

**THE PRESERVATION OF MEMORY: COMBATING
THE CCP'S HISTORICAL REVISIONISM
AND ERASURE OF CULTURE**

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THE PRESERVATION OF MEMORY: COMBATING THE CCP'S HISTORICAL REVISIONISM AND ERASURE OF CULTURE

THURSDAY, DECEMBER 5, 2024

CONGRESSIONAL-EXECUTIVE
COMMISSION ON CHINA,
Washington, DC.

The hearing was held from 10:34 a.m. to 12:42 p.m., in Room 2118, Rayburn House Office Building, Washington, DC, Representative Chris Smith, Chair, Congressional-Executive Commission on China, presiding.

Also present: Senator Jeff Merkley, Co-chair, Under Secretary Zeya, and Representatives McGovern, Zinke, Wexton, Salinas, and Nunn.

STATEMENT OF HON. CHRIS SMITH, A REPRESENTATIVE FROM NEW JERSEY; CHAIR, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

The Commission will come to order, and good morning to everyone. Thank you for being here, especially our very distinguished witnesses, for taking the time, for your leadership, which has been extraordinary, but also for being here to give us the benefit of your wisdom and knowledge, particularly at this crucial time. So thank you very much.

Today's hearing is on the preservation of memory. Combating the CCP's historical revisionism and erasure of culture serves as a capstone or a coda on the work of this Commission during the 118th Congress. I want to begin by posing a handful of questions. Why is it that so much of our Commission staff time is dedicated to producing a statutorily mandated annual report that tracks, exposes, and seeks to end the human rights abuse committed by the Chinese Communist Party? Why do we report upon efforts to sinicize religious belief and erase the identity of distinct ethnicities, such as the Uyghurs, the Tibetans, and the Mongolians? Why do we record the names of individuals who have been disappeared into the penal archipelago, the *laogai* system, or have been detained in concentration camps in Xinjiang in our political prisoner database, which is really a database that's second to none in the world?

We are engaged in a grand project that seeks not only to protect the innocent from the cruelty of the Chinese Communist Party—and you here testifying know more than anyone else how cruel Xi Jinping and his henchmen have been—but it's also to preserve memory—the memory of the Chinese people writ large, undistorted

by the propaganda narratives of the CCP. The memory of ethnic groups, whose unique cultural, linguistic, and religious identities are under threat of erasure. And above all, the memory of individuals whom the party would blot out into oblivion.

This last point is very important, because behind all the statistics we collect and catalog lie individuals. Each born to a mom and dad. Each a precious human life bearing an inherent God-given dignity. Above all, our CECC preservation project gives testament to the notion that truth does exist, that it is objective and not subjective, and that while it cannot be extinguished, we must still do our part to preserve it.

Today, there are custodians of memory within China who were forced to leave China who seek to preserve truth, and who often suffered for it, and suffered immensely. These include independent historians who researched and recorded what the Communist Party considered taboo subjects, such as Yang Jisheng, who wrote “Tombstone,” the definitive catalog of the great famine of 1958 to 1962. Yang was a journalist with a news agency, though instead of being content with writing canned news reports to advance the party’s propaganda narratives, he used his separate time to assess archives and to conduct independent research with regard to the famine caused by misguided Mao Zedong policies, killing an estimated 36 million people. Some have put that estimate much higher. Yang’s work—great work—remains banned in China, while he himself has been banned from leaving China to receive the accolades which he deserves. Or our witness today, Rowena He, who “taught the taboo” because she wrote and lectured on subjects such as the Tiananmen Square massacre. She was driven out of her job at the Chinese University of Hong Kong, presumably at the behest of Beijing. Now, the people that Yang Jisheng and Rowena He wrote about, who perished in the great famine or were mowed down at Tiananmen Square, are blood martyrs, also known as “red martyrs.” But there is another kind of martyr—what traditionally is called the white martyr. These are those who are stripped of position and prestige, who suffer because they are unbowed in their commitment to the truth, regardless of the consequences. They are willing to do whatever it takes to advance the truth.

Such is the lot of the independent historian who shuns ideological narratives and lies. A few weeks ago, Pope Francis came out with a letter which focused on the study of church history; he also has insight on the study of history more generally. While I’m not prone to quote Pope Francis—I prefer Benedict or the sainted Saint Paul—John Paul II—his statement on the present state of historical inquiry has true relevance to why we are here today. He said there is an “urgent need for a greater sense of history at this moment, when we see a tendency to dismiss the memory of the past or to invent one suited to the requirements of dominant ideologies. Faced with cancellation of past history or with clearly biased historical narratives, the work of historians, together with knowledge and dissemination of their work, can act as a curb on misrepresentations, partisan efforts at revisionism, and their use to justify wars, persecutions, the utilization of weapons, with any number of other evils.”

I think that is a fitting reminder of the proper role of the historian to give testimony to truth and memory while rejecting the ersatz manipulation of ideology that masquerades as history. With that, I want to turn to my colleague, and he will be joining us shortly, Co-chair Jeff Merkley. He is on his way, but obviously the Senate schedule is packed so he will be here shortly. But we are delighted to welcome Under Secretary Uzra Zeya, who's here today to give some comments and insight. And we welcome her with great affection.

**STATEMENT OF UZRA ZEYA, UNDER SECRETARY OF STATE
FOR CIVILIAN SECURITY, DEMOCRACY, AND HUMAN RIGHTS**

Thank you so much, Mr. Chairman, for your powerful opening remarks. And good morning, everyone. I'm grateful to join this important discussion of the PRC's efforts to control and distort historical narratives and repress marginalized religious and ethnic communities. As we gather this morning, the PRC continues its genocide and crimes against humanity in Xinjiang, the erosion of fundamental freedoms in Hong Kong, suppression of Tibetans' unique cultural, religious and linguistic identity, and other persistent human rights abuses throughout the country. As Secretary Blinken has noted, under President Xi the Chinese Communist Party has become more repressive at home and more aggressive abroad.

In this troubling context, the U.S. Government has been steadfast in raising human rights concerns at the highest levels with the PRC. Our administration prioritizes shining a light on, and takes action against, the PRC's abuses. Let me elaborate on some of the key ways we've done so. First, we've led the way in multilateral fora, including the PRC's fourth Universal Periodic Review in January at the Human Rights Council. We submitted 15 advance questions—more than any other country—to the PRC, covering a number of core human rights concerns. The January 23rd U.S. statement at the UPR contained a series of specific recommendations specifically calling on the PRC to cease discrimination against individuals' culture, language, and religion or belief, and end forcible assimilation policies. We again raised these concerns in July at the UPR's formal adoption.

We've also worked in common cause with allies and partners since 2021, leading joint statements with dozens of governments on the human rights situation in Xinjiang at the Human Rights Council and U.N. General Assembly, commending the efforts of human rights defenders, and the courage shown by survivors of forced labor and detention camps. Just this past October, we joined 14 other countries in an Australian-led statement condemning the human rights situation in Xinjiang and Tibet at the United Nations General Assembly Third Committee. In August, the State Department released a statement to mark the second anniversary of the U.N. High Commissioner for Human Rights' assessment on the human rights situation in Xinjiang. We expressed our grave concern about the PRC's ongoing repression of Muslim Uyghurs and members of other ethnic and religious minority groups in Xinjiang, and urged the PRC to take immediate action to end these ongoing atrocities.

Second, we are robustly implementing the Uyghur Forced Labor Prevention Act, including via additions to the UFLPA entity list. Last month, the multiagency Forced Labor Enforcement Task Force added 29 companies to the entity list, bringing the total to more than 100. We are unwavering in our work to prevent the importation of goods made with forced labor into the United States and to ending forced labor of Uyghurs and other ethnic and religious minorities, both inside and outside Xinjiang. In December 2023, we released a report under the Uyghur Human Rights Policy Act to promote accountability, which identified two PRC government officials connected to ongoing serious human rights abuse in Xinjiang, whom Treasury concurrently sanctioned.

Third, we continue to voice deep concerns over democratic erosion in Hong Kong as the PRC attempts to silence those peacefully expressing their political views. In September, we worked with 22 partners in the Media Freedom Coalition to release a joint statement condemning the conviction of the former chief editors of Stand News for sedition, which is a direct attack against media freedom. In November, we strongly condemned the sentences of 45 defendants in Hong Kong's national security law trial of pro-democracy advocates. Throughout the year we took steps to impose new visa restrictions on multiple Hong Kong officials responsible for implementation of the NSL.

And meanwhile, in my dual-hat role as the U.S. special coordinator for Tibetan issues, I see all too clearly that the CCP aims to subsume Tibet's rich traditions into its one-party framework. This manifests itself through forced relocation, the requirement of monks and nuns to pledge loyalty to the state, co-optation of the traditional succession processes of Tibetan Buddhist lamas, including the Dalai Lama, and restriction on religious practices central to Tibetan culture and identity. We've taken multiple actions in response, including, for the first time, designating two PRC officials under Global Magnitsky sanctions in connection with serious human rights abuses in Tibet, imposing visa restrictions against PRC officials involved in the forced assimilation of over 1 million Tibetan children in government-run boarding schools, and most recently, in July, imposing visa restrictions on PRC officials for their involvement in repression of individuals in marginalized religious and ethnic communities.

In conclusion, we will continue to promote accountability in defense of these and other human rights in China. Beyond the work that we do, I want to recognize our witnesses today and their civil society compatriots, both in the PRC and in diaspora communities around the world, who are fighting every day to protect these integral parts of identity. I thank these brave individuals and will continue to do everything I can to make sure your voices are heard and heeded, despite the PRC's efforts to silence them. Thank you.

Chair SMITH. Secretary Zeya, thank you very much for that very eloquent statement, and for your great work that you have been doing for so long. I appreciate it so much. We all do.

I'd now like to recognize the ranking member, James McGovern from Massachusetts.

**STATEMENT OF JAMES P. MCGOVERN,
A REPRESENTATIVE FROM MASSACHUSETTS**

Thank you, Mr. Chairman. And thank you, Secretary Zeya, for your remarks and for all that you have done. I join with Chairman Smith in welcoming everybody to today's China Commission hearing on preserving the memory of ethnic peoples facing systemic discrimination and erasure in the People's Republic of China.

I'm glad that this Commission is taking up the role of preservation of memory as a human rights issue. Memory, both individual and collective, is essential to identity and to the realization of the right to culture for all peoples. The stories that we tell, the songs we sing, our writing, our music, all of these are expressions of ourselves. They are also ways that we record our shared history and pass on our knowledge and understanding of the world to those who follow us. Without memory and the narratives it informs, it is much harder to locate ourselves in this world.

The essential role that memory plays in our lives is the reason that international humanitarian law prohibits attacks against buildings dedicated to religion, education, art, science, or charitable purposes, and historic monuments. It is the reason that Article Seven of the Rome Statute defines crimes against humanity as including the persecution of an identifiable group or collectivity on cultural grounds. It is the reason that preserving memory is at the heart of transitional justice processes. Without memory, the rights of victims to truth, justice, reparation, and the guarantee of non-reoccurrence cannot be realized.

The existential importance of memory is the reason it is so contested, as we will hear today. Any government or state that seeks to repress the language of minority ethnic people, or rename their symbolic places, or prohibit their traditional practices, or forcibly assimilate them, is violating their basic human rights. The People's Republic of China is not the only state engaged in these practices. In the Tom Lantos Human Rights Commission, which I co-chair with Chairman Smith, we recently examined cultural erasure in Ukraine at the hands of the Russian Federation.

But the PRC's sinicization policies are explicitly designed to erode the history and identity of several minority ethnic communities in favor of Han Chinese culture and core socialist values. As one of our witnesses will say today, Chinese officials promote patriotic education in an attempt to encourage all ethnic groups to accept the great mother country, Chinese nationality, Chinese culture, and the Chinese Communist Party. Tibetans, Uyghurs, ethnic Mongolians, all are at risk.

Congress has taken some steps to counter this erasure with strong bipartisan support. It has authorized and funded programs for Tibetan and Uyghur cultural and linguistic preservation. The recently introduced Southern Mongolian Human Rights Policy Act would extend similar programming to Southern Mongolians. The Smithsonian Institution, also with congressional support, is doing groundbreaking work to promote cultural diversity and preserve endangered languages. The Library of Congress, which has an excellent collection of Tibetan language works, has just received a donation of the 223-volume Monlam Grand Tibetan Dictionary, an

impressive initiative that we will hear more about in testimony today.

The Resolve Tibet Act, which became law last summer, takes a complementary approach. It empowers the State Department to counter disinformation about Tibetan history and institutions put forth by the People's Republic of China and the Chinese Communist Party, including disinformation about the Dalai Lama. Ensuring that the U.S. Government is insisting on the truth about the history of ethnic peoples inside China is critically important. The question for us today is, What more can we do to build on these existing initiatives, especially working hand in hand with the diaspora communities? And so I look forward to the witnesses' recommendations. And I thank all of you for being here. I yield back.

Chair SMITH. Thank you very much.

I'd now like to yield to Commissioner Zinke.

**STATEMENT OF RYAN ZINKE,
A REPRESENTATIVE FROM MONTANA**

I appreciate all the witnesses being here. And I appreciate your commitment, and it does not go unheard. I think we can all agree that China is trying to erase your glorious history and suppress your values, which you hold dear. And that's a concern to us all. I'll make this brief, because I'm interested to hear from you. You've probably heard from us a lot. But I'm interested to hear, from your perspective, what we can do specifically. So I'll yield back to the Chair and I'll ask questions when the time is appropriate.

Chair SMITH. Commissioner Salinas.

**STATEMENT OF ANDREA SALINAS,
A REPRESENTATIVE FROM OREGON**

Thank you, Chair Smith and Chair Merkley, for holding this important hearing today, and to our esteemed witnesses for taking the time to be here to share your stories and experiences with us. And I know that all of our witnesses are doing important and oftentimes life-threatening work—work to preserve language, and culture, and speaking out against the CCP's oppression. And you have done so at great personal cost and sacrificed a great deal. We are deeply grateful for the opportunity to hear from you.

This past year, our Commission has held hearings on preserving the memory of Tiananmen Square, despite intense censorship efforts by the CCP. We've also held a hearing on the abhorrent mistreatment of ethnic minorities and the CCP's attempt to sanitize these actions within the halls of the United Nations. And finally, we held a hearing on the transnational repression by the PRC against those who dare to speak out, both within and beyond China's borders. This hearing, our last of 2024, ties together the previous work of this Commission and sheds light on the common theme of erasure, and the lengths to which the CCP will go to silence anyone who challenges their dominance.

Maintaining one's language, culture, and traditions is a crucial part of what it means to be human. These are not things that anyone should be forced to hide, or change, or ignore. Rather, they should be celebrated and protected. And I commend our witnesses for doing this critical work, even under the oppressive thumb of the

CCP. So with that, I look forward to hearing from all of you about your experiences, the challenges you have faced, and potential solutions you have to offer the Commission. Thank you.

Chair SMITH. Thank you very much, Commissioner.

I'd now like to welcome and recognize our very distinguished panel. I have longer introductions which I'll put into the record.

Rowena He is a China specialist and historian of modern China and currently a research fellow at the University of Texas at Austin. Her research focuses on the nexus of history, memory, and power, and their implications for the relationship between intellectual freedom and public opinion, human rights and democratization, and youth values and nationalism. Born and raised in China, she received her Ph.D. from the University of Toronto.

It was her participation in the 1989 student movement that set in motion her life's work. Her first book, "Tiananmen Exiles: Voices of the Struggle for Democracy in China," was named one of the top five books in 2014 by the Asian Society's ChinaFile. And she was designated among the top 100 Chinese public intellectuals of 2016. Dr. He's op-eds have appeared everywhere, including in the Washington Post, The Guardian, The Globe, the Wall Street Journal, among many other publications. Perhaps most significantly from our point of view, this is her third time testifying before this Commission. Above all, she is passionate about teaching. She received the Harvard University certificate of teaching excellence for three consecutive years. She's been featured both on campus outlets and, again, in the New York Times. Everyone has covered her, and done so extensively.

It is perhaps that passion for teaching and the impact that she has on her students' lives that led to one of the most fateful episodes of her personal career. Doctor He joined the Chinese University of Hong Kong in 2019 and received the Faculty of Arts Outstanding Teaching Award in 2020 and 2021. In 2023 however, she was denied a work visa to return to her position as an associate professor of history because of her commitment to a truthful telling of history and a refusal to conform to politicized narratives. In sum—she lives what she speaks. So welcome back, Rowena.

We'll then hear from Julian Ku, who's a faculty director of international programs and the Maurice A. Deane Distinguished Professor of Constitutional Law at Hofstra University. His research has focused on the interplay between international law, foreign law, and domestic U.S. law. His writings cover a wide range of topics, including international dispute resolution, international criminal law, and China's relationship with international law. He's co-author with John Yoo of "Taming Globalization: International Law, the U.S. Constitution, and the New World Order" from Oxford University Press of 2012. He also has published more than 40 law review articles, books, chapters, and symposia, contributions, and essays. He cofounded the international law blog *Opinio Juris*, and is a contributing editor of *Lawfare*, a leading blog analyzing national security issues, and one very germane to his testimony today.

His essays and op-eds have been published in major news publications like the New York Times, the Wall Street Journal, and the L.A. Times. He has served as an interim dean of the Maurice A. Deane Law School at Hofstra, as well as vice dean for academic af-

fairs. Professor Ku has been a visiting professor at Columbia University School of Law, as well as the College of William and Mary and the Marshall Wythe School of Law in Williamsburg, Virginia, a Fulbright distinguished lecturer in law at East China University in political science and law in Shanghai, China, and a Taiwan fellow at National Taiwan University in Taipei, Taiwan. He's a member of the New York Bar and a graduate of Yale College and Yale Law School. We welcome Dr. Ku.

We then will hear from Rishat Abbas, who is a senior clinical research leader and scientist with 30 years of experience in the United States. He has contributed to clinical research and approval of several innovative new medicines in oncology and other therapeutic areas. He has a proven track record in medical research, having authored over 150 peer-reviewed scientific publications and received several prestigious awards for his achievements. He received his Ph.D. from Ohio State University in 1994. Beyond his scientific career, Dr. Abbas is a prominent advocate for human rights and democratic freedom for the Uyghur people, who are suffering from human rights abuses, cultural destruction, and repression under the Chinese Communist Party regime.

In 1998, he played a crucial role in advocating for the establishment of the Uyghur Program at Radio Free Asia. Dr. Abbas played a pivotal role as well in establishing the Global Uyghur Academy Network, which has seven branches and four institutes in the diaspora. He also serves as senior advisor for the World Uyghur Congress and Campaign for Uyghurs. He and his sister, Ms. Rushan Abbas, their advocacy has come at a profound personal cost, with their sister, Gulshan Abbas, unjustly imprisoned since 2018—a glaring example of the regime's attempts to silence dissent. Our hearts go out to both of you and our hearts go out for your sister, and my prayers as well, as your fight for truth has entailed such significant personal sacrifice.

Well, then we'll be hearing from Dr. Lobsang Monlam, who is an ordained Tibetan monk, traditional Tibetan painter, and contemporary artist, Buddhist scholar, and founder of the Monlam Tibetan IT Research Center. Ordained at Sera Mey Monastic University, Dr. Monlam pursued rigorous traditional Buddhist studies, including advanced meditation training, for more than 18 years, before recognizing the urgent need to preserve the Tibetan language in the digital area. In 2003, he began developing Tibetan fonts and digital tools, including the widely used Monlam Dictionary and the Monlam Tibetan keyboard, which have become essential resources for Tibetan language users worldwide.

In 2012, he established the Monlam Tibetan IT Research Center to promote Tibetan language and culture through technology, building 37 open-source software applications to date, and amassing a vast library of digitized text. In 2023 he launched Monlam AI, a pioneering initiative using artificial intelligence to enhance Tibetan language learning, cultural preservation, and linguistic research with his latest innovation. Dr. Monlam's relentless efforts reflect the broader commitment to the Tibetan diaspora to preserve its linguistic and cultural legacy, as well as empowering a new generation to access and safeguard their cultural heritage, as seen in projects like the Monlam Grand Tibetan Dictionary and the forth-

coming Tibetan Digital Library. Thank you for that enormous contribution and for being here today.

We will then hear from Temulun Togochoog, who was born in a Southern Mongolian exile family and raised in New York City. In June 2024, Temulun graduated from the LaGuardia High School of Music and Performing Arts with a 4.0 GPA—congratulations for that and currently is attending the Honors Program at the Mercer County Community College in New Jersey—my home state and it used to be, like, a half a mile away from our home for many, many years—where she is majoring in sociology.

