highlight their growing understanding of how this system is working today, and why it leads to sharp slowdowns during "sensitive" periods.

The main body of the DIT Inc research—part of a series of in-depth briefings that I believe will be released over the coming months, provides explanation of the routing mechanism, exhaustively explores the keyword list that triggers the domain name hijacking system.

The second story—that is the other set of Internet routers I'd like to touch on today comes from an eWEEK Labs review in which the magazine evaluated a beta version of the developers edition of the Six/Four System [Hacktivismo], which became available last week[19] under the Hacktivismo Enhanced-Source Software License Agreement [HESSLA].[20]

The Six/Four System is eWeek reviewers found that "Hacktivismo hasn't quite achieved its goals. The peer-to-peer network, which relies on many node clients with some trusted peers that handle routing, is understandably very small right now. Also, the Six/Four System's capabilities are very raw."

This is a fair analysis: It should be noted that this version of Six/Four is a developer release. My understanding is that, once an intuitive application interface has been developed and localized—and once a significant user base has been installed in the liberal democracies—I anticipate the tool will be widely distributed in China. My prediction/hope is that Peer2Peer computing—Six/Four and systems like it[21]—will render state sponsored censorship ultimately impossible.

I understand that a number of the CECC Commissioners and Staff are tech-savvy and will submit further details of the Six/Four system for the record.[22] The Commission will note among the feature set, what the U.S. government classifies as munitions-grade encryption.[23]

So which of these technologies expands the democratic process—which constricts? Which of these technologies does more good than harm? To human rights—to civil society—to business?

The HESSLA license agreement says that anyone using the code released under it must respect digital human rights: that is to say, software distributed under Hacktivismo "enhanced source" license will be legally prohibited from censoring or spying on users. The Hacktivismo legal team was very careful to define that anyone using code released under it must respect privacy, free expression, due process and other human rights.[24]

In contrast DIT's research is examining in some considerable detail how Chinese authorities redirect or "hijack" proscribed domain names. I think—that for the first time—and this is what is really remarkable about this research—DIT are evolving

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[13] http://*news.bbc.co.uk/2/hi/asia-pacific/2828433.stm*

[14] http://*www4.gartner.com/DisplayDocument?doc—cd=110031:* The Chinese government commonly blocks access to sites it deems to have inappropriate content, but it has never before redirected users trying to access certain domains to other Web sites. Doing so turned a political decision into a trade problem.

[15] http://*www.dit-inc.us/*

[16] http://*www.wired.com/news/politics/0,1283,56699,00.html*

[17] http://*www.icannwatch.org/article.pl?sid=02/10/07/151227&mode=thread* ICANN's China Question.

[18] http://*dit-inc.us,* forthcoming, http://*www.dit-inc.us/hj–09–02.html* for background.

[19] http://*www.eweek.com/article2/0,3959,919681,00.asp*

[20] Full text of the Hacktivismo Enhanced-Source Software License Agreement is available at: http://*www.hacktivismo.com/hessla.html*

[21] Freenet-china.org for example.

[22] http://*www.hacktivismo.com/news/modules.php?name=Content&pa=showpage&pid=19*

[23] http://*cryptome.org/DOC—BIS.pdf*

[24] http://*cryptome.org/hack-cow.htm*

a robust and reproducible methodology, accurate across provinces and ISPs. I believe part of the motivation in publishing the in depth briefs is in the hope that other researchers can further their own studies in the implementation of China's Internet censorship and surveillance system.

In brief, as DIT researchers explore Chinese networks they are finding that the domain name hijacking is implemented systematically on a nationwide basis and regardless of ISP. They found there is a key word list—and yes—it does change from time to time—the more "sensitive" that day is in the Communist calendar—the longer the word list—the slower the connection. The system seems adaptive—maybe it is even "learning."

What intrigues me, is that a handful of routers sited very close to the international gateways are "sniffing" millions of dns requests each second. Based upon CNNIC bandwidth surveys these devices are processing a certain amount of traffic. They must be fairly sophisticated.[25] One can't but help wonder about the provenance of this technology. If it was designed by a western corporation it seems ironic that not only does this one sale effect millions of individuals rights—it also impacts international business productivity.[26] Perhaps "people don't realize we're exporting censorship." [27]

Understanding the impact of surveillance networks on China means recognizing a society often in the grips of a shadowy security apparatus—a truly Kafkaesque legal system without any apparent logic or Rule of Law; an economy without transparency—whole sectors rife with corruption. The context of China is a state without democratic accountability. Exporting dual-use technology to China is about placing technology in that political context: a profoundly anti-democratic context.

