

# CHINA IN 1989 AND 2015: TIANANMEN, HUMAN RIGHTS, AND DEMOCRACY

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## HEARING BEFORE THE CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA ONE HUNDRED FOURTEENTH CONGRESS FIRST SESSION JUNE 3, 2015

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**WEDNESDAY, JUNE 3, 2015**

CONGRESSIONAL-EXECUTIVE  
COMMISSION ON CHINA,  
*Washington, DC.*

The hearing was convened, pursuant to notice, at 10:02 a.m., in room HVC-210, Capitol Visitor Center, Representative Christopher Smith, Chairman, presiding.

Also present: Representatives Randy Hultgren and Trent Franks.

### **OPENING STATEMENT OF HON. CHRISTOPHER SMITH, A U.S. REPRESENTATIVE FROM NEW JERSEY, CHAIRMAN, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA**

Chairman SMITH. The meeting of the Commission will come to order, and good morning to everybody. Thank you for being here.

Twenty-six years ago, the world watched as millions of Chinese gathered to peacefully demand political reform and democratic openness. The hopes and promises of those heady days ended with wanton violence, tears, bloodshed, arrests, and exile. Mothers lost sons, fathers lost daughters, and China lost an idealistic generation to the tanks that rolled down Tiananmen Square on June 4, 1989.

Tiananmen Square has come to symbolize the persistent and brutal lengths the Chinese Communist Party will go to remain in power. This event has done more to negatively shape global perceptions of China than any other in recent history.

We remember the Tiananmen Square massacre here in Congress because of its enduring impact on U.S.-China relations. We remember it also because an unknown number of people died, were arrested, and exiled simply for seeking universally recognized human rights and freedoms.

We also remember Tiananmen Square because so many people were arrested last year for trying to commemorate the anniversary in China. We remember this date each year because it is too important to forget and because it is too dangerous to commemorate in the People's Republic of China.

The Chinese Government should allow open discussion on the Tiananmen protests and end the enforced amnesia surrounding the events of 1989, and more importantly, the Chinese Government should take responsibility for this needless national tragedy that occurred on June 3 and 4, and continued as people were hunted down. Those who had fax machines were followed, arrested, and incarcerated.

Sadly, it seems that a China led by President Xi Jinping will not take such responsibility. President Xi and top Communist Party leaders regularly unleash bellicose attacks on universal values, Western ideals, and revisionism of the Party's history.

The domestic screws on dissent have tightened considerably since Xi Jinping assumed the presidency. Over 230 people have been detained for their human rights advocacy and peaceful efforts at political reform. A number of rights groups are calling this the largest crackdown in two decades.

The Chinese Government rounds up not only reformers, but those who defend them. It views most Uyghurs as security threats and then jails Uyghur intellectuals peacefully seeking ethnic reconciliation. It not only smothers Internet freedom and its domestic media, but threatens foreign journalists and spurs self-censorship from Harvard Square to Hollywood.

The Chinese Government also threatens foreign citizens or foreign institutions who speak out for greater human rights. The family members of Canada's Miss Universe, for example, were threatened for her outspokenness about human rights.

Also, China's new and troubling NGO [non-governmental organization] law could bar an American university from China, or even detain its representatives in China, if a campus student group stages a protest in the United States against the Chinese Government's treatment of Tibetans, Christians, or Falun Gong, the detention of Liu Xiaobo, or the criminal tragedy of China's 35-year one-child-per-couple policy, with its reliance on forced sterilization and forced abortion.

U.S. policy must support Chinese advocates who promote human rights and political reform and stand firm for U.S. interests and greater freedom and democracy in China. Our strategic and moral interests coincide when we support human rights and democracy in China. A more democratic China, one that respects human rights and is governed by the rule of law, is more likely to be a productive and peaceful partner rather than a strategic and hostile competitor.

We should remember this fact as we watch China building bases and threatening free and open sea lanes in the East and South China Seas. The United States must also make strong appeals to China's self-interest; the rule of law, freedom of the press, and independent judiciary; a flourishing civil society; and accountable officials who would promote all of China's primary goals: economic progress, political stability, reconciliation with Taiwan, good relations with America and the rest of the world, and international stature and influence.

At the same time, the United States must also be willing to use political and economic sanctions to respond to gross violations of human rights in China, torture, prolonged and arbitrary detention, forced abortions, psychiatric experimentation or organ harvesting from prisoners.

That is why I introduced yesterday the China Human Rights Protection Act of 2015, H.R. 2621. This bill will deny U.S. entry visas and issue financial penalties to any Chinese official who engages in gross violations of human rights.