At a very tender age, Temulun has been actively promoting the human rights of the Mongolian people in Southern Mongolia, also known as Inner Mongolia. This includes twice testifying for the U.N. Permanent Forum on indigenous issues in New York City, on China’s gross human rights violations in Southern Mongolia, and the erasure of culture, language, and identity of the Mongolian people in Southern Mongolia, as well as speaking at the briefing of the U.N. member states at the U.N. General Assembly on the deteriorating human rights conditions in Southern Mongolia.

She spoke at the Conference for Empowering Youth for Democracy, Peace, and Justice, hosted by the Asia Freedom Institute, in August 2023. And she was invited to speak on the genocide of the Mongolian Steppe, inner Mongolian indigenous peoples of China, hosted by the United States Institute of Peace. In December 2023, she was interviewed by Mr. Roland Walters, a British documentary filmmaker, for his upcoming new documentary entitled “The Mongol Khan,” regarding her personal experience as a youth activist born to an exile family in the United States. Just tremendous work.

I’d now like to thank you and turn to Dr. He.

**STATEMENT OF ROWENA HE, SENIOR RESEARCH FELLOW,
UNIVERSITY OF TEXAS, AUSTIN, AND AUTHOR, “TIANANMEN
EXILES: VOICES FOR THE STRUGGLE FOR DEMOCRACY IN
CHINA”**

Good morning, Congressmen and Commissioners. I’m humbled to be here today. I want to say hi to our friends in this room and those listening to us online, in particular, my students in Hong Kong—many of them texted me this morning. They are watching us now. I know that I’m banned from Hong Kong. I cannot return to the classroom to talk to you anymore, but I’m so happy that in this space—even though I cannot see your faces, dear students—I know that you’re all there with me this morning.

It’s very difficult not to be emotional to be in this room again. Ten years ago when I was first invited to testify to Congress, I was extremely hesitant because I was very concerned about my family members—I was so worried. I’ve lived with fear ever since the day I started teaching and researching Tiananmen, the taboo, as they call it. For my generation, I was born in Mao’s China, and grew up during Deng’s Opening and Reform era. We were told that China would be different, and we were going to live with hope.

The day after the Tiananmen Massacre, the turning point for so many of us, as Congressman Smith mentioned earlier, I went back to my campus wearing the black armband—the Chinese way of

mourning. My teacher came over to me and said that: if you do not take that off, no one can protect you from now on. I reluctantly removed that black armband. At that moment, I thought of the time when Mao died in 1976. My parents were celebrating—they closed the doors and windows of our little apartment. They seemed so happy; they were drinking wine. The next morning, they took me to the public memorial, and everyone was crying. As a little girl, I was confused by the contrasting expressions of the adults. The night before they looked so happy, and the next morning in public they were so sad.

In 1989, I had to remove the black armband as my teacher requested. For two generations, we were not allowed to express the basic human feelings of sorrow and joy. Days after the Massacre, we lit candles secretly in our small private space, but we had to hide in public how we felt. Soon after, I had to keep my mouth shut. At the age of 17, I had two options—to tell the truth or to survive. I chose to lie, otherwise I wouldn't be speaking to you here today. Ten years ago, when I was given the opportunity to speak here before a congressional hearing, my dear grandmother was still alive. I was worried that I would never have a chance to see her again after the hearing, together with the publication of my book.

My grandmother was like my mother during the Cultural Revolution when my parents were sent away. As I had feared, after the hearing I was not able to return home to see my grandmother again. She died without me touching her one more time, as she had told my parents that that was what she'd been longing for all those years.

The reason for me and many of those of my generation, as well as those of multiple generations, both inside and outside China, to carry on the task of memory against forgetting, was rooted in the watershed events of 1989. Sometimes people refer to these invisible groups as underground historians. I do not like the term “underground.” We are *the* historians. We are preserving the voices of the people that have been silenced and whose memories have been erased.

I am grateful that Congressman Smith mentioned Mr. Yang Jisheng and his important work *Tombstone*. Mr. Yang spent over 20 years conducting archival research, documenting the Great Famine that had led to a death toll of thirty-six million people, almost the population of California. Mr. Yang mentioned in the introduction of *Tombstone*, 1989 was a “personal awakening” for him, a turning point when he determined to conduct research about the lies of the Great Famine. During the Great Famine, China—actually—the CCP, was still exporting food when 36 million people were starving to death. The regime has been hiding this lie under the disguise of a three-year “natural disaster.” But it was a man-made disaster, and the CCP was exporting food when people were starving to death. Mr. Yang Jisheng documented details of such historical truths. The biggest distortion of history was the CCP's hijack of the name China. They have been trying to tell the world that the CCP, the Chinese Communist Party, *is* China. But they are *not* China. And they do *not* represent the Chinese people. They hijacked China and the Chinese people. I hope from now on when

we refer to the CCP we won't say China. It's the Chinese Communist Party, not China.

Mr. Yang's *Tombstone* was not just about one individual's efforts to keep history alive. It was a collective labor of love. The book's co-translator, Professor Guo Jian, told me many years ago after reading the book, "I have to translate this no matter what." Throughout the process, he kept his mouth shut and remained low profile because of the fear of losing access to visit his parents in Beijing. Now his parents have both passed away.

Professor Guo co-translated the book so that it would be read by the world. Mr. Yang Jisheng shared the same mission of truth telling. As mentioned in the introduction, the reason that he named the book *Tombstone* was because he wanted to set up a tombstone for his dad who died during the Famine. He also wanted a tombstone for the 36 million people who died from the Famine. In addition, he thought that after publishing this book, his career would come to an end and he was going to lose many opportunities. So that's a tombstone for himself.

Mr. Yang said that lots of people tried to erect tombstones for their family members after they became successful in their political career. He said that even though he was not as successful as those people, he also wanted to erect a tombstone for his dad—it would not be a physical tombstone, but one carved with historical facts. "A tombstone in the heart could never be demolished or trampled under foot. I did indeed erect a tombstone for my father in my heart. This book is made up of the words I carved into that tombstone. Even after I leave this world, the heartfelt expression in these words will remain behind in libraries throughout the world." And he did it. That was the determination, not only of Mr. Yang Jisheng, but also the determination of so many of us who were forced into silence after 1989, in the face of state-imposed amnesia.

Now I would like to give you a brief summary of what the CCP did to erase history in 1989 immediately after the military crackdown, after the nationwide purge and arrests. An elaborate Patriotic Education Campaign was launched. History textbooks were significantly revised to intensify themes of China's victimhood at the hands of the West and Japan. A narrative—not the truth—was constructed, describing the military crackdown as necessary for stability and China's rise. In other words, the regime was basically saying, "We did this for you. We killed for you. We killed these people so that China can rise, and China can have stability."

The concept of a "rising China" was created and imposed through revised textbooks, through centrally state-controlled media and education, and through museums and popular culture. First, China's record of suffering and humiliation as a victim at the hands of foreign powers, who now use universal values to weaken and divide China. Second, the CCP tried to create the impression—domestically and internationally—of the necessity of authoritarian governance that despite moral and political drawbacks, guarantees the country's unity and prosperity.

Third, they've created this narrative of pride in a China whose economic and military "rise" enables its people, for the first time since the Opium Wars, to "raise their heads"; and finally, a China that glories in its cultural traditions and status as the world's only

civilization with an unbroken history. The CCP has been extremely successful in twisting the historical past through selective commemoration of national glories, its traumas, humiliations, covering up all the atrocities such as the Great Famine that the regime was responsible for.

Despite the top-down state-imposed amnesia, the past 35 years have witnessed a war of memory against forgetting. We witnessed an unequal contest between the state manipulation of history and the bottom-up resistance, both inside and outside China, to preserve China's forbidden past. So here, history is not just a subject matter or discipline; the preservation of memory and commemoration have become a form of resistance, the power of the powerless. It saddens me to think about the fact that ten years ago when I testified in this building, I still had Hong Kong people lighting candles every June 4th in Victoria Park remembering and commemorating victims of Tiananmen.

But now the candles are gone. Victoria Park has been swallowed in darkness. The recent trial of the 47 group, the best of the Hong Kong people, is a trial of humanity. It's a trial of civil society. It's a trial of the hope of future generations. History repeated itself again and again and again. The reason that we took to the streets in 1989 was not because of anger, not because of frustration, but because of our hope and even our trust in the CCP that it would reform itself. The military crackdown was a betrayal of loyalty. In many ways, people in Hong Kong—my dear students, my colleagues, my friends; many of those now behind bars, in jail and in exile—I think many of them, even though they never trusted the CCP as we did in 1989, they were still hoping, trusting that they would be able to make a difference when they took to the streets, when they started in 2019.

In many senses, it is another betrayal. But in the past 35 years, the war of memory against forgetting has never stopped. For example, Dr. Song Yongyi in California has been working with a group of Chinese scholars based in the U.S. to build a database of Mao's period. Because of this, he himself was detained in China in the early 1990s.

For over a decade, as a first-generation Chinese immigrant living in Canada and the United States, I have witnessed the impact of such historical manipulation—the different phases of Chinese student nationalism, initially as a graduate student and later as a scholar and faculty member. I not only observed, but also personally experienced firsthand, the intimidation of hyper-nationalist discourse in classrooms, in public lectures, in cyberspace, and in daily lives. However, after COVID we saw a huge difference and change when the younger generation of China themselves witnessed firsthand how the CCP twisted the historical memory of COVID.

In 2020, the CCP published a white paper about the “correct” collective memory of COVID, a glowing account of the CCP's efforts to combat COVID. But that was not what the younger generation themselves experienced. About a year later, in 2022, we witnessed the emergence of the White Paper Generation. Shielding faces in public with white papers, in defiance of the official “correct memory” imposed on them, these young men and women collectively created an indelible image of their generation—not as dramatic as

that of the Tank Man near Tiananmen Square, but a new image of courage—courage amid fear, everywhere.

It is because of such courage in fear that we know that we need to tell the historical truth, so that we will be able to continue the fight. In 1989, when I was forced to remove the black armband, I thought that's the end of it. They had guns, they had tanks; they had propaganda machines. And most important, they could erase and revise history. Professor Fang Lizhi referred to it as the "techniques of amnesia," that could lead to generational breaks of historical memory.

But after COVID, after the White Paper movement, I saw a reconciliation of different generations finally—in the face of historical truth, we—different generations finally united to understand each other. So it was not an ending after all. In 1989 the seeds were planted in the hearts of so many generations of the Chinese people and we believed that one day historical memory would bring us truth and justice. If we want light, we must conquer justice. 1989 may remind us of repression. But it also reminds us of hope, of human beings longing for basic human rights and for truth and justice. History will witness the Tiananmen spirit, and now the Hong Kong spirit, as the power of the powerless, again and again.

We may lose many battles, but we are going to win the war of historical memory. History is on our side. Thank you very much.

Chair SMITH. Thank you very much. [Applause.]

Mr. Ku.

STATEMENT OF JULIAN KU, FACULTY DIRECTOR OF INTERNATIONAL PROGRAMS AND MAURICE A. DEANE DISTINGUISHED PROFESSOR OF CONSTITUTIONAL LAW, HOFSTRA UNIVERSITY

Congressman Smith, honorable members of this Commission, thank you for the invitation to appear before you today. I want to honor the panelists who are here who really have gone through things that really put them at risk of retribution just for speaking here today. My remarks are kind of different. They're going to focus on the way in which the Chinese party state has used tactics to take advantage of the weaknesses of their own legal system and the strengths of the U.S. court system to advance the goals that we're discussing here today, the goals of suppressing evidence and narratives about China's own history.

So I just want to quickly define my term here. I define "lawfare" as a strategic use of legal systems and institutions to achieve military or political objectives. This concept involves leveraging legal mechanisms to damage or delegitimize an opponent, often by imposing legal and financial burdens through litigation and other actions. China's People's Liberation Army has long used the term "lawfare" as an essential component of its three warfare strategic doctrines. The instruments of lawfare include all forms of Chinese domestic law and international law. But in recent years what's interesting is that Chinese entities have shown lawfare can be used within the U.S. legal system as well.

For instance, Chinese companies have filed lawsuits against Chinese nationals residing in the U.S., purportedly involving commercial disputes but really motivated, it appears, by efforts to achieve

Chinese government objectives, maybe against people wanted for alleged corruption at home or against political dissidents living in the United States. All of these lawsuits share similar characteristics. An entity officially unrelated to the Chinese government or the Chinese Communist Party files a lawsuit. The Chinese plaintiff is typically represented by maybe the best law firms in America that charge the highest prices. And the lawsuit almost never gets past the early stages but does impose significant costs on the defendants.

For instance, I want to talk about one example of a lawsuit that does touch on the goal of suppressing history—the litigation Stanford University versus Zhang, which is a great example of what I’m going to call asymmetric lawfare. The litigation over the ownership of the diaries of Li Rui, a former personal secretary to Mao Zedong, and in his later life a prominent critic of the Chinese Communist Party, illustrates this kind of Chinese lawfare. It’s asymmetric lawfare because China uses its own legal system, which is much more politically manipulable than the U.S. legal system, to gain advantages in U.S. litigation and gain advantages in the open U.S. court system.

Mr. Li, through his daughter, agreed to donate his personal diaries to the Hoover Institute for War and Peace at Stanford University. After his death in 2019 however, his widow filed a lawsuit in Beijing court claiming ownership of the diaries. She argued that the diaries contained deeply personal information and that Li actually intended for her to decide how to make those documents public. The Beijing court ruled in her favor, awarding her ownership of the diaries and ordering Stanford University to turn over the diaries to Ms. Zhang. Stanford University argues that it was never given adequate judicial notice in Beijing of the court proceeding. And when it did hear about the case it went to court and was denied the opportunity to make its case.

Thus, despite its best efforts, Stanford was not able to contest its legal rights in China, and is now under a Chinese court order to return the diaries to Ms. Zhang. To its credit, Stanford is fighting back. It filed a quiet title claim in U.S. Federal court to affirm its right to the diaries, arguing that the Li donation was proper and that the Chinese court judgment should not be enforced in the United States, due to the unfairness of the Chinese court proceeding. Ms. Zhang has counterclaimed, alleging copyright infringement and public disclosure of private facts, among other issues.

So far, the U.S. trial court has dismissed some of Ms. Zhang’s claims but allowed others to proceed, and is currently considering their trial briefs and will issue a judgment pretty much any day now. So maybe even today. But whatever the result of that case, the litigation illustrates the effectiveness of what I’m calling asymmetric lawfare by the Chinese party state. The key to their strategy is to use its ability to gain favorable outcomes in the Chinese court system to gain favorable outcomes in the U.S. court system. Stanford was provided no official notice of the Chinese court proceeding and then was denied the ability to defend itself in China, and then it forced Stanford to start a legal proceeding in the United States where it will have to overcome traditional U.S. legal

doctrines that give effect and deference to foreign court judgments in most cases.

Meanwhile, unlike Stanford and China's court system, Ms. Zhang has been given a full opportunity to defend her case. She has been able to hire some of the largest law firms in the United States, which are some of the most expensive law firms the United States to litigate her case and defend her case. Due to relaxations on champerty rules and third-party litigation disclosure rules in the United States, Ms. Zhang, who has incurred enormous legal fees, probably hundreds of thousands of dollars, maybe even more, on a widow's Chinese state pension, does not have to disclose if any third party has helped foot her legal costs, under U.S. rules.

So even if she does not prevail, the litigation, which has dragged on already for nearly four years and has cost Stanford itself hundreds of thousands of dollars in legal fees, maybe more, is likely to deter other archives, smaller universities that are not as well-resourced as Stanford University, museums, other nonprofits in the United States, who might think about acquiring historical items, archives, documents, hosting them—they might think, Well, maybe I don't want to acquire that one because it might subject me to litigation in China and maybe litigation here in the United States. So it serves as a deterrent for universities, museums, and other institutions the United States that might otherwise want to participate in what many of the panelists here are going to talk about, which is the preservation of history about China that's different than the official narrative pushed by the party in China.

There are no simple fixes to solve the problem of asymmetric lawfare by the Chinese government in the United States. But Congress might make some headway by enacting laws to, for instance, expedite proceedings to dismiss efforts to enforce Chinese court judgments in U.S. courts. It could amend the Foreign Agent Registration Act to require disclosures of financial support from foreign government sources or foreign political sources during litigation in U.S. courts. It could bolster rules in general for disclosing third-party litigation finance—who's funding litigation if they're not the actual party in interest. These are rules that Congress does have jurisdiction to legislate over. Such actions are not a complete solution, but I believe it's the right place to start. Thank you.

Chair SMITH. Thank you very much.

I'd now like to recognize Dr Abbas.

**STATEMENT OF RISHAT ABBAS, PRESIDENT,
UYGHUR ACADEMY INTERNATIONAL**

Thank you, Chairman Smith and Co-chair Merkley, and members of the Commission, and Under Secretary Zeya. I'd first like to thank the Commission for the opportunity to share our experience trying to preserve Uyghur memory and combat the CCP's erasure of our culture and identity.

This question is an existential one. As recognized by the U.S. Government and more than 10 Western parliaments, the Chinese government has been committing active genocide targeting Uyghur people since 2017. In August 2022, a UNHCR report stated that the PRC's actions may constitute crimes against humanity. Despite international concern over China's Uyghur genocide, the Chinese

government has been aggressively implementing policies of cultural genocide to erase Uyghur memories by eliminating Uyghur language, culture, identity, and religion.

If these are lost, both in the homeland and the diaspora, the CCP will achieve its goal, regardless of the future political shifts. Many diaspora Uyghurs are facing transnational repression for speaking out, including my family, who have endured severe retaliation for our advocacy. My sister, Dr. Gulshan Abbas, a retired medical doctor, was sentenced to 20 years in prison on fabricated false charges as retaliation for our advocacy in the U.S., despite Gulshan's chronic health issues. Her unjust detention exposes CCP's aggressive policies that target Uyghurs simply for their identity and for the activism of their relatives abroad. My sister's imprisonment is a clear act of retaliation, as she has never engaged in any form of advocacy in her life.

The genocide in the Uyghur region signals a broader erosion of human rights, setting a dangerous precedent for future crimes. History warns us of the consequences of inaction. Uyghur advocates worldwide emphasize the importance of teaching the next generation their language, culture, and identity, to preserve the heritage as Chinese oppression continues. Our organization, Uyghur Academy, is a global Uyghur intellectual network with seven branches and four institutes. It fosters effective collaboration among Uyghur organizations, communities, universities, NGOs, and stakeholders to highlight the Uyghur genocide and counter the CCP's influence.

Since 2022, with support from USAID and the U.S. Institute of Peace, Uyghur Academy has hosted two international conferences and workshops, bringing together global Uyghur community leaders and volunteer teachers. The workshop provided training in Uyghur language and cultural preservation, and addressed the unique need for heritage learners, those who grew up speaking Uyghur at home but use the dominant language outside. In 2023 and 2024, we hosted two Uyghur Youth Summer Schools, uniting Uyghur youth from 14 countries. These schools offered a transformative experience in Uyghur language, culture, history, fostering connection, resilience, and pride in their heritage. For many, it was their first time interacting with peers in their native language, creating a lasting bond, inspiring advocacy in their communities.

We thank USAID and USIP for their crucial and impactful actions. Today, summer school participants remain connected through social media, forming growing networks. This initiative shows the potential to empower Uyghur youth as leaders in preserving our memory and combating CCP's erasure of Uyghur culture. Additional investment will help preserve Uyghur language while adapting it to modern challenges.

In May 2024, Uyghur Academy marked its 15th anniversary by publishing the Uyghur Language and Literature textbook series, launched on Capitol Hill. The event featured representatives from the U.S. Congress, U.S. Government, and Uyghur organizations. It celebrated key achievements and showcased innovative tools to strengthen Uyghur identity and culture against the CCP oppression. If you ask what we can do to help Uyghurs today, one key

answer is to support programs that connect isolated Uyghurs in diaspora and to help preserve their language and identity. This initiative offers Uyghurs hope, something incredibly rare in our situation.

This is not merely about justice for the Uyghur people. It is a fight for the principle of democracy, human rights, and freedom that underpins the world we wish to leave behind for our future generations. Allowing the CCP's atrocity to go unchecked threatens global values, empowering authoritarian regimes and weakening the foundation of the free world. The stakes are far greater than the Uyghur people alone. They encompass the shared future of all who believe in dignity, liberty, and justice. Thank you, Congress and the American people, for your unwavering support of the Uyghur cause. Thank you. [Applause.]