I would ask that the Commission further investigate the reality of Internet censorship and digital surveillance in China and then apply appropriate pressure to all levels of the Chinese government.

This is particularly the case with regard the growing number of Internet prisoners that Amnesty International[28] has recently noted constitute a new class of prisoner of conscience—for a new form of crime.[29]

The Chinese authorities must release all those currently detained or jailed for using the Internet to peacefully express their views or share information:

> Everyone detained purely for peacefully publishing their views or other information on the Internet or for accessing certain Web sites are prisoners of conscience. They should be released immediately and unconditionally.[30]

I hope the Commission particularly to regularly re-examine the role of U.S. corporations engaged in exporting equipment that enables censorship and surveillance infrastructure in China.

Finally I would urge the Commission to take every opportunity to remind governments and corporations that international legal instruments are clear:

> International law requires that: online free expression shall not be restricted by direct or indirect means, such as censorship, restrictive governmental or private control over computer hardware or software, telecommunications infrastructure, or other essential components of the electronic networks. The right to privacy, anonymity and security includes the protection from arbitrary massive surveillance of either content or association online as well as the right the choose privacy technology such as cryptography to protect communication.

My belief in global Internet freedom is based upon an understanding of communication as the universal driving force of human civilization, and as the foundation of individuality, as well as community:

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[25] Perhaps a best-of-class Intrusion Detection System of some sort: [applied across an entire country].

[26] http://*news.bbc.co.uk/2/hi/business/2264508.stm:* The cost of China's Web censors.

[27] http://*hacktivismo.com/news/modules.php?name=News&file=article&sid=229:* Lee Tien, senior staff attorney for the Electronic Frontier Foundation, the online civil liberties group in San Francisco.

[28] China: Internet users at risk of arbitrary detention, torture and even execution http://*www2.amnesty.se/aidoc/press.nsf/thisweekpr/80256AB9000584F680256C78004EEF43?open document*

[29] See George Orwell, 1984.

[30] http://*www.dfn.org/focus/china/netattack.htm:* Attacks on the Internet in China: Chinese individuals currently detained for online political or religious activity. Digital Freedom Network provides a list of individuals currently detained for online activity. DFN has also compiled a list of Chinese legal actions and site shutdowns since January 2000 that restrict online expression. These lists are updated regularly. DFN also has a useful page containing the latest news related to Net restrictions in China (http://*dfn.org/focus/china/chinanetreport.htm).*

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.[31]

PREPARED STATEMENT OF CIPING HUANG

MARCH 10, 2003

My name is Ciping Huang, I am the Secretary General for the Overseas Chinese Democracy Coalition and a Council member and Human Rights Committee chair for the Independent Federation of Chinese Students and Scholars. I am speaking on behalf of these two organizations today.

My topic today is about women's issues in China, which I have wanted to make since I attended the roundtable discussion on the same subject organized by this Commission on February 24, 2003. I was not satisfied with the way the subject was presented on that date, which was on a similar path with the other subjects that were presented at this Commission.

As I have talked to your staff before, I feel strongly that this Commission should concentrate more on the Chinese human rights issues due to its founding background in the PNTR debate and its mission to monitor human rights and the development of the rule of law in China. Despite this mission, although I understand the conditions and limitations, I feel the Commission has focused more on other issues such as the Chinese economic situation with respect to American business enterprises, instead of the Chinese human rights condition and the needs and demands of the Chinese people. I feel it is extremely important for the Commission to have more of our fellow Chinese testify on the human rights abuse conducted by the Chinese Government and its officials, testimony which the Commission has been short of. Here again, I would like to offer assistance and help when you need to locate victims and witnesses to testify in this regard.