I would note parenthetically that in 2000 I authored a Foreign Relations Act and it contained a provision that we put in that said that anyone who is complicit in forced abortion and forced sterilization can be denied, and must be denied, entry into the United States.

Sadly, the administration has not—and I repeat, not—enforced that law. We will continue to ask them to simply follow the rule of law here and preclude access to the United States by those who abuse women in such a horrific way.

The United States must show leadership in this regard and it must send a very strong message. The worst violators of the rights of the Chinese people, those who abuse universal freedom with impunity, should not prosper from access to the United States and our economic or political freedoms. Again, this new bill would cover all the gross human rights violators and, again, preclude their entry to the United States.

It is tempting to be pessimistic about China's future and the future of U.S.-China relations. I am not a pessimistic person, but I am hopeful. Constant repression has not dimmed the desires of the Chinese people for freedom and reform. While the hopes of the Tiananmen Square demonstrators have not yet been realized, their demands for universal freedoms continue to inspire Chinese people today and it has passed on to a new generation.

We have with us today participants of the Tiananmen protests of 1989 and new generations of advocates for democratic openness and for human rights. They fight for universal freedoms. They fight for the release of their families, their fathers. And they fight for reform and a future China that protects human rights. It is the new generation that will inspire change in China.

I believe that someday China will be free. Someday the people of China will be able to enjoy all of their God-given rights, and a nation of free Chinese men and women will honor, applaud, and celebrate the heroes of Tiananmen Square and all of those who sacrificed so much, for so long, for freedom.

I would like to now introduce our very distinguished panel to this Commission hearing, beginning with, first, Dr. Teng Biao, who is a well-known Chinese human rights lawyer, a Harvard University Law School Visiting Scholar, and Co-founder of the Open Constitution Initiative.

Dr. Teng holds a Ph.D. from Peking University Law School. As a human rights lawyer, he is a promoter of the Rights Defense Movement and a co-initiator of the New Citizens Movement. In 2003, he was one of the "Three Doctors of Law" who complained to the National People's Congress about unconstitutional detentions of internal migrants, and he has provided counsel in numerous other human rights cases.

We will then hear from Lisa Peng, who is the daughter of Chinese human rights and pro-democracy activist Mr. Peng Ming, who was kidnapped in Burma by Chinese secret police and sentenced to life in prison in 2004. Lisa is currently a freshman at Harvard. She was born in Beijing and suffered doubly as a second child by being denied official legal recognition. As we all know, that is one of the ways that they impose sanctions on those who have a second-order birth, as they call it.

In 2000, her family fled the government persecution and was accepted by the United States as UN refugees in 2001. Lisa continues to work with the ChinaAid Association, the State Department, and Members of Congress to advocate for the release of her father and other prisoners of conscience.

We will then hear from Ho Pin, a journalist and director of the News Department at Shenzhen News, who is originally from Hunan and participated in the 1989 movement. Ho left China for Canada after Chinese authorities started investigating him because of his writings and analysis of political events in China.

Ho Pin established the Mirror Media Group in Canada in 1991 and the Chinese news website Duowei News in 1999. Mirror Media currently includes five independent publishing houses, five magazines, three websites, a bookstore, and an online bookstore. Ho Pin has worked in mainland China, Hong Kong, and Taiwan with news as a reporter, editor, and executive.

We will then hear and welcome back for a return trip, a man who has been a great staunch defender of human rights and a great thinker, strategic thinker, Michael Horowitz, CEO of the 21st Century Initiative, who has led a broad range of human rights coalitions and has played major roles in the passage of such human rights legislation as the International Religious Freedom Act, the North Korea Human Rights Act, the Trafficking Victims Protection Act, and the Sudan Peace Act, just to name a few.

Mr. Horowitz has been especially active on behalf of Tibetan Buddhists, Christians, Falun Gong believers, and Uyghur Muslims. He has also provided vital assistance to the organizations dedicated to fighting Internet censorship and penetrating China's Great Firewall.

He served as general counsel of the Office of Management and Budget during the Reagan administration and again has provided this Commission and the Human Rights subcommittees in both the House and the Senate with tremendous insight and counsel over the many years.

We will then hear from Dr. Yang Jianli, who is a scholar and democracy activist internationally recognized for his efforts to promote democracy in China. He has been involved in the pro-democracy movement in China since the 1980s and was forced to flee China in 1989 after the Tiananmen Square massacre. In 2002, Dr. Yang returned to China to support the labor movement and was imprisoned by the Chinese authorities for alleged espionage and illegal entry.