Chair SMITH. Thank you. So very well said. Thank you for your leadership. It's extraordinary.

I'd now like to recognize Dr. Monlam.

**STATEMENT OF GESHE LOBSANG MONLAM, ORDAINED
TIBETAN MONK AND FOUNDER, MONLAM TIBETAN IT
RESEARCH CENTER**

Thank you. Thank you very much, Chairman Smith, Chairman Merkley, and Commissioners and members, and Special Coordinator for Tibetan Issues Ms. Zeya. Thank you very much for inviting me to speak at this hearing. It is an honor and great responsibility to stand before you today to address the critical situation of the Tibetan language and culture. For over 60 years the Tibetan people have effectively preserved our rich heritage under difficult circumstances and conditions, thanks to the leadership of His Holiness the Dalai Lama and the Central Tibetan Administration that made it possible, with the unwavering support of the Indian and U.S. Government, and others throughout the world.

As a Tibetan, I want to take the opportunity to express my gratitude to the U.S. Congress and the administration for continued support to His Holiness the Dalai Lama and the Tibetan leadership. I have directly seen the positive impact of your support to our community. And before looking into this inspiring effort, we must confront a harsh reality—looking at the facts. The CCP exercises power in two key ways, through disinformation campaigns and through economic leverage. These tools enable its continued suppression of Tibet and the so-called ethnic minorities, while also posing a challenge to global security, democracy, economic stability, and human rights.

Within Tibet, our language and culture face ongoing assault. And currently inside Tibet, young Tibetans appear powerless in their ability to preserve and promote their language. The decreasing birthrate among Tibetans in India, combined with the fact that nearly half of the Tibetan diaspora is now living in Western countries without adequate language and culture support mechanisms, poses a severe threat to the preservation of Tibetan language and cultural heritage.

Due to the lack of advanced modern educational materials in the Tibetan language, both inside and outside Tibet, young Tibetans face significant challenges, as they are forced to rely on a second

language for higher education. This is not just about language. It is about the survival of an entire people. Despite these challenges, the Tibetan diaspora continues to pursue our heritage through schools and cultural centers, and organizations like Monlam; our work in the development of modern Tibetan language tools is critical for education and cultural preservation in today's global context.

Monlam has dedicated itself to leverage technology for Tibetan cultural preservation through three major initiatives: the comprehensive 223-volume Monlam Grand Tibetan Dictionary—this is the largest dictionary in the world; the USAID-supported Digital Library Project—we have around 50,000 different subjects or classifications. It's a very rich culture and language. Third, we have developed more than 42 software applications—that includes AI language models. Our latest project focuses on building a Tibetan culture center, and developing a large language model, similar to ChatGPT, to revolutionize Tibetan language, education, translation, and cultural preservation efforts.

We believe that the future of our language lies in empowering the next generation. That is why we are envisioning creating modern academic subjects, too. For example, science, technology, and social studies. We want the Tibetan students to explore the world, while staying deeply rooted in their identity. The current education system is struggling to keep pace with the rise of artificial intelligence. It is too slow and too focused on memorization and not enough on critical thinking or ethical development. We need an education that is both fast and high quality, one that prepares students for the world where technology is rapidly changing everything. I envision an education that combines the best of both worlds—the timeless wisdom of Tibetan thought, and cutting-edge technology.

We believe in nurturing not just external skill, but also internal development, compassion, critical thinking, and deep understanding for our interconnected world. This isn't just a vision for Tibetans. It is a vision for America and the world. By combining the best of our traditions with the power of technology, we can create an education system that truly prepares the future generation for the challenge and opportunity that lies ahead. We can build a future where wisdom and compassion guide our technological advancement, creating a more just and equitable world for all.

In conclusion, the challenges are real, but so is our resilience. The Tibetan language is more than just words; it is the soul of the people. It is a key to understanding our history, our values, and our unique perspective on the world. And this, we hope, emerges. The technology in our hands has become a powerful tool for resistance and revitalization. Thank you so much for giving me the chance to speak here today. Thank you very much.

Chair SMITH. Thank you so very much, Dr. Monlam. [Applause.]
I'd now like to recognize Ms. Togocho.

STATEMENT OF TEMULUN TOGOCHOG, U.S.-BORN SOUTHERN MONGOLIAN ACTIVIST AND FRESHMAN AND HONORS STUDENT, MERCER COUNTY COMMUNITY COLLEGE

Sain bainuu and greetings, ladies and gentlemen. My name is Temulun Togochoog. I'm 17 years old and a U.S.-born Southern Mongolian human rights activist working alongside my father, Enghebatu Togochoog, director of the Southern Mongolian Human Rights Information Center. My parents live in exile here in the United States, and as a result, I have never been able to visit my homeland. I have never met my aunts, uncles, cousins, or nieces and nephews. I have never celebrated Tsagaan Sar, the traditional Mongolian New Year, with my relatives, or learned many of their customs firsthand. My parents have not returned to Southern Mongolia to attend family weddings or funerals, nor to say their final goodbyes to loved ones.

Despite these challenges, my parents have worked tirelessly to preserve our language, culture, and traditions. When I was younger, they sought out Mongolian babysitters to help teach me and my sister our mother tongue. This was no easy task, as there were few Mongolians in New York, but still, I was fortunate enough to learn some Mongolian from the babysitters they found. As I started school, time at home and opportunities to learn Mongolian diminished, even though my parents consistently spoke Mongolian at home. Southern Mongolians use the traditional script written vertically from top to bottom, a script with over 800 years of history. This script was not easy to learn, so my parents arranged for a teacher from independent Mongolia to teach me and my sister the Cyrillic Mongolian script.

In the summer of 2018, my father took us to a children's camp at the Mongol Tibetan Buddhist Center in Bloomington, Indiana. It was a rare chance to speak Mongolian, sing traditional songs, cook Mongolian food, and play with other Mongolian children—mostly from the independent country of Mongolia. It was a pleasant experience that gave me a glimpse of what it might be like to return to Southern Mongolia, my home country. However, one painful memory stands out to me. Some northern Mongolian children ridiculed our Southern Mongolian accents and called us, quote/unquote, "Chinese." But despite these struggles, I feel privileged to have grown up in the United States, a free and democratic country, where I can learn my language, practice my traditions, and express my opinions without fear.

This stands in stark contrast to the millions of Southern Mongolians who face repression and denial of basic rights. Over the past seven decades, China has encouraged large-scale Chinese migration into Southern Mongolia, reducing the ethnic Mongolian population to only 18 percent of the region. This has not only displaced us from our land, but it's also eroded our culture and way of life. In the early 2000s, China introduced policies to forcibly resettle Mongolian herders, effectively ending nomadic pastoralism under the pretext of "grassland protection." By 2015, all nomads within China's borders had been relocated, marking the end of this centuries-old way of life.

Advocates for Mongolian rights face severe consequences. Prominent activist Hada was detained in 1995 and sentenced to 15 years

in prison. Despite completing his sentence, he was held for an additional 4 years, and has been under house arrest since. His wife has been arrested multiple times and his son was imprisoned at just 17 years old. The family remains under constant surveillance. Other activists have faced similar repression. In 2020, Yanjindulam was sentenced to 3 years in prison for defending herders' rights and advocating for the Mongolian language. Dissident historian Lhamjab Borjigin disappeared last year after being deported from the independent country of Mongolia.

Since 2020, the Chinese government has effectively removed the Mongolian language from the education system, replacing it with Chinese as the sole language of instruction. Mongolian language books and publications have been banned and Mongolian signs and symbols are being removed from public spaces. Authorities promote "patriotic education" to enforce loyalty to the Chinese nation and Communist Party. In September 2020, many Mongolians, particularly students, protested these policies through school boycotts and strikes. Approximately 300,000 Southern Mongolian students joined the movement.

The Chinese government responded harshly, detaining and placing under house arrest an estimated 8,000 to 10,000 people. The Chinese government's systematic oppression and erasure of Mongolian language, culture, and identity is fueling a surge in violence and hatred from the Chinese population toward local Mongolians in Southern Mongolia. In a recent heartbreaking case, a 9-year-old Mongolian girl, Hairaa, was brutally beaten by her Chinese teacher for struggling with Chinese language homework. During the assault, her ear was torn open and began bleeding profusely, requiring emergency treatment at a hospital. This shocking incident is not an isolated case, but part of a disturbing and larger pattern of abuse faced by Mongolians in Southern Mongolia.

Given these deteriorating conditions, I respectfully urge the commission and the U.S. Congress to consider the following recommendations. No. 1, nominate Hada for the Nobel Peace Prize in recognition of his lifelong struggle for Southern Mongolian rights and his decades of imprisonment and house arrest. No. 2, urge the U.S. Agency for Global Media to act on the Congress's recommendation to establish a Mongolian language service at Voice of America. No. 3, support the swift passage of the Southern Mongolian Human Rights Policy Act, introduced by Senators Merkley and Sullivan. No. 4, assist Southern Mongolian communities, both in Southern Mongolia and in exile, in preserving their language, culture, and identity. Thank you for your time and attention. [Applause.]

Chair SMITH. Thank you very much. I'm sure your father is very proud. We certainly are. That was tremendous testimony. And thank you for the recommendations, they are fantastic.

I'm going to just ask one question, and I'll come back and ask more after our distinguished panelists here are done. But I just want to make a point; what is the complicity—Dr. He, I'll ask you this if I could—of corporate America in denying the historical record? Back on February 15th, 2006, I chaired in my subcommittee on human rights, which I continue to chair today, the longest hearing I've ever had—eight hours. We had Google, Micro-

soft, Cisco, and Yahoo, their top vice presidents all testified. I swore them all in and asked them why they were being so complicit in denying Tiananmen Square and all the other abuses, but Tiananmen Square in particular. If you went on Google in China, all you saw were pretty pictures of people smiling, nothing with tanks, nothing with bayonets, nothing with bleeding students and activists for democracy. It was outrageous.

And their answers were equally outrageous, that they were just following orders. I had read a book called “IBM and the Holocaust.” And in that it was made very clear how the Gestapo relied on IBM to find and track down Jews to send them to concentration camps. And ditto, fast forward to now, we had corporate America being very compliant—not just compliant, complicit—in the repression. And they really never got over it. I mean, they didn’t change—Google made some changes, but, you know, their technology was pretty much usurped by Chinese entities. But it was very, very troubling.

And I’m wondering today—what is the role of U.S. corporations in this big, vast denial of a horrific reality that’s happening each and every day by the Chinese Communist Party? We had hearings of this Commission on the Olympics. And we had Coca-Cola and others testify, telling us how they want to speak out against what was happening, the genocide. They couldn’t even say the word genocide for fear of losing market share in the PRC. So if you could very briefly speak to that. And then I will yield to my colleagues.

Second, also to you, Dr. He. You mentioned how, at Chinese University in Hong Kong, when you were thrown out, were your fellow academics, your fellow professors, supportive? We’ve had Enes Freedom testify here several times, an amazing man who speaks out against the repression of the Uyghurs. And he was thrown out of the NBA. He told us how so many of his colleagues, fellow basketball players, were supportive, but didn’t want to get in any way named. They completely shut off contact with him because they might lose money. The Chinese Communist Party would be upset. So that’s a microcosm, you know, with individual players. But corporate America, if you could speak to that.

Ms. HE. Thank you very much. This is such an important question. Thank you for raising it. Before I respond to the question, Congressman Smith, I want to thank CECC for your continuous efforts on important China-related issues. This may be just another hearing, but for those of us who are struggling in darkness, it is making a world of difference to have our silenced voices heard. I think for each of us, when we get a chance to speak to the world in a hearing like this—I felt—today I felt so much the responsibility to speak for our people. I’m sure our witnesses here today felt the same.

I remember when Liu Xiaobo was given the Nobel Peace Prize, I was teaching at Harvard. I dropped everything—all the deadlines, and I went to Harvard Yard with a colleague, also from China. We were jumping up and down like little girls in Harvard Yard, as if we’d gotten the Nobel Peace Prize. My friends inside China were sending me emails saying, Let’s celebrate. It may be hard for people living in democracy to understand and imagine what it’s like when you are always being silenced. You don’t have a voice. It’s not

just you—one individual—but your people, your community. And then one of you was given a chance to speak out. Such opportunity or recognition really gave us a lot of encouragement and sense of solidarity. I would like to thank the CECC for giving us the chance to speak and to be heard.

To respond to Mr. Smith's question of companies not standing up for our values in the face of censorship, I would like to share my experience in the field of China studies. After studying political exiles for 25 years, I became one of them. Graduate students started asking me questions, such as: Rowena, how can I conduct important research and not become you (being denied visa)? I think that those companies were facing the same challenge. How can we stick to our integrity and survive? I remember when Google decided to close down its office in China instead of compromising its values, Chinese netizens went to their office and left them flowers to show support and appreciation.

It is indeed challenging to deal with a powerful authoritarian regime like Beijing. The price one has to pay. Ten years ago when I spoke at the State Department, I made the point that in this global village that we live in, when the plane got hijacked, you got business class, I got a window seat, we will all end up in the same place. So maybe today you think that human rights have nothing to do with me, and that you have to focus on your own interests, whatever that is. But by the end of the day, the Uyghurs, the Tibetans, the Mongolians, the Han, we will end up in the same place when the Titanic is sinking.

At that time, people asked me to give an example. I said, if I had an example, it would be too late. Later we saw the example during COVID. The violation of human rights of one medical doctor in Wuhan became the violation of human rights of every single human being on Earth. So don't tell me it's just about China. Don't tell me it's just about Tiananmen. It's also about now. It's also about us. It's about all of us. As our panelists just now eloquently expressed, what we are talking about is not only some personal suffering. Yes, personal suffering, sadness. We talk about all of these, in our special contexts. But at the same time, this is beyond personal. What the CCP is doing, imposing on each of us human beings, is beyond personal. It has broad implications. The state monopoly of historiography is the root of Chinese nationalism. With the increasing domestic crisis inside China, the CCP started to play the nationalism card again, which would impose threats to Taiwan and world peace. Public opinion regarding the regime's legitimacy is shaped by the collective memory of the nation's past (be it truthful, selective, or false). It is important to present historical truth and historical facts to the people, domestically and internationally. Even the Americans, people in democracy, are not fully informed. Some would say, We are not doing well, let's look for alternatives from China.

You saw that in the 1930s and then you see it again now. When democracy was not doing well, people looked for alternatives. They would not hesitate to criticize democracy but would be hesitant to criticize the CCP. Sometimes they idealized it as "the other." We need to inform, engage, and educate, and bring people to realize the serious implications of historical revisionism.

Chair SMITH. Thank you. I'll ask the others later if they wanted to comment on that, but we'll come back. But the Under Secretary does have to leave, unfortunately. And I thank her for being here and being such a good leader in her own right. Thank you.

Under Secretary ZEYA. Thank you so much, Mr. Chairman. And thank you to each of our witnesses for your moving presentations and for the courage that drives you to carry forward in your vital work. I would like to pose one question to Geshe Monlam. And just ask you, how do you think we can further prevent the spread of disinformation that aims to sow division within Tibetan communities, among existing spiritual, political, and regional divides? And I would note that this is an important new aspect of my mission as Special Coordinator for Tibetan Issues, thanks to the bipartisan Resolve Tibet Act.

Mr. LOBSANG MONLAM. [Through interpreter.] The disinformation that the Chinese government is conducting on Tibet is a matter of concern for all of us. And for the United States, I believe that although we may not be directly able to impact what the Chinese government does inside Tibet, their action outside of Tibet and China, and in the diaspora, and in the international community, is something that the United States can help mitigate.

For example, to give a case about our app, when we introduced it, the Chinese government used their leverage—economic leverage with Apple, etc., so that problems were faced posting or having our app being included by Apple in its store. So indirectly, you can help mitigate the disinformation that the Chinese are conducting.

Chair SMITH. Co-chair Merkley.

Co-chair MERKLEY. Thank you all very much. And thank you, Mr. Chairman, for organizing this hearing, and all of you for testifying, and all of you who have come to witness this conversation and really emphasize it.

I want to ask you, Ms. Togochoog, in your recommendations you mentioned the Southern Mongolian Human Rights Policy Act that Senator Sullivan and I have introduced. And it calls for the preservation of the culture and language of Southern Mongolians. It directs the Smithsonian Institution to use its resources to help preserve a culture—Southern Mongolian culture—an endangered culture. It directs the Institute for Museum and Library Sciences to explore a grant program to support preservation. For example, if a community sets up a museum, or a language program. You mentioned your support for it—not a lot of people are familiar with this bill yet. So I wanted to emphasize, in your own words, would this be helpful?

Ms. TOGOCHOG. I think that this would be helpful because the culture in Mongolia—there's a current cultural genocide going on in Mongolia. And I think some of the main issues are surrounding things like our language, surrounding things like our traditional calligraphy and script and things. They're displayed on the streets and in libraries. And currently, for example, as you mentioned, in libraries, Mongolian language books are being banned and Mongolian language is being banned as a language of instruction. So I think it's really important to celebrate the culture of Mongolians and to foster a sort of environment where it can flourish and continue, and for generations to come, such as my generation and gen-

erations after, to be continuously immersed in this. Which is why I feel it's so important to keep institutions and programs that surround and focus on preserving culture. I think that's why it's so important to encourage and support those.

Co-chair MERKLEY. Well, thank you. And I want to add my compliments to those of the Chair. Few of us could envision coming here when we were 17 and presenting such a cogent argument. So, well done.

I want to turn to one more question. I'm being called to a vote in the Senate, but I'm going to squeeze in one more before they come and say I'm the last vote out. I really want to turn, Mr. Abbas, to your testimony. You mentioned how your family has suffered. And I believe it was your sister's imprisonment. And this is really horrific pressure placed on those who are diaspora working to publicize abuses, how their family is retaliated against. And so I've really been trying to amplify, and this Commission has held a number of hearings related to transnational repression. Can you give us some sense—your sister's imprisonment was directly associated with your advocacy? I just want to make sure I understood that clearly.

Mr. ABBAS. Yes, sir. My sister, Rushan Abbas, spoke at the Hudson Institute in early September 2018 about the Uyghur atrocity in China. One week later, my other sister, Gulshan Abbas, disappeared in China. This is very clear and direct retaliation for our advocacy. Both my sister Rushan and I have been very active in human rights advocacy, particularly since the Chinese government began committing genocide and crimes against humanity targeting our people. We have been meeting with Members of Congress on Capitol Hill since 2017. This is direct retaliation.

Co-chair MERKLEY. Well, advocates face great pressure. And we just want to keep acknowledging it, and in all of our dealings with China press back against this tactic that is so completely unacceptable in our world. Congratulations on the celebration of the Uyghur Academy's 15th anniversary. So, well done. And the textbook series that you've worked on, is there any way to actually circulate that inside the Uyghur community in China? Or is that basically impossible?

Mr. ABBAS. Inside China, it is no longer possible, as the Chinese government is systematically eliminating Uyghur language education in schools. There were textbooks created by our prominent Uyghur scholars in our homeland, such as Yalqun Rozi, who played a key role in developing Uyghur language textbooks. Yalqun Rozi, whose son is here with us today, led the effort to develop these important educational materials. However, the Chinese government destroyed those textbooks and imprisoned him and the Uyghur scholars. As a result, there is no Uyghur language education in China. In response, we developed the series of textbooks based on the spirit of those original language textbooks created by our scholars. We plan to use these textbooks within the Uyghur diaspora. However, if there is any possibility, we hope to eventually have these textbooks used in our homeland for the benefit of our people.

Co-chair MERKLEY. Well, it's very powerful all the work you're doing to connect the diaspora community together. So, well done.

And I know that's true in a number of other cultural situations. Thank you, Mr. Chairman.

Chair SMITH. Thank you, Mr. Co-chair. Jennifer Wexton is on-line. She's a commissioner, as you all know, and has been an outstanding leader, particularly on the Uyghurs. I'd like to yield to her.

Commissioner Wexton.

**STATEMENT OF JENNIFER WEXTON,
A REPRESENTATIVE FROM VIRGINIA**

Thank you, Mr. Chairman. As members of this Commission already know, last year I was diagnosed with progressive supranuclear palsy. I describe it as Parkinson's on steroids, and I don't recommend it. PSP makes it very difficult for me to speak, so I use an assistive app so that I can participate and you can understand me. I want to thank the Chair and Co-chair for allowing me to do so today.