Coming back to the women's issues in China, I want to point out that the conditions described in your February 24, 2003 discussion are not quite to the essence of the problem. On one side, I understand there is a time limit to discuss such a big and complicated problem and I do understand the scholars' and experts' insight and detail on certain aspects. On the other side, I have learned that many scholars have restricted themselves from a harsh criticism of the Chinese Government in concern for the typical retaliation from that government, which would simply not allow them to go back to China or sabotage their studies and discredit them afterward. The Chinese Government has arrested and harassed Chinese born scholars in the past; they have upgraded this harassment from green-card holders to US citizens, and now the threat and fear has reached even further. The arrest and trial of several scholars such as Gao Zhan, Li ShaoMin and Xu ZeRun are just a few of their escalated episodes that have received media attention. Their 10 months of detention of Dr. Yang JianLi without any communication by him to the outside, even to his family, nor any other legal proceeding nor trial is not just violating international standard, but also Chinese law itself.

Under this type of harsh environment for the scholars, I feel more than ever a responsibility to stand out to speak for our fellow Chinese people, especially the unfortunate Chinese women. As a second daughter, I have experienced sexual discrimination myself from the birth. Even as the most outstanding student, I had to take a lesser job or other position due to the fact that I was a woman. My boss told me to my face that he must place me in a less desirable position because I was a woman. Even now, my female classmates and friends have lost their jobs to the male counterparts because of their sex.

Of course, there is a social background supporting this issue. However, for a government boasting perfect equality such as "women will hold half the sky" and a government that is so successful carrying out their policy of suppressing dissidents and religious believers, one has to wonder why they could not carry out their slogans and policies for women. Women lack not just social and economic status but also political status in China. Taking the recently opened People's Congress as an example, only about 20 percent are women. There was an even smaller fraction of women in the main decisionmaking body of the Chinese Communist Party Congress that was just closed last November.

There have been very limited yet well revealed stories in the press about how women are treated in China. They were the victims of ignorance in the past. With the economic development in China, they are further and further dragging behind

[31] The Universal Declaration of Human Rights, Article 19.

the men and have become victims of cheap labor and exploitation, not just economically, socially, but also sexually. The highest suicide rate for women in the world is in China. This fact alone is one of the best pieces of evidence.

There is widespread knowledge of the present surge of prostitution, women trafficking, female fetus abortion, and abortion and sterilization of women. 84 percent of women experience sexual harassment. However, let me summarize the areas of my greatest concern for Chinese women in regarding their rights:

1. The growth of China's economy is built on the abuse of human rights, especially of women, via the parity of lack of employment opportunity for women and cheap labor exploitation of young girls.

a. Engaged in "Little-sister labor," many teenager girls who go to the city for a job in a factory not only lose their opportunity for education, but also become vulnerable for lower pay and unfair treatment without protection, even sexual harassment.

Take the quote (which is not the worst of all) from the report a few months ago (as my second attachment), about young girls working in foreign ventures making 30 cents an hour for 16 hours a day, with only 2 days off every month. In these kinds of places, these young girls are not just exploited economically; some were taken advantage of sexually and even raped by the managers and owners of the factories.

b. With the diminishing of State Owned Enterprises (SOEs), women are losing their social warfare and health benefits altogether.

Even according to data permitted by the Chinese Government, nearly half of the unemployed female laid off workers experience age and sex discrimination when they try to find a new job. A women over 35 years old usually has no hope of finding a job unless she has strong connections or excellent skill. My sister was thrilled to get a senior engineer job which specifically required: "male and younger than 35 years old," she was the only exception for that company, which is the biggest one in my hometown of more than 300,000 population.

If one thinks these kinds of job ads are not respecting women, one will find that the ones seeking women specifically are only worse.

Take as an example, a newspaper ad to recruit a janitor: "Female, under 25 years old, pretty, slight, over 160cm in height, no education required." My friend read me another ad seeking flight attendants who must be "virgin."

2. Women's rights are worsened along with the "free market economy," which included the loss of their own freedom and liberty, even social status.

I want to emphasize to this Commission that, although many perceive the economic growth in China, nevertheless, it has not helped to improve women's conditions. As a matter of fact, it only opened more cracks to make women fall into as victims. The system under the Chinese Government only lets such a "free market economy" to be free to abuse women's rights.

a. In worsening family violence, sexual annoyance, and sexual assaults, many women find themselves to be in abusive positions, and some fall into the victimization of human trafficking.

b. Young prostitutes are in the millions. In poverty-stricken areas, girls specifically have lost their education rights as a result of the collapse of the iron rice bowl. Many go to cities for a rosy promise, but only find themselves working as "Little-sister laborers," or even as prostitutes. Some are sold to cities or even abroad as prostitutes. For example, the number of prostitutes in Malaysia has increased dramatically since 2000. Most of them come from China.