Following his release in 2007 and his subsequent return to the United States, Dr. Yang founded Initiatives for China, also known as Citizen Power for China, a non-governmental organization that promises China's peaceful transition to democracy. Again, he, too, has provided tremendous insights over the years to this Commission, as well as to the Human Rights committees in the House and the Senate.

I would like to now ask Dr. Teng Biao if he would proceed.



**STATEMENT OF TENG BIAO, A WELL-KNOWN CHINESE HUMAN RIGHTS LAWYER; HARVARD UNIVERSITY LAW SCHOOL VISITING SCHOLAR; AND CO-FOUNDER, THE OPEN CONSTITUTION INITIATIVE**

Mr. TENG. Thank you very much. Twenty-six years have passed, but the killing did not end in 1989. Many interested citizens labeled “Tiananmen thugs” have been executed in custody and repatriation centers, detention centers, prisons, reeducation through labor camps, and various black jails; countless deaths have been due to state violence.

Citizens die at the scenes of forced demolitions or enter the iron face of civil city management. Since 1999, at least 3,860 Falun Gong practitioners have been clearly tortured to death. Since 2009, at least 140 Tibetans have self-immolated in protest of the authorities’ brutal domination.

As the activists are captured and tortured, the gunfire of Tiananmen is echoing in the background. The Tiananmen massacre sustained the Party system, since the Party showed its two faces in 1989, and its rough treatment of the Chinese people has become even more brazen.

Partly because of not having unions and not having the freedom to assemble and go on strike, there is the advantage of the lack of human rights through government collusion and extreme eco-redistribution, China has achieved rapid economic rise. But many social and political problems are behind this economic growth: pollution, ecological crises, and widespread unsafe food products, corruption, and clashes between citizens and authorities.

The Chinese Government has never stopped its crackdown on people’s resistance. Since Xi Jinping came to power, he has issued a harsh, comprehensive crackdown. More than 1,500 human rights defenders have been arrested and detained. Some of them were brave enough to promote political activities, but many focus only on rural libraries, LGBT rights, and so on.

Internet censorship is increasingly strict. Document No. 9 reflects the severe control over ideology in universities, the Internet, and the media. Gao Yu, a 70-year-old renowned journalist, was sentenced to seven years, accused of leaking state secrets.

Three important laws have been drafted and will pass soon. The State Security Law, Counterterrorism Law, and Foreign NGO Management Law. This law legitimizes human rights violations. Foreign NGOs will be seriously affected and many will have to leave China.

Public security bureaus inside of the civil affairs bureaus will be given the power to ratify and supervise foreign NGOs. The counterterrorism law requires Western IT companies to provide encryption keys and source codes.

More recently, a Uyghur Muslim was sentenced to six years in Kashgar for refusing to shave off his beard and his wife was imprisoned for two years for wearing a burqa.

The Panchen Lama has been disappeared for 20 years. Some relatives and friends of Tibetan self-immolators were detained and sentenced for assisting in the self-immolation.

Christian churches were destroyed and some pastors were jailed. Falun Gong and other religious group members were detained and

tortured, imprisoned in legal education centers and other black jails. Many lawyers were harassed when challenging the legal education centers, with at least four of them suffering broken ribs from beatings. More forced demolitions have happened and petitioners are facing harsher punishments than before.

In general, the current comprehensive crackdown is seen as the worst since the 1989 Tiananmen Square massacre. I do not deny that there are some improvements and reforms, but the major driving force for these changes and reforms has been the people, as a result of probing, pressure, and prices paid by the rights lawyers, democracy activists, and other human rights defenders.

There must be something wrong with the petitioners and business people. So as to not inflame the Chinese Communist Party, they do not dare to meet with the Dalai Lama. To gain Chinese markets, they disregard violations of human rights. To receive large orders for goods, they, one after another, adopt appeasement policies toward the Communist autocratic regime. Democratic countries join in the AIIB [Asian Infrastructure Investment Bank].

Beijing watchers and the researchers self-censor, even to the point that they defend despotism. But now is the time for the West to re-think and adjust its policies toward China. A strong, repressive political power is threatening not just the Chinese people, but the entire world. Only promoting a truly free China comports with the long-term interests of humanity.

The Chinese Communist Party [CCP] will not last forever, but the Chinese people will continue to live on that soil. The day will come when the United States must deal with today's Chinese prisoners of conscience locked away and filled with suffering, Liu Xiaobo, Xu Zhiyong, Ilham Tohti, Pu Zhiqiang, and others.