The CCP's manipulation of history and suppression of dissent not only affects those within China but also reverberates through diaspora communities worldwide. Whether through lawfare, transnational repression, or forced assimilation policies, the CCP seeks to erase voices of resistance. The United States has a role to play in preserving these voices and holding the CCP accountable. This question is for the entire panel. Please go one after another. What role can U.S. policies play in amplifying the voices of those documenting and resisting CCP human rights abuse, particularly for Uyghurs, Tibetans, and Southern Mongolians?

Mr. ABBAS. Thank you, Representative Wexton. That's an excellent question. Organizations like Uyghur Academy and others are at the forefront of countering the Uyghur genocide and the Chinese government's disinformation, while working to preserve our identity and culture. With increased support, these organizations can amplify their efforts to ensure the preservation of the language and culture, and continue advocating for justice and human rights. The U.S. Government can help by providing more resources to establish Uyghur language schools or language teaching programs in the charter or public schools in Uyghur-concentrated areas in the U.S. Developing Uyghur language curriculum initiatives to enhance youth engagement is also critical.

Virginia, home to many Uyghurs, has initiatives, like the Ana Care and Education Center. Congress can help to ensure the continuation of this vital work by offering scholarships, encouraging research initiatives in the field of linguistic history focused on Uyghur heritage, and providing urgent assistance to Uyghur refugees in the U.S. by expediting their asylum application process. We have Uyghurs who have been waiting for 8, 9, or even 10 years after applying for asylum. Facilitating the safe arrival of their families is also essential.

We also hope Congress will pass the Uyghur Genocide Accountability and Sanctions Act of 2024. The Uyghur Policy Act has passed the House, and we hope it also passes in the Senate and becomes law. Additionally, we recommend considering the creation of a Uyghur Culture Preservation Act. Thank you.

Mr. LOBSANG MONLAM. [Through interpreter.] Congresswoman, I have two recommendations for what the U.S. can do, given that the destruction of Tibetan culture inside Tibet is something that we cannot directly do anything about. Those of us in exile have the capacity and the resources to preserve and promote Tibetan language and culture. And therefore, anything that can be done to help support this endeavor in exile, where we have the resources and opportunity, that will be appreciated.

Second, and in particular, if there can be assistance by the United States to help procure technological equipment, etc., that can enable those of us in exile to continue our work on the preservation of Tibetan culture and language and way of life in this new, modern technological world, that would be very useful for us in preserving Tibetan language and culture and helping to do something that the Chinese government is destroying inside Tibet.

I also think that it would be helpful to provide funding for NGOs and to create curriculums to help the Chinese population. Because very often, if you go to Chinatown, many people are still supporting the CCP, even though they're physically in the United States. So I believe in this kind of resource support, funding support for NGOs, in-depth investigation by journalists in the United States—even though sometimes the CCP will say that Voice of America or Radio Free Asia are supported by the American government. So sometimes people try to stay away from that kind of narrative.

But I think it's important that we don't actually care what the CCP thinks of us. Like they often call me a foreign agent—for the Americans too—poisoning the minds of the Chinese students and the Hong Kong students. But I think that we know what the truth is and we should just do the right thing, and not let them manipulate our narratives and even our actions in our effort to preserve historical memory. So the monopoly of historiography by the CCP state has been too—it's been dangerous.

So we should set the record straight, and set up the historical memory based on the historical truth. And I think that's important in order to do this. And we have the support and funding resources outside China to support independent investigation, we support independent journalism, and support NGOs to help to get these narratives heard. Thank you.

Mr. KU. Just something really quickly. I think the United States needs to play defense here; needs to create sort of an arc of truth and history that is not possible inside of China right now. So I do think that, like I said, making sure that the archives, small universities or smaller museums, are not afraid—and are incentivized, perhaps through grant programs—to preserve, or to do exhibits, or to do collections, or preserve existing ones on all of the things we're talking about here. I think universities can be a great resource here, but I think universities in the United States do face some—you know, there's pressure from Chinese students. They have a lot of connections in China. They don't want to offend the Chinese. So I think ways in which the U.S. Government can incentivize universities in the United States to research, to support professors who study these subjects, and create archives and other historical collections can go a long way toward preserving and dealing with the problems we're dealing with here. Thanks.

Ms. TOGOCHOG. I think that in terms of helping Southern Mongolians—and that includes both those living in the Southern Mongolian region and those in exile—I would refer back to the four recommendations, a few in particular. The second one that I said that my father has been working on for a long time and that is very important for us is to have a Mongolian language program in Voice of America, because that is, as we know, a national broadcasting system. And especially within the political Chinese region that many Southern Mongolians inhabit, there's not a lot of access to free press. There's a lot of censorship.

And having something like that to encourage Mongolian unity and to spread important discussion topics and inform fellow Mongolians about the current goings-on is very important. And I think also the passing of the Southern Mongolian Human Rights Policy Act is another very important thing. And just overall, giving resources and time and promoting, advocating for the preservation of our language, culture, and identity. And this just goes back to talking about our education system, that's one main thing, and our art and culture, working on preserving that.

Chair SMITH. Representative Wexton. Any other questions, Jennifer?

Representative WEXTON. Mr. Chairman, this is my last Commission hearing before I retire from Congress. So I want to say that it has been an honor and a privilege to serve on this panel and work with you all to defend human rights, fight against forced labor, and counter CCP repression around the world. I'd especially like to thank you, Chair Smith and Co-chair Merkley, for your leadership on these issues, as well as your support of me as I adapted to working and participating in Commission proceedings with my diagnosis.

This Commission has been such a breath of fresh air of bipartisanship here on the Hill for me, and I am especially proud of our work to defend Uyghur human rights. I still remember the first time I sat down with constituents to talk about the Uyghur plight at the ADAMS Center in my district in 2018. Since then, we passed the Uyghur Forced Labor Prevention Act and I've introduced multiple bipartisan bills to curb and bring attention to this genocide, that I hope will live on beyond my time in Congress, and soon be signed into law.

It has been one of my great honors as a Member of Congress to work with this community to fight back against the CCP's campaign of genocide and transnational repression against Uyghur and other religious minority populations in western China. There's still so much work to do to protect the lives and dignity of the Uyghur people, and I trust that this body will continue to redouble its efforts next Congress to do so. Once again, it has been an honor to serve with you all. Thank you, and I yield back.

Chair SMITH. Jennifer, thank you so very much. And frankly, the honor is ours. And I know Senator Merkley and I are absolutely in agreement about this. We deeply appreciate your contribution, your leadership, particularly on the issue of assisting the oppressed Uyghur people. You have been outstanding. You've been tenacious. And you're going to be sorely missed. So I want to thank you for that leadership. And, again, we will stay in touch with you going

forward, because, you know, we need your wisdom and we need your thoughts. And so thank you very, very much.

I do have another question. I have several, but I will just reduce it a little bit. I asked earlier about corporate complicity in not only human rights abuse, the enabling that actually occurs when Xi Jinping and company take a look at corporate America and say “see no evil, hear no evil.” They really couldn’t care less. They just want to make more money. And I’m all for capitalism, but it ought to be based on principle. And I think ditto for our academic community. Julian Ku, I’m glad you were able to say Stanford has been speaking up in the case. You might want to tell us who the law firm or firms are that the Chinese Communist Party has hired in the case.

But, you know, I remember back in the early 1980s when Steven Mosher broke the story about the horrific forced abortion policy of the Chinese Communist Party. He was seeking his Stanford doctorate. That’s how he got there. He exposed it. “60 Minutes” did a big piece on it. PBS did another huge piece on it all, recognizing that Mosher broke a story of depravity where the Communist Party was killing unborn babies and ripping babies out of their mothers’ wombs, and women were fleeing. And we know it’s part of the of the genocide against the Uyghurs and the Tibetans.

I remember when John Avedon wrote a piece, an op-ed—“The Rape of Tibet” was the name of his piece. And he talked about how just one little child after another was being killed by the Chinese Communist Party to enhance the Han displacement, because if you kill people you don’t have a population anymore. And if you kill them while unborn and destroy their mothers’ lives in the meantime—well, Steven Mosher broke that story. And he was thrown out of the doctorate program at Stanford. Matter of fact, it was so bad, and I raised it repeatedly—I’ve been here since 1980—repeatedly. The Wall Street Journal did a piece called “Stanford Morality” and talked about how complicit and how weak they were in not backing up their doctoral candidate who just broke a human rights abuse story because they wanted to have access.

We saw a very similar kind of complicity with the Confucius Institutes. I’ve chaired four or five hearings on that. We had NYU testify, because they’ve got a very large campus in Shanghai, which I actually went and spoke at. But frankly, you know, in order to have access, they look the other way with regard to horrific abuse. And while doing that, the record—which you have chronicled and are continuing to chronicle so well—then gets shunted aside. And as I mentioned before, the way Google—you know, during my hearing, on the big screen in the Foreign Affairs Committee, Room 2172, we showed the two Googles. If you googled Tiananmen Square in the United States, you got a story that was terrible, which they deny to this day. If you googled in China using theirs—you know, you got nothing but pretty pictures.

What a distortion of history and reality. And I don’t think they’ve learned their lesson, many of our corporate leaders. They continue to flock to Beijing and to Xi Jinping just to make money. So if any of you want to speak to that, because I think that distorts the historical record, because things that never get recorded—and you’re doing it to the best of your abilities, but here on the Confucius cen-

ters, there seems to be an awakening occurring among our colleges and universities. We invited several to testify at our hearing. Some wouldn't come. We'd say, What are you doing? This is soft power on the part of Beijing. And it also is a way of going after their diaspora.

One other thing. We have a bill that passed the House, bipartisan, called the HKETO bill. It deals with the three missions of the Chinese so-called economic side in San Francisco, New York, and Washington. It passed overwhelmingly in the House. We can't get it out of the Senate. It's being blocked by the Senate Foreign Relations Committee as we meet here today. And we know some people in the State Department don't want it, which I find—you know, here they are, they're using that as a way of affecting, and I would say mal-affecting, the diaspora here in the United States. They track them, and do all kinds of—and we saw it at APEC, at the summit, when they were organizing the anti-efforts, you know, against the human rights activists who were trying to really make a difference there.

And one final thing. Dr. Monlam, part of that history has to be the history of torture by the Chinese Communist Party, which, you know, Manfred Nowak, the special rapporteur for the United Nations, and others have chronicled. But we've got to keep that front and center. If you're arrested, you're likely to be tortured. If you're a political or religious prisoner, you will be tortured. We've had hearings on the chair, the infamous chair employed by the Chinese Communist Party. I mean, they've perfected means of extracting hurt. Our next Secretary of State—I think he'll get confirmed—he and I had a hearing, he was chair, I was co-chair then. And we heard from a woman who talked about—she was a Uyghur. And she was being tortured. And she kept saying, Why are you doing this? And they said, *Because* you're a Uyghur. *Because* you're a Muslim. And that's why they were torturing her, indescribable torture being done to her. We had a Buddhist monk, Palden Gyatso, who I invited to one of our hearings years ago. And he was stopped by the police here—you know, the security, the Capitol Police, because he brought a cattle prod to show—this is what they do to us when we're in prison. So I had to go down, and we got him through security. And this is Xi Jinping and his predecessors that have done this.

So again, as the chronicle of history occurs, let's not forget—and I know you won't forget because you don't forget—just how the torture that is unspeakable, that is Nazi-like, by the Chinese Communist Party—you know, we love the Chinese people. They deserve better than the Chinese Communist Party. And again, you guys—you ladies and gentlemen are doing an amazing job in doing that. I think Dr. Abbas wants to say something.

Mr. ABBAS. Thank you so much, Congressman Smith. As you said, we have live witnesses from those—the torture, the camp survivor that testified. I think we probably have testified here at your Commission a number of times. Basically that's—you know, that's how ruthless the CCP is.

With regard to the U.S. companies, they're conducting—they're continuing to conduct business. They're ignoring the ongoing Uyghur genocide. And they're aiding the spread of misinformation.

That's because the Chinese government has very powerful propaganda machines and disinformation. You know, the "long arm" has been in the U.S. using our platform, Facebook, X, you know, the social media. I think it is essential to support an educational campaign. They also have a very long arm in the university, as you mentioned.

The Uyghur Academy, since 2017 has been organizing the conference and educating. For example, we had it at Columbia University, at Harvard University, at Yale, Indiana University, George Washington University. We have been doing that. Basically, it is essential for Congress to support and enhance the educational campaign to raise awareness about the plight of Uyghur people, about the genocide, so those companies can hear the university students, the professor can know firsthand from us. Thank you so much.

Ms. HE. Yes. I fully agree. Along the line, I think that the CCP has been using democracy to undermine democracy. Even on campuses in democracy, we live with fear when we speak our minds. For those of us from China, we live in freedom but we are not free. And for faculty members, people like me, the better you are at your job, the more likely that you're going to lose your job. This is the same for journalists. The better you are at your job, the higher chance you would be denied access to China to do your work. You study China, but the Chinese government controls whether you can go into the field, whether you have opportunities, whether you can work with students from China. This is conflict of interest. We are in a deep dilemma. For those of us originally from mainland China, the price we have to pay was not just professional, but also personal.

I think until the day we can speak without fear, write without fear, teach without fear of facing consequences, personal and professional, the CCP is going to control us. I hope the United States will preserve and protect democracy—set a good example. In 1989, we took to the streets inspired by the liberty and democracy of the United States. That's why we set up the statue of the Goddess of Democracy in Tiananmen Square, crushed by the tanks when they rolled into the Square during the military crackdown. Please set a good example of strong democracy. Thank you very much.

Mr. LOBSANG MONLAM. [Through interpreter.] Mr. Chairman, in terms of the preservation of history of torture, we all know that inside China the Chinese government revises history. And not just ancient history, even history within 10 years would be changed. And people inside China would not have that opportunity. So what we can do outside, and we do it with Monlam, for example, is the fact that the Tibetans and diaspora have written about their experience, including the experience of torture, if you know about the case. And these are being preserved and disseminated. And we also are trying to have more of these online so that they can be seen and can educate the coming generation on torture. That's the fact.

Second, I also agree with you that corporations, in order to gain access or for fear of China's economic leverage, tend to accept Chinese disinformation, and therefore create situations outside. And those of us working on Tibetan language and culture outside also face problems with these corporations because of Chinese

disinformation; they tend to believe either because of the disinformation itself or because of economic leverage.

Chair SMITH. Let me just add one final thing. President Bill Clinton invited Chi Haotian, who was the defense minister for China, to the White House, gave him a 19-gun salute. Here was the man who was the butcher of Beijing. He ordered, operationally, the killing and the maiming of many, many of the greatest democracy activists, and the imprisonment of others. He went to the Army War College while here, for about a week, and said: Nobody died at Tiananmen Square. Now, I read The People's Daily in English. It was all over, you know, in their media, how he's taking Washington by storm.

So I put together a hearing in two days. We had people who lived it. We had a Time Magazine correspondent who was there at the square. We had a People's Daily reporter who tried to report and went to prison for it, and finally got out through a way that was just amazing and came to freedom. And they all bore witness. And we invited Chi Haotian to come and testify, or anybody from the Chinese Embassy. And they didn't send anybody. We had an empty chair. But it was a reminder anew of how brazen they are, that they can lie in the biggest of ways—the bigger the lie, the better. You know, again, Nazi-like, because they were always about the Big Lie. And so many gullible people just buy into it.

And, again, I don't know why Bill Clinton had him there. It was terrible. He delinked human rights from trade on May 26th, 1994, which was a terrible mistake on his part. That's when we, in my opinion, lost China. And I'm not being partisan. Others have been not as weak, but weak, who have sat in the White House. But Chi Haotian, here he is—should've gone to The Hague for crimes against humanity, and he gets feted at the White House. So why are we in disbelief that they think that they can market lies ad nauseam, and they're bought hook, line, and sinker by a gullible media, and certainly by the corporate types and many, many politicians? That hearing was so telling to me. We had these great people, including students, testifying—again, at great risk to themselves and their families back home. But they said the truth had to be told. The record had to be clear.

I'd like to yield to Commissioner Nunn and thank him for his leadership, because it's—and for winning in a landslide.

Representative NUNN. Well, first of all, Chairman Smith, thank you very much for bringing in this group. I appreciate this being not only a bipartisan effort, a bicameral effort, but also bringing in elements of the executive administration for a comprehensive, whole-of-government approach in addressing what China has perpetrated not only on its own people, but around the world.

But we have long known that Xi Jinping and the Chinese Communist Party will never fully give us the truth about practically anything. But alternatively, Xi's regime is reaching back in time to actually shift the narrative of its own rise to power, and changing history before us. We need only look at what happened on the 35th anniversary of Tiananmen Square to see how China censored its own people, yet again, three decades on, eliminating things like the Tank Man, continuing to perpetrate the Big Lie, as you noted, Mr. Chairman, that no one perished in Tiananmen.

In 2021, China's cyberspace regulator launched a tipline for reporting of any harmful information involving historical nihilism. Meaning that level of free speech couldn't even be discussed within China. On the world stage, the CCP continues to deny human rights and violations against Uyghurs, Tibetans, Mongolians, and others. The CCP's subversion of historical and public discourse surrounding sensitive events shows that they not only will go to any length, but they will literally try to rewrite the history books of a country that is thousands and thousands of years old to meet a present-day desire to have a narrative in their favor.

But through the works of communism and their efforts to subvert this, there are heroes, particularly those in front of us today, those serving on this Commission, the people who have been brave enough in the diaspora community to stand up for what we know to be the rich history that is the Chinese people. We can counter these efforts to ensure that these important facts and a future for China are not erased today. And I believe it's our duty to speak out for those who cannot speak with us presently because they are detained either by the CCP, its crippling grasp over its own population, and its aggressive and nefarious actions overseas to silence those who call out their bad behavior.

So with that, Dr. Lobsang Monlam, you are a Buddhist monk. You are a Tibetan monk. You are also a tech entrepreneur. You founded Monlam Artificial Intelligence. I was an Air Force counter-intelligence officer and worked with a prototype program called Blue Horizons. And in our prototype, we looked at large language models. The first priority we did was to develop a program called Project Maize. And it was to translate in real time what was being said behind the firewall in Mandarin, so that folks around the world—particularly the preponderance of those here in the U.S. who speak English—could truly understand what was being said by the Chinese government about the Chinese people.

And you're absolutely right, what comes out of China through, you know, the daily messaging in English was immediately seen to be counterintuitive to what they were speaking about internally, particularly about its own people. And while they refused to mention Uyghurs in their English publications, they clearly were designing a plan internal to China to threaten those communities. And certainly, as you have seen in Tibet, this is one of the areas where the manipulation of language, of narrative, of history, of culture, has taken a frightening hold. The Chairman brought in an American actor, Richard Gere, who highlighted directly what this has done to the exile community.

Doctor, with your work, I wonder if you could speak to us about the suppression of narratives in Tibet as a way to control the population there by folks in Beijing.

Mr. LOBSANG MONLAM. [Through interpreter.] Thank you. The Chinese government is trying to change the narrative and to stop the real history from coming out in two ways. First is by censoring those who can really tell their stories inside and who are therefore not able to speak truth to power. Second, they create—they have a knowledge of disinformation going back many years. And so they have that experience of the impact of disinformation for their political agenda. And what they do is create fake Tibetans, in whatever

way, who will voice what they want to hear and what they expect to hear out of that. And that is something that we need to understand. And those of us in exile, we try to sort of alter that situation by using modern technology, modern ways or means, or by the best possible way in which we can provide the reality of the situation.

Representative NUNN. If I can follow up on that, because you've identified two things I think are really important here. One, limiting who can speak and, two, driving their own disinformation campaign. Dr. Monlam, you've also led your own resistance, as it were, to preserve Tibetan language, history, through your own artificial intelligence program. Can you tell us how you've done this? And is it being successful?

Mr. LOBSANG MONLAM. [Through interpreter.] I've been mindful of this issue, and therefore in two ways we have been able to work on this AI introduction. First of all, we have a collection of more than 50,000 Tibetan books in LLM, which may be by far the largest resource with all Tibetan things throughout the world. And that is a helpful resource that we will continue to use and expand.

Second, there are online translation facilities, whether it's Microsoft or anything, but the weakness of these is that they are not born out of a Tibetan cultural background. And so they don't have that understanding, knowledge of what comes beyond culture when we do this translation. Whereas we, at Monlam AI, have that opportunity of our background in it. And that can enable us to work with these things. We are now working on the Dalai Lama AI, which will also help on this. These are ways in which we are able to work outside of China, where the Chinese government cannot stop us, and we are able to do this. Within Tibet, within China, they cannot do that.