Women become the victim of AIDS due to the sexual exploitation. These women infected with AIDS do not dare to reveal their disease, not to mention having any hope to be taken care of.

A recent story was about a father who had to pretend to be a customer to meet his kidnapped teenage daughter who had disappeared for 3 months and was already forced to receive about 700 customers!

How outrageous this kind of crime is! Yet the Chinese Government seems so weak to wipe out this "social virus" as effectively as they wipe out the dissidents' voice. Why? The ones conducting these types of crime are often local officials, police, or at least associated with these governmental authorities, so unlike the powerless young girls, they make money and escape law without punishment. Recently, there were several cases of police brutality in China. Young girls were forced to make confessions of prostituting and paying fines and go to jail. They were more fortunate because eventu-

ally they were freed to claim their innocence after getting examinations to prove that they were virgins.

c. "Er Nai," a new term for concubines, has not only become the most popular term in China, but is more in practice for wealthy and powerful men in the last few years.

When I was visiting China in 1998, I mistakenly went to a bathhouse, which had a massage center that turned out to be a place for men to pick up young girls for the night. As I was wondering why there were no female customers, I got my opportunity to learn the sobbing conditions and environment these homeless girls have. Now, I have learned that the situation has only gotten worse for these girls with the further economic development in China. Nevertheless, when I was talking to these hopeless girls, to be some well off man's "Er Nai" was a better outlet for them.

3. Along with the loss of women's rights is the loss of rights and even lives of baby girls and unborn female fetuses.

a. There is a high rate of female infanticide and baby girl abandonment.

Under the Chinese Government's One Child Policy, this issue really became aggravated. Millions of baby girls and fetuses have been killed and aborted. If we say this issue reveals the low status of women in China, then the government's capacity of being able to carry out the One-Child Policy yet unable to protect the lives and happiness of the innocent female babies and fetuses is the indication that their strict policy is very selective. It is the government that forced such policy on the unwilling citizens who do not have many other choices. It is the government that forced the women to have sterilization. It is very clear that they too ignore human lives, which is in coherence with their abuse of human rights.

An official datum is that, for every 100 girls in China, there are more than 120 boys. Some suggest that the number of boys is even higher.

Along with the birth or just pregnancy of female infants, is the lost status of the mothers who do not bear sons. Some women are discriminated against for that reason, or even become an excuse for the husbands to file for divorce and/or seek other women. Some of them are driven to suicide, contributing to the previously mentioned highest world rate.

b. The position and value of female children is decreasing.

Especially in poor areas and for poor families, female children are under greater pressure than their male siblings to discontinue schooling. The subsequent neglect of the care and education for a female child is still prevalent. Girls have very difficult chances to get into competitive and reputable colleges for higher education. In my class, only 10 percent of the students were girls.

4. Women's social, economic and health benefits are decreasing.

a.Women do not have their adequate health benefits, along with other social benefits. Sometimes, the minimum "benefit" was built on the fact that their human rights were violated. As an example, in a factory in WuXi, a well-developed city close to Shanghai, the female workers received free feminine napkins but were required to submit evidence of their menstruation and were subject to search and examination of their private parts in order to get a fair pay. Termination was the likely result if one was discovered to be pregnant.

I know of women who wait to die instead of seeking treatment because they cannot pay the hospital bills. The lady (with the enlarged neck due to lack of iodine) presented in the recent PBS show "China in Red" is one of them.

b. For the women experiencing domestic violence, the government and the society do not provide adequate protection. When some women report men's brutality to the police, the answer is like: "Men do what men do."

Just on February 10, Ms. Su ChunMei, a 33-year-old woman, was critically injured when her husband threw her out from the third floor. According to official Chinese Government data, at least 34 percent of Chinese families have different degrees of domestic violence. 32 percent of people (mostly men) admitted violent behavior against their spouses.

c. Unfair divorce and child custody is increasing.