Representative NUNN. Very good. Doctor, I want to applaud you, first of all, for developing this. Your career of sacrifice and service goes a long way not only to preserving your heritage, but to being able to ensure that it can survive on well into the future. It's also a best practice. It's something that we should take as a playbook model to other communities who also need to be able to preserve themselves in the front of what is happening by the CCP to stamp out an entire national history.

I'd like to speak to the next generation on this. You know, Ms. Togocho, you are a Mongolian diaspora who has come to the United States. You have seen your history through your family, through the practices that you're having. But even far, far away from China and Mongolia, here in the United States, I wonder if you would share your experience on how you've been able to learn about your history, preserve it, and then maybe share with us how the Chinese have even targeted you here, far away from Beijing.

Ms. TOGOCHOG. Well, it's—as I said in my testimony, it is very difficult to preserve Mongolian culture here, especially because, as my family likes to say, we are a minority within a minority to begin with. There's not many Mongolians in New York or the East Coast alone, and let alone considering that there are even less Southern Mongolians. So it is a bit difficult. And growing up, I learned Mongolian, but over time it's a difficult struggle, or a difficult juxtaposition, being both Southern Mongolian and American, because as I attended school my older sister, her mother tongue

was Mongolian. So she had a difficult time making friends, and therefore English had to become our primary language. And over time, we lost that aspect of our identity, which is just really—it's really unfortunate, because it's such an important keystone aspect of a culture.

But besides that, we continue with our traditions. And though we might be far, far away, we still—thanks to technological advancements, we can still call our family for Tsagaan Sar, and we still celebrate that every single year. But even in the U.S., far away from China and Southern Mongolia, my father has had calls coming from China with threats. And there are many—like, on social media there's many people speaking out and saying, you know, what we're saying is false. When I spoke at the United Nations, there was a Chinese representative saying that what I was saying is false. And much like Monlam said, I believe they created fake Southern Mongolians, or they got Southern Mongolians to, quote/unquote, say, "Oh, what they're saying is wrong, and we have a Southern Mongolian to prove it." Which is, of course, inaccurate. So even so far away and even being born in the U.S. myself, I've still had this struggle with trying to get CCP control—to lessen that sort of control and the grasp that it has over us, even in the U.S. Thank you.

Representative NUNN. Dr. Abbas.

Mr. ABBAS. Thank you, Representative Nunn. Regarding the next generation of leaders—we have a Uyghur student from Harvard University here in the room, who is part of this next generation. She grew up in Texas, where there is only one Uyghur family in her area. She barely speaks Uyghur. However, she attended our 2-week language and culture summer school for Uyghur youth in Ankara in 2023. With your permission, would it be possible for her to share her personal experience directly?

Representative NUNN. With the Chairman's permission.

Mr. ABBAS. Thanks. Kawsar, could you please share your experience?

Representative NUNN. Please introduce yourself and what you're studying, where you're studying, and then share your experience.

Ms. YASIN. First of all, thank you so much, Dr. Rishat Abbas, for introducing me. Thank you so much for the Congressional-Executive Commission for having this hearing in the first place, and Congressman Smith for leading all of this.

My name is Kawsar. I'm a current junior undergrad at Harvard, studying history and social anthropology. So I'm interested in possibly being a historian, maybe going into policy law. And I also write for the Harvard Crimson as a columnist. So a lot of these things, as a result of this immersion just the summer after my freshman year of college, I was able to really integrate the Uyghur identity and Uyghur culture into the work I'm doing. I write articles for the Crimson about being Uyghur. I write and speak at the Institute of Politics anytime there's anyone that I would like to question. I also incorporate that.

As a result of that, it's made me a lot more aware. And I think that for many other Uyghur youth who participate in these programs through Uyghur Academy, it allows for so much more consciousness of who they are. My personal experience is, as a result

of growing up in Texas, I didn't really have any Uyghur friends my own age, naturally. And so I—after coming to Türkiye, which was the first time I even left the United States, for that matter, I was able to meet other Uyghur youth who are so passionate. And as a result, we do so much activism together. We've traveled to Türkiye together, doing so many other projects. And I'm currently working on an Uyghur organization called Rawan Mentorship, where we, as Uyghur youth that attend schools like Cornell and Carnegie Mellon and MIT as well, we've kind of come together to mentor other Uyghur youth to be able to achieve academic and professional success, while also embodying the Uyghur identity in their work.

So, for example, we helped a student to be able to get an internship this past summer at the Library of Congress, where she wrote about her Uyghur identity. And that same student ended up getting accepted to Princeton just last week. So she'll be attending that university as well. And then on top of that, we also work on allowing Uyghur high schoolers to get involved in tech. So Monlam AI is a lot of what they were inspired by, actually. They created an optical character recognition software for analyzing the Uyghur script. And, as a historian—or aspiring historian—this is going to be so helpful for me in terms of analyzing Uyghur script as well. So a lot of even high schoolers, as Uyghurs, are developing this through this program and the mentorship that we're doing.

So a lot of this work would not have been possible without being able to go to this and having this awareness of my people's history, my people's culture. The basis of why I study what I study is to pay homage to the Uyghurs who are detained, the Uyghurs who are in concentration camps simply for studying and writing about things as simple as—or not even simple, really—but something as vital to Uyghur identity, such as shrines or mosques, and all of which have obviously been demolished. But the scholars that studied them are now behind bars. So it is for them that I do the work I do. Thank you so much.

Mr. ABBAS. Thank you, Kawsar. This critical Uyghur youth training program is supported by USAID and USIP. However, there is uncertainty as to whether there will be support to continue the program next year. I bring this to your attention.

Regarding artificial intelligence and modern technology, Uyghur Academy began discussions with an AI company. We started an initial collaboration by providing them a list of digital books, as there are thousands of Uyghur books in diaspora, particularly in Türkiye. The company was initially eager to work with us; however, after they changed leadership, communication has gone silent. As a result, we find ourselves once again in need of continuous support. Thank you.

Representative NUNN. That was—thank you. First of all, to the next generation of great leaders who are going to carry not only your family's history, your nationality, and cultural history, your language, the very essence of who you are, whether it be Uyghur, Mongolian, Tibetan, Taiwanese, learning from each other, working and executing, is a huge aspect of this. Also, working to counter the false narrative that is being provided. And this is where I really look toward what we can do in the artificial intelligence space to be clear when a counternarrative comes out from the CCP, to be

able to confront it with fact, to be able to be timely about it, and to be able to provide support back to those who are on the ground in and around China.

I will end with this, and just say there has to be an opportunity here to recognize that it is not China alone. It is who China is able to bully. And it's not just the existing generation—the next generation. It includes some of our tech companies, who also need to be bold in this, to be able to stand up and not feel pressure from Beijing, to support the type of innovation, the success, the AI that has been able to provide truth in the face of overwhelming opposition. But, just like the Tank Man in Tiananmen 35 years ago, it takes each one of you to stand up to an overwhelming Chinese repression system to make sure that these individuals and your future voice continues to be heard. So I salute you on that. This Commission continues to stand with you. Thank you very much for being here today.

Mr. ABBAS. Thank you.

Representative NUNN. I yield my time, Mr. Chairman.

Chair SMITH. Thank you very much, Commissioner Nunn.

Let me just thank you, Kawar Yasin. Thank you for your very fine intervention. Your comments are fantastic. Off the cuff. Is there anything else any of you would like to add before we conclude? I just want to underscore that the Commission, and thankfully it's in a bipartisan, bicameral way, and with the executive branch, you know, we really have to redouble our efforts. You know, the Chinese people deserve better than the Chinese Communist Party. And you know, injustice need not be forever. And as you continue to speak out, as you do so eloquently, for those who are at risk, by chronicling the history and making sure it's accurate, you really do a huge service to humanity.

And so thank you, because it's hard work. I'm sure it's very hard work. But you're up to it. And I was thinking, as Dr. Monlam was talking about his 50,000-book collection. You know, Thomas Jefferson was the beginning of our Library of Congress, when he donated his books. Books are extremely important—accurate books and the chronicling of history. So thank you very much. But if there's anything else any of you would like to add before we conclude? Thank you so much. The Commission's hearing is adjourned. [Applause.]

[Whereupon, at 12:59 p.m., the hearing was concluded.]

A P P E N D I X

PREPARED STATEMENTS

PREPARED STATEMENT OF JULIAN KU

Congressman Smith, Senator Merkley, Honorable Members of the Commission, thank you for the invitation to appear before you today.

I am a legal scholar specializing in the inter-relationship of international, foreign, and U.S. law. In recent years, I have focused my research on studying U.S.-China relations in the international law sphere, but also in the realm of domestic litigation in the Chinese and American legal systems.

OVERVIEW

My remarks today will focus on the way in which the Chinese party-state has used tactics that take advantage of the weaknesses of its own court system and the strengths of the U.S. court system to advance its ideological goal of suppressing evidence and narratives about its own history. In particular, I will explain how the ongoing litigation over Stanford University's possession of the personal diaries of one of Mao Zedong's secretaries illustrates how the U.S. legal system can be manipulated by the "lawfare" tactics of the Chinese party-state. This type of what I call "asymmetric lawfare" takes advantage of a fundamental difference between the Chinese and U.S. legal systems. The Chinese legal system is often subject to political control by the Chinese Communist Party while the U.S. legal system, for all of its faults, is committed to judicial independence, fairness to all litigants (including foreign citizens and corporations), and deference to foreign court judgments. This asymmetry allows Chinese interests to gain substantial advantages in their domestic legal system, while the U.S. legal system affords Chinese interests wide-ranging and generous legal and constitutional protections. In addition to the Stanford case, I will also discuss other examples of this asymmetric lawfare in cases brought by Huawei, TikTok, and others. I conclude by offering recommendations for ways to limit the impact of these asymmetric lawfare tactics in U.S. courts.

CHINESE LAWFARE IN U.S. COURTS

I define lawfare as the strategic use of legal systems and institutions to achieve military or political objectives.¹ This concept involves leveraging legal mechanisms to damage or delegitimize an opponent, often by imposing legal and financial burdens through litigation or other legal actions.

In the United States, the concept was initially used to describe efforts to use law to undermine U.S. efforts in the war on terrorism.² But China's People's Liberation Army (PLA) has long used "lawfare," along with public opinion warfare and psychological warfare, as an essential component of its Three Warfares strategic doctrine. It has been described by Chinese sources as using legal arguments to assert that one's own side is obeying the law while criticizing the opponent for violating it.³ Lawfare aims to demoralize the PLA's enemies through legal means, constrain their actions, and seize the political initiative. The instruments of lawfare include all forms of Chinese domestic law as well as international law. But in recent years, Chinese entities have shown lawfare can also use the U.S. legal system as well.

¹See Jill I. Goldenziel, *Law as a Battlefield: The U.S., China, and the Global Escalation of Lawfare*, 106 Cornell L. Rev. 1085, 1097 (2021).

²See Charles J. Dunlap, Jr., *Law and Military Interventions: Preserving Humanitarian Values*, 21st Century Conflicts 4 (Nov. 29, 2001).

³Han Yanrong, "Legal Warfare: Military Legal Work's High Ground: An Interview with Chinese Politics and Law University Military Legal Research Center Special Researcher Xun Dandong," *Legal Daily (PRC)*, February 12, 2006, cited in Dean Cheng, "Winning Without Fighting: Chinese Legal Warfare", The Heritage Foundation (May 21, 2012), <https://www.heritage.org/asia/report/winning-without-fighting-chinese-legal-warfare>.

For instance, certain Chinese companies and individuals have filed lawsuits against Chinese nationals residing in the U.S. that purportedly involve commercial disputes, but seem to be motivated by efforts to achieve Chinese government objectives. Commercial lawsuits filed against Chinese nationals wanted for alleged bribery or corruption in China appear to be efforts to harass those Chinese individuals and pressure them to return to China.⁴ Similar lawsuits appear to have been used against Chinese dissidents living in the U.S.⁵ All of these lawsuits share similar characteristics: an entity officially unrelated to the Chinese government or CCP files the lawsuit, the Chinese plaintiff is typically represented by a well-known high-reputation U.S. law firm, and the lawsuit almost never gets past the initial discovery stage but imposes significant costs on the defendants. Thus far, none of these lawsuits appear to have actually resulted in a favorable judgment for the Chinese plaintiffs, but at least one lawsuit may have played a role in pressuring a Chinese national to return to China.⁶

In a related way, Chinese companies have not been shy to invoke the full range of international and U.S. constitutional protections to defend against U.S. Government policies aimed at reducing the risk of Chinese government influence on U.S. public opinion. In 2019, the Department of Justice (DOJ) charged Huawei and its subsidiaries with racketeering conspiracy and conspiracy to steal trade secrets, alleging that Huawei engaged in a long-running scheme to misappropriate intellectual property from U.S. companies.⁷

Huawei's defense to this lawsuit illustrates how the U.S. legal system's openness and fairness to foreign defendants can benefit the Chinese party-state's lawfare goals. First, Huawei retained James Cole, an attorney at the global law firm of Sidley, who had also served as deputy Attorney General during the Obama administration.⁸ Although Cole was later forced off the case after a motion by the Justice Department, the ability of Huawei to retain the highest quality legal representation has benefited its defense.⁹ Relatedly, Huawei itself sued the U.S. Government alleging that a Federal law banning the use of Huawei by Federal Government agencies violated the U.S. Constitution's bill of attainder clause as well as its constitutional due process and administrative process rights.¹⁰ The Department of Justice also alleged in a subsequent case that Chinese party-state-related intelligence agencies attempted to bribe employees in the U.S. Attorney's office prosecuting the Huawei case in order to gain information on the prosecution.¹¹ Although the party-state's alleged spying failed, and Huawei's arguments were eventually rejected by a Federal appeals court,¹² the ability of Chinese entities that are likely affiliated with the Chinese Communist Party or the Chinese government to marshal high-priced legal talent to deploy creative constitutional arguments, could serve as a deterrent to future U.S. Government actions against Huawei and other Chinese companies. The Huawei case is scheduled for trial in January 2026, 7 years after the initial indictment.¹³

In a similar way, TikTok USA has also launched an all-out legal battle against a recently passed Federal law requiring that it divest itself of its Chinese owner ByteDance. It has invoked the First Amendment's Free Speech Clause as its

⁴ Aruna Viswanatha and Kate O'Keefe, "China's Corruption Crackdown Snares Thousands of Fugitives in California," *Wall St. J.* (July 29, 2020), <https://www.wsj.com/articles/china-corruption-president-xi-communist-party-fugitives-california-lawsuits-us-courts-11596032112>.

⁵ *Id.*

⁶ Aruna Viswanatha and Kate O'Keefe, "China's New Tool to Chase Down Fugitives: American Courts," *Wall St. J.* (July 29, 2020), <https://www.wsj.com/articles/china-corruption-president-xi-communist-party-fugitives-california-lawsuits-us-courts-11596032112>.

⁷ David E. Sanger, Katie Benner and Matthew Goldstein, "Huawei and Top Executive Face Criminal Charges in the U.S.," *N.Y. Times* (January 28, 2019), <https://www.nytimes.com/2019/01/28/us/politics/meng-wanzhou-huawei-iran.html>.

⁸ Paul Mozur, Huawei Hires Former Obama Cybersecurity Official as Lawyer, *N.Y. Times* (May 10, 2019), <https://www.nytimes.com/2019/05/10/business/huawei-lawyer-james-cole.html>.

⁹ See *United States v. Huawei Techs. Co.*, 18-CR-457 (S-2) (AMD) (E.D.N.Y. Dec. 3, 2019).

¹⁰ See Joanna R. Lampe, Coordinator, Legislative Attorney, Congressional Research Service, *Huawei v. United States: The Bill of Attainder Clause and Huawei's Lawsuit Against the United States* 1 (2019).

¹¹ Alison Durkee, "DOJ Charges Alleged Chinese Intelligence Officers With Trying to Interfere With Huawei Prosecution," *Forbes* (Oct. 24, 2022), <https://www.forbes.com/sites/alisondurkee/2022/10/24/doj-charges-alleged-chinese-intelligence-officers-with-trying-to-interfere-with-huawei-prosecution/>.

¹² *Huawei Techs U.S., Inc. v. Fed. Comm'ns Comm'n.*, 2 F.4th 421 (5th Cir. 2021).

¹³ Reuters, "China's Huawei Technologies Seeks Dismissal of U.S. Criminal Charges," (Nov. 11, 2024), <https://www.reuters.com/default/chinas-huawei-technologies-seeks-dismissal-us-criminal-charges-2024-11-11/>.

primary defense to enforcing the Federal divestment law, and has even managed to rally political and legal support from unaffiliated U.S. free speech advocates.¹⁴

Neither Huawei nor TikTok have violated any laws in using all possible legal means to defend themselves in U.S. courts. Their ability to do so is a testament to the U.S. legal system's commitment to protect the rights of foreign as well as U.S. companies. But the openness and fairness of the U.S. legal system (especially when compared with China's legal system), allows the possible success of lawfare tactics to delay or obstruct U.S. national security goals.

STANFORD UNIVERSITY V. ZHANG: ASYMMETRIC LAWFARE IN PRACTICE

The litigation over the ownership of the personal diaries of Li Rui, a former personal secretary to Mao Zedong and, in his later life, a prominent critic of the Chinese Communist Party, illustrates another type of Chinese lawfare. In what I call asymmetric lawfare, Chinese interests leverage the weak and politically manipulable Chinese court system to gain advantages in an open and fair-minded U.S. court system.

Li, through his daughter, had agreed to donate his personal diaries to the Hoover Institute for War and Peace at Stanford University. After Li Rui's death in 2019, however, his widow Zhang Yuzhen filed a lawsuit in a Beijing court claiming ownership of the diaries. She argued that the documents contained deeply personal information and that Li intended for her to decide which documents would be made public. The Beijing court ruled in her favor, awarding her ownership of the archives and ordering Stanford to return them.¹⁵

Stanford argues that it was never given adequate judicial notice of the Chinese court proceedings, and even when it tried to appear in the Chinese court, it was denied. Thus, despite its best efforts, Stanford was not able to contest its rights in China, and is now under a Chinese court order requiring it to turn over the diaries to Zhang.

To its credit, Stanford is fighting back. It filed a "quiet title claim" in U.S. Federal court to affirm its right to the diaries arguing the Li donation was proper, and that the Chinese court judgment should not be enforced in the U.S. due to the unfairness of the Chinese court proceeding.¹⁶ Zhang counterclaimed, alleging copyright infringement and public disclosure of private facts, among other issues. So far, the U.S. trial court has allowed some of Zhang's claims to proceed while dismissing other claims. The trial court is currently considering the parties' trial briefs and will issue a judgment soon.

This litigation is significant in at least two ways. First, it illustrates how the Chinese party-state is willing to use lawfare techniques in the U.S. for ideological purposes as opposed to seeking to harass political opponents or wanted ex-government officials. It is not hard to imagine future uses of lawfare in U.S. courts to challenge title to other important historical archives of Chinese Communist Party history, such as those held at Harvard's Yenching Library. Or lawsuits to delay or suppress artwork displays in the U.S. that criticize Chinese leaders.¹⁷

Second, the Li Rui litigation illustrates the effectiveness of asymmetric lawfare. The key to the Chinese party-state's strategy is to leverage its ability to easily generate favorable outcomes in the Chinese legal system to gain advantages in the U.S. legal system. Stanford was provided no official notice of the Chinese court proceeding, and was then denied the ability to defend itself in that proceeding. This forced Stanford to initiate legal proceedings in the U.S. where it will have to overcome the traditional U.S. judicial doctrine that gives effect to foreign court judgments in most cases. Meanwhile, Li's widow has been given full due process rights and the opportunity to defend her case, and has been able to hire some of the most highly rated (and expensive) attorneys in the U.S. to prosecute her case. Due to the elimination in most states of champerty law doctrines and weak third-party litigation disclosure rules, Zhang, who has incurred huge legal fees on a widow's Chinese

¹⁴Bobby Allyn, "TikTok Challenges U.S. Ban in Court, Calling it Unconstitutional," NPR, May 7, 2024, <https://www.npr.org/2024/05/07/1246532784/tiktok-ban-us-court-biden-congress>.

¹⁵Guo Rui, "Widow of Mao Zedong's Secretary Li Rui Sues in Chinese Court to Demand Return of Diaries from Stanford University," South China Morning Post, April 25, 2019.

¹⁶U.S. District Court for the Northern District of California Oakland Division, "The Board of Trustees of the Leland Stanford Junior University, Plaintiff, vs. Zhang Yuzhen et al., Defendants, Case No. 19-cv-02904 SBA, Order Granting in Part and Denying in Part Motion for Judgment on the Pleadings," September 28, 2022.

¹⁷Michael Finnegan, "Did Chinese Spies Burn Anti-China Sculpture and Stalk Olympic Skater and Congressional Candidate?," L.A. Times (Mar. 18, 2022), <https://www.latimes.com/california/story/2022-03-18/did-chinese-spies-burn-anti-china-sculpture-and-stalk-olympic-skater-and-congressional-candidate>.

state pension, does not have to disclose if any third party has helped foot her legal costs.¹⁸ Even if she does not prevail, the litigation (which has dragged on for nearly 4 years and has cost Stanford untold legal fees) is likely to deter other smaller archives and museums from acquiring items that are historically or politically sensitive in China.

This type of asymmetric lawfare was previewed by Huawei executive Meng Wanzhou's legal battle to block her extradition to the U.S. from Canada on bank fraud charges. While Meng used every part of both U.S. and Canadian law to contest her extradition—dragging out her extradition proceedings for years—the Chinese government arrested and held two Canadians and provided them with no due process or any other legal rights for over 3 years. The ability of the Chinese legal system to be used for what amounts to hostage-taking, while the Canadian system allowed Meng exquisite levels of due process, eventually forced the U.S. and Canada to release Meng without any real punishment in order to win the Canadian hostages' release. Less dramatic cases of asymmetric lawfare involve Chinese companies winning anti-suit injunctions in Chinese courts that block foreign companies from contesting Chinese claims to contested intellectual property rights. Because Chinese judicial standards for granting such injunctions are less onerous than in most foreign jurisdictions, it gives Chinese companies an ability to limit their exposure to claims of IP infringement, especially by foreign companies.¹⁹

CONCLUSION AND RECOMMENDATIONS

There are no simple fixes to solve the problem of asymmetric lawfare by the Chinese party-state or any other nefarious foreign state actor. The strengths of the U.S. legal system—judicial independence, non-discrimination against foreign citizens and companies, comity and deference to foreign courts—are crucial to making the U.S. an ideal place to live, work, and invest.

Still, U.S. policymakers might make some headway by enacting laws to expedite proceedings to dismiss efforts to enforce Chinese court judgments in the U.S. Current doctrine, which varies from state to state, generally places the burden on U.S. parties challenging enforcement to demonstrate fundamental unfairness in the Chinese court proceedings.²⁰ Congress or state legislatures could shift this burden to parties seeking to enforce Chinese court actions and even allow U.S. defendants expedited procedures for dismissing such actions. Congress could enact something similar to the SPEECH Act, which protects U.S. defendants from foreign defamation judgments that do not meet U.S. free speech standards.²¹ Such action could deter some of these asymmetric lawfare techniques, and since Chinese courts rarely enforce U.S. court judgments, U.S. companies would not be in a worse-off position there than they are now.

Relatedly, policymakers could bolster disclosure rules for third-party litigation funding, especially for foreign plaintiffs. Current disclosure rules would allow foreign sovereigns, or foreign sovereign-affiliates like the CCP, to fund litigation in the U.S. without anyone knowing.²² Changes to disclosure might take the form of amendments to the Foreign Agents Registration Act or other reforms to ensure that if the party-state is engaging in lawfare in U.S. courts, the rest of us will know about it.

Such actions are not a complete solution, but it is the right place to start. As the Li Rui litigation demonstrates, the Chinese party-state has many political objectives at odds with U.S. interests, including the suppression of narratives about its own history. Deterring or eliminating asymmetric lawfare will not end its pursuit of these political objectives, but it will be an important first start.

¹⁸ John Pomfret, "The Diary Duel," *The Wire China*, September 26, 2021.

¹⁹ Alexandr Svetlicinii, Fali Xie, "The anti-suit injunctions in patent litigation in China: what role for judicial self-restraint?," *Journal of Intellectual Property Law & Practice*, Volume 19, Issue 9, September 2024, pages 734–742, <https://doi.org/10.1093/jiplp/jpae049>.

²⁰ Courts may refuse to recognize a foreign judgment on a variety of grounds, including but not limited to public policy, unfairness, fraud, or lack of notice (Restatement (Fourth) of Foreign Relations Law § 484).

²¹ 28 U.S.C. §§ 4101–4105.

²² Institute for Legal Reform, "What You Need to Know About Third Party Litigation Funding," Inst. for Legal Reform (June 7, 2024), <https://instituteforlegalreform.com/what-you-need-to-know-about-third-party-litigation-funding/>.

PREPARED STATEMENT OF RISHAT ABBAS

I would first like to thank the Commission for the opportunity to share our experience in trying to keep the Uyghur language and culture alive. This question is an existential one. Since 2017, the Chinese government has detained more than 1.8 to 3 million Uyghurs and other Turkic groups in concentration camps, committed mass sterilization of Uyghur women, separated parents from their children, forced Uyghur women to marry Chinese men, eliminated Uyghur religious and cultural leaders through imprisonment, and forced Uyghurs to do slave labor.

Since then, China has been committing what the U.S. Government and nearly a dozen Western parliaments determined as genocide and crimes against humanity. They have targeted the Uyghur population in what is now the Xinjiang Uyghur Autonomous Region, which Uyghurs prefer to call its geographical and historical name—East Turkestan. In August 2022, the Office of the U.N. High Commissioner for Human Rights released its report on Xinjiang, which stated that China’s treatment of the Uyghur population may constitute crimes against humanity. A month after the release of the U.N. report, Human Rights Watch published a report on the official figure of prison counts in Xinjiang. The report said China sentenced and imprisoned an estimated half million Uyghur people. China arbitrarily prosecuted the Uyghurs detained in concentration camps after an international outcry over its mass detention of Uyghurs.

Despite international concern over China’s Uyghur genocide, the Chinese government has been aggressively implementing policies of assimilation of the Uyghur language and criminalizing Uyghur culture and religious beliefs. If Uyghur language, religion, culture, and identity are successfully erased in the Uyghur homeland and lost in the diaspora, the Chinese government wins regardless of how things develop politically and geo-strategically in the future. Many Uyghurs in the diaspora face the Chinese government’s transnational repression for speaking out against Beijing’s crimes. Like countless others, my family and I have paid a steep personal price for our advocacy, enduring painful consequences as retaliation from the Chinese government. The horrific atrocities in our homeland affect me personally. My sister, Dr. Gulshan Abbas, a retired medical doctor living in Urumchi, was sentenced to 20 years in prison on fabricated charges of “terrorism.” As a medical doctor, she has always been entirely apolitical and dedicated her entire life to caring for her patients. Her unjust detention, despite her chronic health issues, exposes the Chinese government’s oppressive policies that target Uyghurs simply for their identity and for the activism of their relatives abroad. My sister’s imprisonment is a blatant act of retaliation, as she has never engaged in any form of advocacy during her life.

We all know the Chinese government is committing an ongoing genocide against the Uyghur population in our homeland by eradicating the Uyghur people as the end goal. In addition to this physical aspect of the genocide, China is also simultaneously committing a linguistic and cultural genocide. The Chinese Communist Party has suppressed all forms of cultural expression by Uyghurs in their historic homeland. The Chinese government has also suppressed the use of the Uyghur language in China and eliminated the instruction of Uyghur language in schools. It is essential to the future that Uyghur language and culture are preserved and promoted by diaspora and exile communities outside of China to prevent the ultimate aim of the CCP, which is to eliminate the very identity of a national group.

Although there is overwhelming evidence and confirmation from the Chinese government’s own leaked documents and documents globally, Chinese government propaganda has become disturbingly normalized. It is echoed by prominent scholars, amplified by certain media narratives, and even parroted by college students. There is a troubling tendency to overlook these injustices in favor of preserving economic ties with the PRC. This pattern is evident in Hollywood, global corporations, academic institutions, and the silence or inaction of numerous governments worldwide.

The genocide and crimes against humanity in the Uyghur region are not isolated incidents; they are warning signs of a deeper global erosion of human rights—setting a dangerous precedent for future atrocities. History has shown us the devastating consequences of ignoring such alarms. We know what it means to take principled action, and it is imperative that we demand it now.

Uyghur diaspora community leaders and advocates across the world have made it clear that it is vital to their communities to ensure that the next generation of Uyghur youth abroad learn the language to preserve the core of Uyghur culture as long as Chinese repression continues.

The situation is very similar to the position that the diaspora communities of Latvia, Estonia, and Lithuania faced after annexation by Stalin and the Soviet Union from 1939 to 1989. Many fled to far-flung locations around the world. For fifty years

the Soviet regime tried to force the Russian language and Soviet culture on the local population. They moved waves of Slavic immigrants into the Baltic states. But in diaspora communities across the world the language was kept alive for two generations. Nobody knew if or when the Soviet Union would collapse, but when it did, thousands of Latvians, Estonians, and Lithuanians born abroad returned home to help rebuild their nations. This gives today's Uyghurs hope, and a task—to pass the culture and language on to the next generation at a level sufficient to participate in everyday interactions but also to be ready to live and work in the Uyghur language at a policy-expert level.

Our organization, the Uyghur Academy, is a global Uyghur intellectual network with branches in the United States, Canada, Europe, Turkey, Central Asia, Japan, and Australia, as well as four institutes. The Academy promotes effective collaboration among Uyghur organizations, communities, universities, NGOs, and key stakeholders in the diaspora to highlight the Uyghur Genocide and counter CCP influence.

Since 2022, with funding and collaboration from USAID and the United States Institute of Peace, Uyghur Academy has organized three international conferences, bringing together community leaders and teachers from around the globe. Most of these teachers are simple community volunteers with no real teacher training. We held training workshops for them to help them learn basic teaching techniques as well as the nuances of how a “heritage learner”—someone who has spoken Uyghur from the crib at home but lives in the dominant language outside the home—learns differently from a non-native learner.

With the generous support of USAID and USIP, we successfully organized two extraordinary Uyghur global youth language summer schools in 2023 and 2024. These schools brought together seven esteemed instructors, renowned for their dedication to preserving Uyghur culture and identity, to guide enthusiastic young Uyghurs from 14 countries. Participants were immersed in a vibrant exploration of language, culture, history, and art—fostering a profound sense of purpose and belonging. This was more than an educational event—it was a transformative journey connecting young Uyghurs to their heritage and to each other. They learned not just to endure challenges but to face them with resilience, finding joy even in adversity. Smiles lit up their faces as friendships blossomed, and tears flowed as they parted, marking the end of an unforgettable experience. For many, it was their first opportunity to interact with peers in the Uyghur language, an experience they now cherish deeply.

Even after the schools ended, participants stayed connected through platforms like WhatsApp and Telegram, forming networks that extend beyond borders. Some have already begun organizing advocacy efforts for Uyghur issues in their respective countries. This is just the beginning, and there is enormous potential to expand these initiatives. To truly empower the next generation, we must go further. We need to nurture Uyghur entrepreneurs, scientists, and policy experts who are not only fluent in their language but also equipped to lead in fields like artificial intelligence, cybersecurity, and public policy.

This effort requires additional investment, enabling us to ensure that the Uyghur language evolves alongside cutting-edge global developments. By scaling up these activities, we can safeguard our culture while preparing future leaders to excel in a rapidly changing world.

There is great demand in the Uyghur diaspora communities for these efforts. There is more we could do to counter CCP propaganda and raise awareness in those countries with diaspora communities. This is part of a transformation of traumatized, scattered, and isolated Uyghur exile communities into a global network of organized and resilient diaspora communities. We believe that, with the proper resources, these communities can preserve the language, identity, and culture for the next generation, in turn resisting CCP efforts to destroy our culture.

In 2024, Uyghur Academy celebrated its 15th anniversary with notable achievements, including the publication of the “Uyghur Language and Literature” textbook series, developed with support from USAID and USIP. These textbooks were introduced at a special event held here in Congress on May 22, 2024. Themed “Preserving the Uyghur Language and 3D Modeling Amidst the Uyghur Genocide,” this event was organized by the Uyghur Academy, Campaign for Uyghurs, Uyghur Transitional Justice Data base, and the Center for Uyghur Studies. Representatives from the U.S. Congress, USAID, State Department, USIP, Uyghur organizations, NGOs, and scholars attended and delivered encouraging remarks. The event also showcased innovative educational tools and initiatives.

Finally, if you ask “What can we do to help actual Uyghurs today?” then this is one of the most important answers. Programs that network isolated Uyghurs and keep the language alive give Uyghurs, especially young Uyghurs, hope for the future. Hope is the rarest commodity in a situation like ours.

It is critical to sustain and amplify efforts to hold the CCP accountable for its crimes against humanity. This is not merely a matter of justice for the Uyghur people—it is a fight for the principles of democracy, human rights, and freedom that underpin the world we wish to leave behind for future generations.

Allowing the CCP's atrocities to go unchecked threatens to erode these values globally, emboldening authoritarian regimes and weakening the foundation of the free world. The stakes are far greater than the Uyghur people alone; they encompass the shared future of all who believe in dignity, liberty, and justice. By standing firm against these crimes, we send a clear message: oppression and genocide will not be tolerated, and those who perpetrate such acts will face consequences. This is a defining moment, not just for the Uyghurs, but for the legacy of freedom and democracy we pass on to the next generation. Together, we must act with unwavering resolve to protect these ideals and ensure a future where such horrors are not repeated.

Thank you for your time, and thank you to the American people and to Congress for your unwavering support of the Uyghur cause.

PREPARED STATEMENT OF GESHE LOBSANG MONLAM

THE EFFORTS BY THE TIBETAN DIASPORA TO PRESERVE
ITS LINGUISTIC AND CULTURAL HERITAGE

Thank you, Chairman, for the opportunity to testify at today's hearing. I will primarily focus on the current status of the Tibetan language and culture, as well as the efforts by the Tibetan diaspora to preserve its linguistic and cultural heritage.

For over sixty years, the Tibetan people have effectively preserved our rich heritage in dire circumstances and conditions, thanks to the leadership of His Holiness the Dalai Lama and the Central Tibetan Administration, with the unwavering support of the Indian and U.S. governments and other governmental and non-governmental organizations and individuals throughout the world. As a Tibetan I want to take the opportunity to express my gratitude to the U.S. Congress and the Administration for your continued support to His Holiness the Dalai Lama and the Tibetan leadership. I have directly seen the positive impact of your support to our community.

Tibetan language and culture have been facing significant challenges both within Tibet and among the Tibetan diaspora. In Tibet, the policy of cultural assimilation of Tibetans by the Chinese government is systematically undermining Tibetan language and cultural identity. Enforcing Mandarin as the primary language of instruction in schools is one case in point, even in those ostensibly offering bilingual education.¹ Furthermore, an estimated 80 percent of Tibetan children are placed in state-run boarding schools where Mandarin is prioritized, effectively severing ties with their cultural heritage.^{2,3} The recent closure of Tibetan-centric schools, like Ragya Gangjong Sherig Norbulung,⁴ and the relocation of students to state-sanctioned institutions, further erode the prominence of the Tibetan language.⁵ The situation is worsened by legal and policy restrictions that penalize individuals advocating for Tibetan language rights, with advocates facing imprisonment for promoting their native language education.

The Tibetan diaspora, scattered across the globe, faces significant hurdles in maintaining their linguistic and cultural heritage. In addition to competing demands of modern life, many young Tibetans, born and raised outside of the communities in exile established for Tibetans, lack regular exposure to their native language, hindering their ability to learn and appreciate it. Limited post-education opportunities as well as opportunities for higher education in Tibetan further compel them to rely on other languages, increasing the distance from their cultural roots. Furthermore, the diminishing population exacerbates the issue. While community-led initiatives like Tibetan language schools and online resources strive to bridge

¹ Congressional-Executive Commission on China, 2021, "Tibet: Findings and Recommendations." Washington, DC. <https://www.cecc.gov/sites/evo-subsites/cecc.house.gov/files/documents/TIBET%20UPDATED%201221.pdf>.

² Dolma, K., (2022, September 20), "Tibetans Fight To Keep Their Language Alive," Foreign Policy. <https://foreignpolicy.com/2022/09/20/tibetan-language-education-china-diaspora/>.

³ Human Rights Watch, 2020, "China's 'Bilingual Education' Policy in Tibet: Tibetan-Medium Schooling Under Threat." Human Rights Watch, March 5. <https://www.hrw.org/report/2020/03/05/chinas-bilingual-education-policy-tibet/tibetan-medium-schooling-under-threat>.

⁴ Free Tibet, 2023, "Another Top Tibetan School Forced to Shut," Free Tibet, April 12. <https://freetibet.org/latest/another-top-tibetan-school-forced-to-shut/>.

⁵ <https://www.govinfo.gov/content/pkg/CHRG-118jhr51694/html/CHRG-118jhr51694.htm>.

this gap, they are often hampered by insufficient funding and resources. This struggle to preserve Tibetan identity is exacerbated by the ongoing suppression of our language and culture within Tibet itself, where repressive policies threaten the continuity of traditions and contribute to broader cultural disintegration.

Despite these challenges, the Tibetan exile community has shown remarkable resilience and creativity in preserving our linguistic heritage. Tibetan schools in India and Nepal emphasize Tibetan language education as a core part of their curriculum. Cultural institutions and monasteries continue to pass down traditional knowledge and practices. The Central Tibetan Administration (CTA) has also implemented policies aimed at promoting the use of the Tibetan language in official and educational settings including the critical need of nurturing and sustaining compact Tibetan communities.

However, there remains a critical need for strategic, comprehensive and modern Tibetan language tools that can support education, cultural preservation, and global engagement. This is where the work of the Monlam organization becomes crucial.

Since its founding, the Monlam organization has been at the forefront of leveraging technology to safeguard the Tibetan language. As the founder, I have personally dedicated my efforts to creating a suite of linguistic tools and resources that serve both traditional scholars and the wider Tibetan community. One of our landmark projects, the Grand Tibetan Dictionary, is the most extensive Tibetan dictionary ever compiled. It brings together classical texts, regional dialects, and contemporary usage, providing an authoritative resource that supports language learning, academic research, and linguistic standardization.

The Monlam Grand Tibetan Dictionary project showcases the extensive collaboration within the Tibetan diaspora to preserve and promote the Tibetan language. This initiative, which is not feasible for an individual or a small group, has successfully mobilized over 200 editors from various backgrounds, including editorial groups in monasteries and community organizations. This collaborative effort highlights the unity and commitment of Tibetans from different schools and walks of life in safeguarding their linguistic heritage. The creation of the Monlam Grand Tibetan Dictionary stands as a testament to the capabilities of the Tibetan community in exile. The dictionary not only serves as a linguistic resource but also symbolizes the resilience of Tibetan culture amidst ongoing challenges posed by external forces. By fostering such collaborative projects, the Tibetan diaspora demonstrates its potential to effectively preserve its language and cultural identity for future generations.

The forthcoming USAID-led Tibetan Digital Library Project builds upon such a collaborative foundation, aiming to digitize and archive a vast array of Tibetan texts and manuscripts by working together with more than 60 monasteries and cultural institutions around India and Nepal. This project is spearheaded by the Central Tibetan Administration. It is designed to be a dynamic, accessible digital platform that will allow students, researchers, and cultural enthusiasts worldwide to access Tibetan literature and historical documents that were previously confined to private collections or monasteries. During the initial year 2024, we visited more than 20 monasteries, cataloging and digitizing thousands of resources. Our ongoing efforts also aim to advance the field of Tibetan library science.

In the realm of digital innovation, Monlam alone has created 42 Tibetan software applications, encompassing sophisticated tools like fonts, optical character recognition (OCR), machine translation systems, and AI-driven language models. These groundbreaking technologies have achieved remarkable success, garnering over millions of usages and effectively bridging linguistic and technological barriers within Tibet and the global diaspora. The AI-powered tools, which include advanced capabilities such as Tibetan-to-English translation, text-to-speech, speech-to-text, and OCR technologies, are instrumental in making Tibetan literature and resources more accessible and preserving the linguistic heritage on a global scale.

Looking ahead, the Monlam organization has an ambitious vision for the future. We are actively developing a foundational Tibetan/Culture-focused Large Language Model (LLM). This initiative aims to create an AI model trained extensively on Tibetan texts, enabling advanced linguistic tools for translation, educational applications, and digital preservation. Our LLM project is expected to play a transformative role in enhancing the accessibility and usability of Tibetan language resources in the digital age.