The divorce rate is climbing in China. Not only do the divorced women get a smaller or even virtually no share of their property and housing, but also lack protection from the abusive husbands future abuses. There are reports about revengeful husbands killing the ex-wives. Yet, in contrast,

women do not have much to say, nor much to take when husbands leave them for whatever reason, even a new women.

5. Last but not the least, Chinese Government systematically suppresses the human rights of our fellow Chinese, especially of religious believers and political dissidents.

In particular, there are large-scale abuses and torture against female Falun Gong members and underground church members, not to mention ordinary female prisoners. Besides being refused food and water, female detainees are often sexually abused, even gang raped by male jail mates and officers. There are incidents where the officers intentionally throw the female prisoner into all male cells for hours of sexual abuse even rape. There is police brutality of not only taking female prisoners clothes off, but also using electric shock and hot iron bars to burn nipples and lower body parts.

Of course, there is some limited struggle for the suppressed. One such effort is by a group of Tiananmen mothers who spend painstaking effort to collect names and details about the victims of the June 4, 1989 students movement. Lost their own loved ones to that massacre, they recorded deaths, seek justice, and speak out for the rights of others such as the Tibetans and have left a bright mark for the Chinese women's record of defending their human rights.

I speak here not just for these women whose rights are offended, but also for these people who defend their rights. I am speaking here not just to let this commission to know the terrible human rights condition in China, but also to seek this commission's sympathy and help to push for Chinese human rights in your capacity. Hereby, I want to urge the Commission not to forget these powerless and voiceless youth and not to let the superficial economic development details cover up the very fact of the severe Chinese human rights abuses.

I also want to point out the wrong approach of a suggestion to take the All China Women's Federation as an NGO, or at least treat it as such even though knowing it is really a Chinese Government agency. It is well known that there is no real workers' union in China that is permitted and admitted by the Chinese Government. The so-called the All China Workers' Union is really an organ of the Chinese Government to support their effort of exploiting workers' rights rather than to protect the workers and promote their rights and benefits. Well, the All China Women's Federation fares no better than the All China Workers' Union. To work, to associate with, even to help and fund these types of organization not only contributes to suppression of the Chinese, but also deceives freedom loving American taxpayers.

Finally, I want to thank this Commission for paying attention to women's issues. However, I must decry an effort to isolate these problems without emphasizing their connection to the Chinese human rights problem. Hereby, I want to emphasize that the women's problem in China is very much a human rights problem. I wish this Commission will pay attention to this issue and play a positive role in the improvement of women's rights in China.

I am submitting to you, in addition to the full text of my speech, some other materials as reference and supplement. Attachment 1 is my suggestion to the Commissioners and staff of CECC on February 3, 2003. There is much more material both in English and in Chinese on the subject, both in the traditional news media and on the Web, that I will not submit at this time.

Thank you for giving me the opportunity to speak.

ATTACHMENT 1

My suggestion to the Commissioners and staff of CECC on February 3, 2003:

1. CECC is a commission established after the PNTR debate in the Congress in 2002. Its primary mission is and should be "to monitor human rights and the development of the rule of law in China." Unfortunately, since the Commission officially got functioning 1 year ago, it has focused much more on the Chinese economic details than its human rights conditions.

2. In an effort to monitor the Chinese human rights condition, I suggest the Commission to get more Chinese to testify on the Chinese human rights abuse reality, instead concentrating on American scholars and American business associates' detailing the Chinese economic situation. As I have offered before, I will be happy to assist the staff if you do not know enough of Chinese contacts and I will be happy to help you to establish communication and provide potential candidates within the Chinese dissidents community and victims who have suffered human rights abuses in China.

3. On CECC's Web page, there is a victims registry part that has provided nothing on it. Well, we surely could have many contributions, either from the

political prisoners, or Falun Gong members, or underground church members, etc. If the commission needs help to collect data and detail, we will be glad to help.

4. At end of the each session, it is nice to have a Q&A session from the Commission representatives and staff. What I would like to know is if it is possible for the attendees (with positive ID and credentials) to ask questions as well, in case of oversight. I think this would help the session to be more well covered and balanced and provide motivation and sense of participation for those who care about the Chinese human rights condition, as well as the well being of this Commission.

Thank you very much for your attention.