As part of our commitment to education and ethical AI development, we are exploring the creation of an AI model based on His Holiness the XIVth Dalai Lama. This model could be used to develop educational resources, promote conflict resolution, and foster ethical decision-making in AI systems.

In addition to technological advancements, we are committed to integrating the richness of Tibetan cultural knowledge into modern education. We believe that the future of Tibetan language preservation lies in making it relevant to today's learn-

ers. To this end, we are developing modern academic subjects in the Tibetan language, focusing on areas such as science, technology, and social studies, while incorporating Tibetan cultural perspectives. This will empower Tibetan students to learn about contemporary topics without losing connection to their linguistic and cultural roots.

Finally, we envision a transformation of modern education with a deeper influence of Tibetan culture and values. By incorporating Tibetan philosophical teachings and ethical principles into the curriculum, we aim to provide a holistic educational experience that is grounded in our rich heritage.

The preservation of Tibetan language and culture transcends historical artifact conservation, representing a profound declaration of resilience and identity that aims to ensure the survival of a living tradition with valuable contributions to global cultural diversity. Through collaborative efforts, innovative technologies, and unwavering determination, the Tibetan diaspora is bridging traditional preservation methods with modern digital capabilities, striving to safeguard their heritage in the face of systemic repression. By engaging technological innovation and community-driven initiatives, this mission seeks to empower marginalized communities and highlight the importance of cultural preservation, ultimately working toward a more inclusive and culturally diverse future that respects and celebrates the depth and significance of Tibetan linguistic and cultural traditions.

PREPARED STATEMENT OF TEMULUN TOGOCHOG

Sain Bainuu and greetings, ladies and gentlemen. My name is Temulun Togochoog. I am 17 years old and a U.S.-born Southern Mongolian human rights activist, working alongside my father, Enghebatu Togochoog, Director of the Southern Mongolian Human Rights Information Center. My parents live in exile here in the United States, and as a result, I have never been able to visit my homeland.

I have never met my aunts, uncles, cousins, or nieces and nephews. I have never celebrated Tsagaan Sar, the traditional Mongolian New Year, with my relatives or learned many of their customs firsthand. My parents have not returned to Southern Mongolia to attend family weddings or funerals, nor to say their final goodbyes to loved ones.

Despite these challenges, my parents have worked tirelessly to preserve our language, culture, and traditions. When I was little, they sought out Mongolian babysitters to help teach me and my sister our mother tongue. This was no easy task, as there were few Mongolians in New York. Still, I was fortunate to learn some Mongolian from the babysitters they found.

As I started school, time at home—and opportunities to learn Mongolian—diminished, even though my parents consistently spoke Mongolian at home. Southern Mongolians use the traditional script written vertically from top to bottom, a script with over 800 years of history. This script was not easy to learn, so my parents arranged for a teacher from independent Mongolia to teach me and my sister the Cyrillic Mongolian script.

In the summer of 2018, my father took us to a children’s camp at the Mongol-Tibetan Buddhist Center in Bloomington, Indiana. It was a rare chance to speak Mongolian, sing traditional songs, cook Mongolian food, and play with other Mongolian children, mostly from independent Mongolia. It was a pleasant experience that gave me a glimpse of what it might be like to return to Southern Mongolia. However, one painful memory stands out: some Northern Mongolian children ridiculed our Southern Mongolian accents and called us “Chinese.”

Despite these struggles, I feel privileged to have grown up in the United States, a free and democratic country where I can learn my language, practice my traditions, and express my opinions without fear. This stands in stark contrast to the millions of Southern Mongolians who face repression and denial of basic rights.

Over the past seven decades, China has encouraged large-scale Chinese migration into Southern Mongolia, reducing the ethnic Mongolian population to only 18 percent of the region. This has not only displaced us from our land but has also eroded our culture and way of life.

In the early 2000s, China introduced policies to forcibly resettle Mongolian herders, effectively ending nomadic pastoralism under the pretext of “grassland protection.” By 2015, all nomads within China’s borders had been relocated, marking the end of this centuries-old way of life.

Advocates for Mongolian rights face severe consequences. Prominent activist Hada was detained in 1995 and sentenced to 15 years in prison. Despite completing his sentence, he was held for an additional 4 years and has been under house arrest

since. His wife has been arrested multiple times, and his son was imprisoned at just 17 years old. The family remains under constant surveillance.

Other activists have faced similar repression. In 2020, Yanjindulam was sentenced to 3 years in prison for defending herders' rights and advocating for the Mongolian language. Dissident historian Lhamjab Borjigin disappeared last year after being deported from independent Mongolia.

Since 2020, the Chinese government has effectively removed the Mongolian language from the education system, replacing it with Chinese as the sole language of instruction. Mongolian-language books and publications have been banned, and Mongolian signs and symbols are being removed from public spaces. Authorities promote "patriotic education" to enforce loyalty to the Chinese nation and Communist Party.

In September 2020, many Mongolians, particularly students, protested these policies through school boycotts and strikes. Approximately 300,000 Southern Mongolian students joined the movement. The Chinese government responded harshly, detaining and placing under house arrest an estimated 8,000 to 10,000 people.

The Chinese government's systematic oppression and erasure of Mongolian language, culture, and identity is fueling a surge in violence and hatred from the Chinese population toward local Mongolians in Southern Mongolia. In a recent heart-breaking case, 9-year-old Mongolian girl Hairaa was brutally beaten by her Chinese teacher for struggling with Chinese-language homework. During the assault, her ear was torn open and began bleeding profusely, requiring emergency treatment at a hospital. This shocking incident is not an isolated case but part of a disturbing and larger pattern of abuse faced by Mongolians in Southern Mongolia.

Given these deteriorating conditions, I respectfully urge the Committee and the U.S. Congress to consider the following recommendations:

1. Nominate Hada for the Nobel Peace Prize in recognition of his lifelong struggle for Southern Mongolian rights and his decades of imprisonment and house arrest.
2. Urge the U.S. Agency for Global Media to act on Congress's recommendation to establish a Mongolian-language service in Voice of America.
3. Support the swift passage of the "Southern Mongolian Human Rights Policy Act" introduced by Senators Merkley and Sullivan.
4. Assist Southern Mongolian communities, both in Southern Mongolia and in exile, in preserving their language, culture, and identity.

Thank you for your time and attention.

PREPARED STATEMENT OF HON. CHRIS SMITH

Today's hearing, "The Preservation of Memory: Combating the CCP's Historical Revisionism and Erasure of Culture," serves as a capstone, or a coda, on the work of this Commission during this 118th Congress.

I want to begin by posing a handful of questions:

- Why is it that much of our Commission staff time is dedicated to producing a statutorily mandated annual report that tracks, exposes, and seeks to end the human rights abuse committed by the Chinese Communist Party?
- Why do we report upon efforts to sinicize religious beliefs and erase the identities of distinct ethnicities, such as Uyghurs, Tibetans, and Mongolians?
- Why do we record the names of individuals who have disappeared into that penal archipelago—the *laogai*—or are detained in concentration camps in the Xinjiang Uyghur Autonomous Region, in our Political Prisoner Database?

It is, I believe, because we are engaged in a grand project that seeks not only to protect the innocent from the cruelty of the Chinese Communist Party but to preserve memory—the memory of the Chinese people writ large, undistorted by the propaganda narratives of the CCP, the memory of ethnic groups whose unique cultural, linguistic, and religious identities are under threat of erasure and, above all, the memory of individuals whom the party would blot into oblivion.

This last point is very important because behind all the statistics we collect and catalogue lie individuals, each born to a mother and a father, each a precious human life bearing an inherent, God-given dignity.

And above all, our CECC preservation project is testament to the notion that truth does exist, that it is objective and not subjective, and that while it cannot be extinguished, we still must do our part to preserve it.

Today there are custodians of memory within China, or who were forced to leave China, who seek to preserve truth, and who often suffer for that—independent historians who researched and recorded what the Communist Party considered taboo

subjects, such as Yang Jisheng, who wrote *Tombstone*, the definitive catalogue of the Great Famine of 1958 to 1962.

Yang was a journalist at Xinhua News Agency who instead of being content with writing canned news reports to advance the Party's propaganda narratives, used his spare time to access archives and to conduct independent research with regard to a famine caused by Mao Zedong's misguided policies, killing an estimated 36 million people. Yang's great work remains banned in China, while he himself has been banned from leaving China to receive the accolades which he deserves.

And our witness today, Rowena He, who "taught the taboo." Because she wrote and lectured on subjects such as the Tiananmen Massacre, she was driven out of her job at the Chinese University of Hong Kong, presumably at the behest of Beijing.

The people that Yang Jisheng and Rowena He write about, who perished in the Great Famine or were mowed down at Tiananmen, are blood martyrs, sometimes referred to as "red martyrs."

But there is another kind of martyr—what traditionally is called a "white martyr"—those who are stripped of position and prestige, who suffer because they are unbowed in their commitment to the truth, regardless of the consequences; people such as Yang and He. Such is the lot of the independent historian, who shuns lies and ideological narratives.

A few weeks ago, Pope Francis came out with a letter which, while focused on the study of Church history, also has insights into the study of history more generally. While I am not prone to quote Pope Francis—I prefer Benedict or the sainted John Paul—his statement on the present state of historical inquiry has relevance to why we are here today.

The Pope noted that there is an:

"[U]rgent need for a greater sense of history at a moment when we see a tendency to dismiss the memory of the past or to invent one suited to the requirements of dominant ideologies. Faced with the cancellation of past history or with clearly biased historical narratives, the work of historians, together with knowledge and dissemination of their work, can act as a curb on misrepresentations, partisan efforts at revisionism, and their use to justify wars, persecutions, the ... utilization of weapons and any number of other evils."

I think that this is a fitting reminder of the proper role of the historian, to give testimony to truth and memory, while rejecting the ersatz manipulation of ideology that masquerades as "history."

With that, I want to turn to my colleague, Co-chair Jeff Merkley, with whom it has been a pleasure to serve during this 118th Congress.

PREPARED STATEMENT OF HON. JEFF MERKLEY

Thank you, Mr. Chairman, for convening this hearing. This is the last hearing of this Commission in the 118th Congress, and it is a fitting topic.

It is important to remind ourselves that our work must be grounded in the lived experience of those we are trying to help. Preservation of memory is an innate human impulse, essential to people's ability to maintain their culture and identity. Our yearning to connect with each other today draws on our shared connections with the past. George Orwell's famous quote, "Who controls the past controls the future: who controls the present controls the past" is lamentably apt. We see this in our own country, such as when some minimize the impact of slavery in order to curtail civil rights legislation.

In China, the ruling Communist Party engages in efforts to erase and revise history to suit its interests. No student in China is ever taught about the Tiananmen Square Massacre. It is wiped from the country's consciousness, other than from those who were there. Despite this, people in China still possess this innate impulse to remember. They strive to safeguard memories in their own spaces. It is essential to their ability to claim their rights and their dignity.

I look forward to hearing more from our witnesses about measures taken by the government of China to control history and how people in China are responding.

Those who have gone into exile take on the extra burden of preserving their culture and heritage as it is being eroded or co-opted in their homeland. I am sure their experience is similar to diaspora communities from around the world. But they may also be subject to acts of transnational repression by Chinese authorities for daring to speak out.

Several of our witnesses have their own diaspora stories to tell. I hope to learn about ways we can help. As an example, my “Southern Mongolian Human Rights Policy Act,” introduced with Senator Dan Sullivan, has a section encouraging the Smithsonian Institution and the Institute of Museum and Library Sciences to explore ways to support the efforts by Southern Mongolians, Tibetans, Uyghurs, and Hong Kongers to preserve their cultural heritage.

On a personal note, this is my last hearing in CECC leadership, having spent 4 years as chair and then co-chair of this Commission. I extend my gratitude to my House partners, Representatives Jim McGovern and Chris Smith, in this endeavor. We have, together, Republicans and Democrats, House and Senate Members, done valuable work:

- We passed a landmark human rights statute, the “Uyghur Forced Labor Prevention Act,” as well as my “Promoting a Resolution to the Tibet-China Dispute Act.”
- We held corporations’ feet to the fire, from the companies sponsoring the Beijing Olympics amidst a genocide, to those selling biometric and surveillance technology to Chinese police forces.
- We amplified the voices of Hong Kongers telling the story of their city suffering under the repressive dictates of the Chinese Communist Party, as well as the voices of Chinese human rights defenders, Uyghurs, Tibetans, and Southern Mongolians.
- We focused attention on the Chinese government’s practice of transnational repression as they seek to extinguish the right of the Chinese diaspora on American soil to speak freely about the Chinese government’s abuse of human rights.

This Commission does important non-partisan, standards-based work that helps Congress and the executive branch craft fact-based policies.

Thank you, and I look forward to our witnesses’ testimony.

PREPARED STATEMENT OF HON. JAMES P. MCGOVERN

Good morning. I join Chairman Smith in welcoming everyone to today’s China Commission hearing on preserving the memory of ethnic peoples facing systematic discrimination and erasure in the People’s Republic of China.

I am glad this Commission is taking up the role of preservation of memory as a human rights issue. Memory, both individual and collective, is essential to identity, and to the realization of the right to culture for all peoples. The stories we tell, the songs we sing, our writing, our music—all of these are expressions of ourselves. They are also ways that we record our shared history and pass on our knowledge and understanding of the world to those who follow us.

Without memory and the narratives it informs, it is much harder to locate ourselves in this world. The essential role that memory plays in our lives is the reason that international humanitarian law prohibits attacks against buildings dedicated to religion, education, art, science, or charitable purposes, and historic monuments. It is the reason that Article 7 of the Rome Statute defines “crime against humanity” as including the persecution of an identifiable group or collectivity on cultural grounds. It is the reason that preserving memory is at the heart of transitional justice processes. Without memory, the rights of victims to truth, justice, reparation, and the guarantee of non-recurrence cannot be realized.

The existential importance of memory is the reason it is so contested, as we will hear today. Any government or state that seeks to repress the language of minority ethnic peoples, or rename their symbolic places, or prohibit their traditional practices, or forcibly assimilate them, is violating their basic human rights.

The People’s Republic of China is not the only state engaged in these practices. In the Tom Lantos Human Rights Commission, which I co-chair, we recently examined cultural erasure in Ukraine at the hands of the Russian Federation.

But the PRC’s “sinicization” policies are explicitly designed to erode the history and identities of several minority ethnic communities, in favor of Han Chinese culture and “core socialist” values. As one of our witnesses will say today, Chinese officials promote “patriotic education” in an attempt to encourage “all ethnic groups to accept the great mother country, Chinese nationality, Chinese culture, [and the] Chinese Communist Party.” Tibetans, Uyghurs, ethnic Mongolians—all are at risk.

Congress has taken some steps to counter this erasure. With strong bipartisan support, it has authorized and funded programs for Tibetan and Uyghur cultural and linguistic preservation. The recently introduced “Southern Mongolian Human Rights Policy Act” would extend similar programming to southern Mongolians.

The Smithsonian Institution, also with congressional support, is doing groundbreaking work to promote cultural diversity and preserve endangered languages.

The Library of Congress, which has an excellent collection of Tibetan-language works, has just received a donation of the 223-volume Monlam Grand Tibetan Dictionary—an impressive initiative that we will hear more about in the testimony today.

The “Resolve Tibet Act,” which became law last summer, takes a complementary approach. It empowers the State Department to counter disinformation about Tibetan history and institutions put forth by the People’s Republic of China and the Chinese Communist Party, including disinformation about the Dalai Lama. Ensuring that the U.S. Government is insisting on the truth about the history of ethnic peoples inside China is critically important.

The question for us today is, What more can we do to build on these existing initiatives, especially working hand-in-hand with diaspora communities? I look forward to the witnesses’ recommendations.

PREPARED STATEMENT OF HON. UZRA ZEYA

Good morning. I am grateful to join this important discussion of the PRC’s efforts to control and distort historical narratives and repress marginalized religious and ethnic communities. As we gather this morning, the PRC continues its genocide and crimes against humanity in Xinjiang, the erosion of fundamental freedoms in Hong Kong, suppression of Tibetans’ unique cultural, religious, and linguistic identity, and other persistent human rights abuses throughout the country. As Secretary Blinken has noted, under President Xi, the Chinese Communist Party has become more repressive at home and more aggressive abroad.

In this troubling context, the U.S. Government has been steadfast in raising human rights at the highest levels with the PRC. Our Administration prioritizes shining a light on and takes actions against the PRC’s abuses. Let me elaborate some of the key ways we’ve done so.

First, we have led the way in multilateral fora, including the PRC’s fourth Universal Periodic Review (UPR) in January at the Human Rights Council. We submitted 15 Advance Questions—more than any other country—to the PRC covering a number of core human rights concerns. The January 23d U.S. Statement at the UPR contained a series of specific recommendations, specifically calling on the PRC to cease discrimination against individuals’ culture, language, religion or belief, and end forcible assimilation policies. We again raised these concerns in July at the UPR’s formal adoption.

We have also worked in common cause with allies and partners since 2021, leading joint statements with dozens of governments on the human rights situation in Xinjiang at the Human Rights Council and U.N. General Assembly, commending the efforts of human rights defenders and the courage shown by survivors of forced labor and detention camps. Just this past October, we joined 14 other countries in an Australian-led statement condemning the human rights situation in Xinjiang and Tibet at the United Nations General Assembly Third Committee.

In August, the State Department released a statement to mark the second anniversary of the U.N. High Commissioner for Human Rights’ Assessment on the Human Rights Situation in Xinjiang. We expressed our grave concern with the PRC’s ongoing repression of Muslim Uyghurs and members of other ethnic and religious minority groups in Xinjiang and urged the PRC to take immediate action to end these ongoing atrocities.

Second, we are robustly implementing the “Uyghur Forced Labor Prevention Act” (UFLPA), including via additions to the UFLPA Entity List. Last month, the multi-agency Forced Labor Enforcement Task Force added 29 companies to the Entity List, bringing the total to more than 100. We are unwavering in our work to prevent the importation of goods made with forced labor into the United States, and to end forced labor of Uyghurs and other ethnic and religious minorities, both inside and outside of Xinjiang. In December 2023, we released a report under the “Uyghur Human Rights Policy Act” (UHRPA) to promote accountability, which identified two PRC government officials connected to ongoing serious human rights abuses in Xinjiang whom Treasury concurrently sanctioned.

Third, we continue to voice deep concerns on democratic erosion in Hong Kong as the PRC attempts to silence those peacefully expressing their political views. In September, we worked with 22 partners of the Media Freedom Coalition to release a joint statement condemning the conviction of the former chief editors of Stand News for sedition, which is a direct attack against media freedom. In November, we

strongly condemned the sentences of 45 defendants in Hong Kong's National Security Law (NSL) trial of pro-democracy advocates. Throughout the year, we took steps to impose new visa restrictions on multiple Hong Kong officials responsible for implementation of the NSL.

Meanwhile, in my dual-hat role as U.S. Special Coordinator for Tibetan Issues, I see all too clearly that the CCP aims to subsume Tibet's rich traditions into its one-party framework. This manifests itself through forced relocation; the requirement of monks and nuns to pledge loyalty to the state; co-optation of the traditional succession processes of Tibetan Buddhist lamas, including the Dalai Lama; and restrictions on religious practices central to Tibetan culture and identity.

We've taken multiple actions in response, including for the first time designating two PRC officials under Global Magnitsky sanctions in connection with serious human rights abuses in Tibet; imposing visa restrictions against PRC officials involved in the forced assimilation of over one million Tibetan children in government-run boarding schools; and most recently, in July, imposing visa restrictions on PRC officials for their involvement in repression of individuals in marginalized religious and ethnic communities.

In conclusion, we will continue to promote accountability in defense of these and other human rights in China.

Beyond the work that we do, I want to recognize our witnesses today and their civil society compatriots, both in the PRC and in diaspora communities around the world, who are fighting every day to protect these integral parts of identity. I thank these brave individuals and will continue to do everything I can to make sure your voices are heard and heeded, despite the PRC's efforts to silence them.

SUBMISSIONS FOR THE RECORD

SUBMISSION OF THE COMMITTEE FOR CULTURAL POLICY, INC. AND GLOBAL HERITAGE ALLIANCE

The ongoing systematic destruction of Uyghur and Tibetan cultural heritage and the repression of Tibetan, Uyghur and other Muslim minority rights by the Chinese government represents one of the gravest humanitarian and cultural crises of our time. The United States must take immediate decisive action to hold China accountable for its flagrant violations of human rights and international law. Below, we outline the key reasons why U.S. leadership is critical in this effort and propose actions to address the crisis.

The Destruction of Uyghur Cultural Heritage

The destruction of Uyghur cultural sites is a cornerstone of China's strategy to erase Uyghur identity. Reports by credible organizations like the Australian Strategic Policy Institute (ASPI) estimate that 65 percent of the mosques in Xinjiang—approximately 16,000—have been destroyed, damaged, or desecrated. Shrines, cemeteries, and other sacred Islamic sites have also been razed or repurposed. Recent reports, including a November 2023 Financial Times investigation, reveal that the Chinese government's crackdown on Islamic architectural features has now spread across China, with three-quarters of mosques with Islamic design destroyed or modified since 2018.

These acts go beyond mere destruction of buildings. They are an attempt to dismantle the very essence of Uyghur cultural identity. The targeting of Uyghur sacred sites and traditional customs signals a broader campaign to replace indigenous beliefs and practices with state-approved narratives. In destroying cultural monuments, Beijing is actively erasing the physical and spiritual connections that bind the Uyghur people to their history and religion. As Maya Wang of Human Rights Watch aptly stated, "The Chinese government is not 'consolidating' mosques as it claims, but closing many down in violation of religious freedom." These actions reflect a calculated effort to "Han-ify" Uyghur culture and remove religion from public and private life.

Human Rights Violations and Mass Detentions in Xinjiang

The destruction of cultural heritage is part of a wider campaign of repression launched in 2014. Since then, the Chinese government has detained over a million Uyghur and Kazakh citizens in what it calls "re-education centers." However, survivors, leaked documents, and satellite imagery have exposed these facilities as concentration camps where detainees are subjected to:

- Torture and inhumane treatment: Physical and sexual abuse, starvation, sleep deprivation, and forced labor are common.
- Forced renunciation of religion: Detainees are forced to denounce Islam, memorize Communist Party ideology, and pledge loyalty to President Xi Jinping.
- Sterilization and birth control campaigns: Uyghur women are subjected to forced sterilization and coercive birth control policies in what many experts have labeled acts of genocide.
- Cultural brainwashing: Uyghurs are punished for speaking their language, practicing their religion, or celebrating their traditions.

These camps, along with China's broader policies, are systematically eliminating Uyghur identity. The mass incarceration of Uyghurs also extends to retroactive criminalization of previously lawful activities, such as teaching religion, owning books in the Uyghur language, or attending weddings and other gatherings with religious content. Over 200 leading Uyghur intellectuals, artists, and scholars, like Dr. Rahile Dawut, a world-renowned folklorist, have been "disappeared" or sentenced to life imprisonment.

Destruction of Tibetan Identity and Cultural Heritage

China forcibly annexed Tibet in 1950 following an invasion, formalized through the coerced signing of the Seventeen Point Agreement in 1951. From the 1950s to the end of the Cultural Revolution in 1976, an estimated 1.2 million Tibetans were killed, and nearly all of Tibet's 6,254 monasteries were destroyed. The Dalai Lama fled to India after the Lhasa Uprising in 1959. Tibetan monastic populations were reduced by 93 percent, and the Chinese government has since implemented systematic measures to suppress Tibetan religion, language, and culture.

Current Campaigns of Suppression

1. Suppression of Religion:

- Monks, nuns, and laypeople face persecution for practicing Tibetan Buddhism.
- Reincarnation of Buddhist leaders now requires state approval, effectively giving the Chinese government control over Tibetan religious traditions.
- The Panchen Lama, recognized by Tibetans in 1995, was kidnapped and replaced with a state-selected figure, who is largely rejected by the Tibetan people.
- Monasteries are required to display portraits of Chinese Communist leaders and use Mandarin translations of religious texts.
- Protests, including self-immolations, continue despite violent crackdowns.

2. Destruction of Religious Sites:

- Major religious sites, including Larung Gar and other monasteries, have been demolished or drastically reduced in size.
- In Drago County, Buddhist statues and prayer wheel houses have been destroyed, with severe punishment for anyone opposing the destruction.

3. Reeducation and Monitoring:

- Monks and nuns are forced into reeducation programs promoting loyalty to the Communist Party.
- Citizens are penalized for expressing religious beliefs, such as hanging prayer flags or participating in religious activities.

4. Forced Relocations and Surveillance:

- Thousands of Tibetan families have been relocated to government housing far from monasteries, severing cultural and religious ties.
- DNA samples from large segments of the population, including children, have been collected under the guise of public security.
- Surveillance and repression extend to Tibetan communities abroad, with threats against families in Tibet used to silence criticism.

China's policies in Tibet represent a systematic effort to assimilate Tibetan culture into the Han majority, violating human rights and international agreements on cultural preservation and religious freedom. Critics argue that Tibet's cultural and religious heritage can only be preserved through global support and resistance to these oppressive measures.

Targeting Women, Children, and Families in Xinjiang and Tibet

China's repression disproportionately targets the most vulnerable: women, children, and families. Uyghur women are often arrested for minor or nonexistent "offenses," such as teaching children to pray or wearing traditional clothing. Children are separated from their families and placed in state-run orphanages and boarding schools, where they are indoctrinated with Communist Party ideology and stripped of their cultural and religious identity.

At least 880,000 Uyghur children are now in such institutions, according to the U.S. State Department. Tibetan-language schools have been shut down, and approximately 1 million Tibetan children are forcibly placed in boarding schools far from their families, where they are forbidden to speak Tibetan. The United Nations condemned this system in 2023, highlighting its role in cultural assimilation and linguistic erasure.

This deliberate destruction of family structure ensures that future generations of Uyghurs grow up disconnected from their heritage. Meanwhile, Uyghur activists abroad often face retaliation through the persecution of their families back home. This tactic silences dissent and demonstrates the reach of Beijing's authoritarian policies.

NY District Attorney Goes Beyond the U.S.'s Shameful Cultural Heritage MOU with China to Return Tibetan Artifacts to PRC

The New York District Attorney's Office's Anti-Trafficking Unit (ATU) recently returned 38 cultural artifacts, including Tibetan Buddhist objects, to the People's Republic of China (PRC). These items, said to date to the Yuan, Ming, and Qing dynasties, included bronze dorjes, ivory carvings, wooden sculptures, and mural fragments. The return, orchestrated by Assistant DA Matthew Bogdanos, occurred in a ceremony at the Chinese Consulate in New York and was celebrated in the Chinese press as a diplomatic success.

The return has drawn significant criticism, particularly from Tibetan leaders and cultural advocates. Lama Wangchuk Gyaltzen of Santa Fe, NM expressed outrage, highlighting China's historical repression of Tibetan culture, including the destruction of monasteries during the Cultural Revolution and current policies that suppress Tibetan religious and cultural expression. He argued that Tibetan artifacts should not be returned to the PRC but safeguarded until they can be preserved in a free Tibet.

The action was purportedly justified under the U.S.-China Memorandum of Understanding regarding cultural property. However, this MOU, which acknowledges the PRC's claim over artifacts of minority cultures like Tibetans and Uyghurs, contrasts sharply with U.S. policies that condemn China's human rights abuse in Tibet. Critics argue that the return of these artifacts undermines U.S. commitments to human rights and cultural preservation. The Dalai Lama has long advocated for the preservation of Tibetan culture outside of China, stressing its significance for global peace and understanding. Tibetan cultural heritage, including artifacts, has been safely maintained in U.S. museums and private collections. Advocates call for these items to remain in such safe havens rather than being repatriated to a regime accused of systematically erasing Tibetan culture.

The controversy highlights tensions between diplomatic agreements and the ethical obligation to protect the heritage of oppressed peoples. It also underscores the need for the U.S. to balance cultural repatriation policies with its commitment to human rights and the preservation of minority cultures.

U.S. Responsibility and Leadership

The United States has long been a global advocate for human rights and the protection of cultural heritage. The atrocities in Xinjiang test the credibility of America's commitment to these principles. If the U.S. does not lead the charge in holding China accountable, it signals to authoritarian regimes worldwide that such crimes can go unpunished.

Why the U.S. Must Act:

1. **Moral Obligation:** The scale and severity of China's actions meet the criteria for genocide under the Genocide Convention, which obligates signatories, including the U.S., to prevent and punish acts of genocide.
2. **Global Security:** China's repression of Uyghurs, Tibetans, and other minorities is part of a broader authoritarian strategy that undermines international norms and threatens global stability.
3. **Cultural Preservation:** The destruction of Uyghur and Tibetan heritage is an assault on global cultural diversity. Allowing these acts to continue without consequence sets a dangerous precedent for cultural cleansing elsewhere.

Proposed Actions

The U.S. must take a multi-faceted approach to address China's human rights abuse and the destruction of Uyghur and Tibetan cultural heritage. Below are actionable steps:

1. End the U.S.-China MOU under the CPIA:

- China fails to meet the legal requirements outlined in the Cultural Property Implementation Act (CPIA) for establishing a Memorandum of Understanding to restrict the importation of cultural property. Notably, China has not fulfilled the obligation to demonstrate that it has "taken measures consistent with the Convention to protect its cultural patrimony."
- The U.S. State Department's recent renewal of a cultural heritage MOU with China under the CPIA is a deeply concerning decision. This action effectively endorses China's imposition of a singular cultural narrative and its harsh persecution of religious and cultural minorities.
- China's actions are in clear violation of the International Religious Freedom Act of 1998 (IRFA), as well as the U.N. Charter and the UNESCO Convention.

- Upholding diplomatic relations does not necessitate abandoning core U.S. principles or entering into agreements that disregard the explicit requirements of the 1983 Cultural Property Implementation Act.
 - As the dominant global market for Chinese art and one of the most repressive authoritarian regimes in the world, China does not require U.S. assistance in controlling access to its cultural property.
2. **Strengthen Sanctions:**
 - Expand and enforce sanctions under the Global Magnitsky Act to target Chinese officials and entities responsible for human rights abuses in Xinjiang and Tibet.
 - Impose penalties on companies complicit in forced labor or surveillance in Xinjiang.
 3. **Mobilize International Coalitions:**
 - Lead efforts at the United Nations to hold China accountable, including calling for an independent investigation into crimes against humanity in Xinjiang and Tibet.
 - Collaborate with allies to create a coalition that pressures Beijing economically and diplomatically.
 4. **Protect Uyghur Diaspora Communities:**
 - Grant asylum to Uyghur refugees fleeing persecution and protect Uyghur and Tibetan activists abroad from Chinese intimidation and harassment.
 5. **Support Uyghur and Tibetan Cultural Preservation:**
 - Fund initiatives to document and preserve Uyghur and Tibetan culture, history, and language.
 - Partner with universities, NGOs, and museums to create archives of Uyghur cultural artifacts and oral histories.
 6. **Legislate Accountability:**
 - Pass legislation like the Uyghur Human Rights Policy Act and Uyghur Forced Labor Prevention Act to ensure that no U.S. entities are complicit in China's abuse.
 - The U.S. Congress and Senate have condemned China's actions in Tibet, emphasizing support for Tibetans' rights to self-determination and cultural preservation. This pressure must continue.
 7. **Raise Awareness:**
 - Support media, academic, and public campaigns that expose China's actions in Xinjiang and Tibet.
 - Highlight the stories of survivors and victims to counter Beijing's propaganda.
 8. **Encourage Multinational Accountability:**
 - Pressure international organizations, such as the International Criminal Court, to investigate crimes against humanity in Xinjiang.
 - Advocate for boycotts of international events in China, such as the Olympics, until significant human rights improvements are made.

Conclusion

The destruction of Uyghur and Tibetan cultural heritage and the ongoing human rights abuse in Xinjiang and Tibet represent an urgent crisis that demands a robust response from the United States. This is not just about protecting one ethnic group or one region—it is about defending universal principles of human dignity, religious freedom, and cultural diversity.

The U.S. must lead the global community in confronting China's authoritarian actions. This includes imposing meaningful consequences for crimes against humanity, supporting the Uyghur and Tibetan people in preserving their heritage, and ensuring that the world never forgets the atrocities being committed. The cost of inaction is too high. It risks emboldening China and other authoritarian regimes, undermining global human rights, and allowing an entire culture to be erased.

By taking decisive action, the United States can reaffirm its role as a global leader in the fight for justice and ensure that the Tibetan and Uyghur peoples do not stand alone in their struggle for survival and freedom.

Thank you for your attention to these issues of global importance.

Kate Fitz Gibbon, Executive Director, Committee for Cultural Policy, Inc.
Elias Gerasoulis, Global Heritage Alliance

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**United States House of Representatives
Congressional-Executive Commission on China**

“Truth in Testimony” Disclosure Form

In accordance with Rule XI, clause 2(g) of the Rules of the House of Representatives, witnesses are asked to disclose the following information. Please complete this form and attach it to your written testimony and it may be made publicly available in electronic format.

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Witness Signature

Date

*Witness Biographies***Geshe Lobsang Monlam, ordained Tibetan monk, AI enthusiast, and founder of Monlam Tibetan IT Research Center**

Dr. Lobsang Monlam was ordained at Sera Mey Monastic University, and pursued traditional Buddhist studies for more than 18 years before recognizing the urgent need to preserve the Tibetan language in the digital era. In 2003, he began developing Tibetan fonts and digital tools, including the widely used Monlam Dictionary and Monlam Tibetan Keyboard. In 2012, he established the Monlam Tibetan IT Research Center to promote Tibetan language and culture through technology, building 37 open-source software applications to date and amassing a vast library of digitized texts. In 2023, after receiving his doctorate in Library Science, he launched Monlam AI, a pioneering initiative using artificial intelligence to enhance Tibetan language learning, cultural preservation, and linguistic research with his latest innovation, the Monlam Melong (LLM). Dr. Lobsang Monlam's relentless efforts reflect the broader commitment of the Tibetan diaspora to preserve its linguistic and cultural legacy, as well as empowering a new generation to access and safeguard their cultural heritage as seen in projects like the Monlam Grand Tibetan Dictionary and the forthcoming Tibetan Digital Library.

Rowena He, Senior Research Fellow, University of Texas (Austin) and author of *Tiananmen Exiles: Voices for the Struggle for Democracy in China*; former Associate Professor of History at the Chinese University of Hong Kong until banned in 2023

Rowena He is a China specialist and historian of modern China. Her research focuses on the nexus of history, memory, and power, and their implications for the relationship between intellectual freedom and public opinion, human rights and democratization, and youth values and nationalism. Her first book, *Tiananmen Exiles: Voices of the Struggle for Democracy in China*, was named one of the Top Five Books 2014 by the Asia Society's ChinaFile. Her research has been supported by the Social Sciences and Humanities Research Council of Canada, Harvard University's Fairbank Center for Chinese Studies, the Institute for Advanced Study at Princeton, and the National Humanities Center.

Dr. He lectures and publishes widely beyond the academy in both English and Chinese. Her op-eds have appeared in the *Washington Post*, *The Guardian*, *The Globe and Mail*, the *Wall Street Journal*, and the *Nation*. She has been a keynote speaker for the Canada Human Rights National Symposium, testified at congressional hearings, and delivered lectures for the U.S. State Department and the Canadian Global Affairs Office. Her scholarly opinions are regularly sought by international media outlets. She was designated among the Top 100 Chinese Public Intellectuals 2016.

Dr. He received the Harvard University Certificate of Teaching Excellence for three consecutive years. Her teaching has been featured by both international and campus news including the *New York Times*, the *Wall Street Journal*, *Harvard Magazine*, and *Wellesley News*. She joined the Chinese University of Hong Kong in 2019 and received the Faculty of Arts Outstanding Teaching Award in 2020 and 2021. In 2023, she was denied a work visa to return to her position as an Associate Professor of History.

Born and raised in China, she received her Ph.D. from the University of Toronto.

Temulun Togochoq, U.S.-born Southern Mongolian activist and freshman, Mercer County Community College, NJ, enrolled in the Honors Program

Temulun Togochoq was born to a Southern Mongolian exile family and raised in New York City. She has actively promoted the human rights and freedom of the Mongolian people in Southern Mongolia, also known as "Inner Mongolia." In April 2023, Togochoq testified before the United Nations Permanent Forum on Indigenous Issues (UNPFII) 22nd Session in New York City on China's gross human rights violations in Southern Mongolia; in May 2023, Togochoq spoke at the "Conference for Empowering the Youth for Democracy, Peace and Justice" hosted by the Asia Freedom Institute; in August 2023, Togochoq was invited to speak at the "Indigenous Peace Talks Series No. 2: Genocide on the Mongolian Steppe: Inner Mongolia Indigenous Peoples of China" hosted by the United States Institute of Peace; in December 2023, Togochoq was interviewed by Mr. Roland Walters, a British documentary filmmaker, for his upcoming new documentary film entitled "The Mongol Khan" regarding her personal experience as a young activist born to an exile family in the

United States. In April 2024, Togochoog testified before the UNPFII 23rd Session about China's policies of erasing the language, culture, and identity of the Mongolian people in Southern Mongolia, and in September 2024, she spoke at the "Briefing of United Nations Member States at the United Nations General Assembly" on the deteriorating human rights conditions in Southern Mongolia. Togochoog was a member of the National Honor Society, and a High Honors Scholar at the Johns Hopkins Center for Talented Youth. She speaks English, French, and Mongolian.

Julian Ku, faculty director of international programs and Maurice A. Deane Distinguished Professor of Constitutional Law at Hofstra University

Mr. Ku's research has focused on the interplay between international law, foreign law, and domestic U.S. law. His writings cover a wide range of topics including international dispute resolution, international criminal law, and China's relationship with international law. He teaches courses such as U.S. constitutional law, U.S. foreign affairs law, international law, China and international law, and international trade and business law.

He is the co-author, with John Yoo, of *Taming Globalization: International Law, the U.S. Constitution, and the New World Order* (Oxford University Press 2012). He also has published more than 40 law review articles, book chapters, symposia contributions, and essays. He has given dozens of academic lectures and workshops at major universities and conferences in the United States, Europe and Asia.

He co-founded the international law blog *Opinio Juris* and is a contributing editor to *Lawfare*, a leading blog analyzing national security issues. His essays and op-eds have been published in major news publications such as the *Wall Street Journal*, the *Los Angeles Times* and *NYTimes.com*. He has been frequently interviewed for television news programs and quoted in print and electronic media. He has also signed or submitted amicus briefs to national and international courts and served as an expert witness in both domestic and international proceedings. He has served as interim dean of the Maurice A. Deane School of Law at Hofstra University as well as vice dean for academic affairs. He is a member of the New York Bar and a graduate of Yale College and Yale Law School.

Before joining the Hofstra Law faculty, Professor Ku served as a law clerk to Hon. Jerry E. Smith of the U.S. Court of Appeals for the Fifth Circuit and as an Olin Fellow and Lecturer in Law at the University of Virginia Law School. Professor Ku also practiced as an associate at the New York City law firm of Debevoise & Plimpton. He has been a visiting professor at Columbia University School of Law; the College of William & Mary Marshall-Wythe School of Law; a Fulbright Distinguished Lecturer in Law at East China University of Political Science and Law; and a Taiwan Fellow at National Taiwan University.

Rishat Abbas, Uyghur American and accomplished scientist; President of Uyghur Academy International

Dr. Rishat Abbas is a senior clinical research leader and scientist with 30 years of experience in the U.S. He has contributed to clinical research and approval of several innovative new medicines in oncology and other therapeutic areas. Dr. Abbas has authored over 150 peer-reviewed scientific publications and received several prestigious awards for his achievements. He received his Ph.D. from Ohio State University in 1994.

Beyond his scientific career, Dr. Abbas is a prominent advocate for human rights and democratic freedom for the Uyghur people suffering from human rights abuse, cultural destruction, and repression under the CCP regime. In 1998, he played a crucial role in advocating for the establishment of the Uyghur Program at Radio Free Asia. Since 2017, Dr. Abbas has been briefing U.N. and government officials on China's ongoing Uyghur genocide and crimes against humanity. He played a pivotal role in establishing the Global Uyghur Academy network, which has seven branches and four institutes in the diaspora. He also serves as a senior advisor for the World Uyghur Congress and Campaign for Uyghurs.

The advocacy of Dr. Abbas and his sister Ms. Rushan Abbas has come at a profound personal cost, with their sister, Dr. Gulshan Abbas, unjustly imprisoned since

2018—a glaring example of the regime’s attempts to silence dissent. This ordeal underscores their remarkable courage and dedication in the face of such significant personal sacrifice.