Last, some recommendations. First, pass an act to prohibit Chinese perpetrators who are responsible for human rights violations from entering the United States and other democratic countries. Support Chinese human rights defenders, political prisoners, and real NGOs. Give a voice to permanent activists, just as the West has done with the Dalai Lama, Liu Xiaobo, and Hu Jia.

Stop the cooperation with the Chinese Government's organized NGOs, or GONGOs, which are helping the Chinese Government to suppress human rights and freedom, for example, the All China Lawyers Association and the Chinese Human Rights Association.

Make sure that the Confucius Institute, scholars and students, federations and other government-sponsored programs do not violate academic freedom and human rights. Punish the American companies and individuals who have cooperated with the CCP to suppress freedom and human rights. Help to develop technology to circumvent Internet censorship.

After 26 years, the symbolism and meaning inherent in that world-famous picture still needs understanding. A young person, solitary, standing in front of a tank has communicated the terror and blackness of tyranny and communicated the Chinese people's brave resistance to tyranny. History will require us to answer one question: Do we stand on the side of the tank man or on the side of the tank? Thank you very much for hearing me. Your ideas, your voices, and your votes will influence China and bring more freedom and human rights to this planet.

Chairman SMITH. Dr. Teng, thank you very much for your testimony, for your very specific recommendations, and again, we deeply appreciate, on the Commission, your input, especially as we prepare the next iteration of our report, which hopefully will bear truth to power and speak truth to power in Beijing and anywhere else where there is a willing listener. So, thank you so very much.

I would like to now ask Lisa Peng if she would provide her testimony.

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

**STATEMENT OF LISA PENG, DAUGHTER OF CHINESE DEMOCRACY ACTIVIST PENG MING, FRESHMAN AT HARVARD, AND TEDx SPEAKER**

Ms. PENG. Honorable Chairman and members of the Commission, thank you for inviting me to testify at today's hearing on Chinese authorities' treatment of democracy and human rights. These are the values all of us here have the freedom to discuss today, but the same values for which my father, Peng Ming, is serving a life sentence in China.

Two years ago, I debated at the City Club of Cleveland's High School Debate Championship on the topic of whether the United States is justified in intervening in the internal political processes of other countries to stop human rights abuses.

Each year, the City Club of Cleveland provides two high school debaters the opportunity to debate in a room historically renowned for celebrating the freedom of speech. As I researched the topic of human rights abuses in preparation for the debate, I learned about the moral obligation of countries to protect human rights and the fundamental role human rights ought to play in foreign relations.

I realized that despite such a moral obligation, it is easy to stand by as human rights are abused; it is easy to passively accept human suffering. This topic was personal for me because my father is serving a life sentence in a Chinese prison, branded a criminal by the Chinese Government because of his work advocating for human rights.

My journey to advocate for the release of my father and for human rights in China began two years ago with a debate topic that piqued my interest in learning about those rights and about my own father. I had always known that I am his mirror image and that we both share a love for the art of debate, but beyond that I did not know much else; after all, my last memory of him is from 11 years ago. Thus, I began to piece together a timeline of my father's life and my family's journey of escape to America.

My father is an environmentalist, an economist, and a human rights activist. He is the author of "The Fourth Landmark," a book on China's economic and political growth that was sponsored by the Ford Foundation. He was also the founder of China Development Union, a think tank established to address the censored topics of rule of law and human rights.

However, in 1999, the Chinese Government shut down his think tank and sentenced him to 18 months of labor camp. His crime? Passionately advocating for human rights and freedom in China.

Upon his release, the government wire tapped our house, began following our car, and even threatened my father with a second ar-

rest. It became too dangerous to continue living in China and so my family decided to flee political persecution.

We eventually made it to Thailand, where we were granted UN refugee status. On August 29, 2001, we landed in the United States, the land that stood for us as a beacon of freedom, human rights, and rule of law. For the first time, we experienced freedom of expression and justice, not as values confined to an underground think tank, but rather as values championed by a nation.

In the United States, my father continued his human rights work. In 2004, he went to Thailand to establish a safe haven for political refugees. However, he was lured to Myanmar, kidnapped by Chinese secret police, and quickly sentenced to life in prison.

The UN Working Group for Arbitrary Detention has determined that the deprivation of my father's liberty is in contravention to the Universal Declaration of Human Rights. Furthermore, my father is a U.S.-based dissident with UN refugee status who escaped political persecution in China, therefore, his kidnapping is in violation of non-refoulement which forbids the return of a victim of persecution to his persecutor.

My father has also been deprived of his right to due process, as he was denied access to a lawyer and a jury of his peers, rights we take for granted here in the United States.

That debate resolution two years ago prompted my journey to discover who my father is and the values for which he stands. While I had the privilege to debate in a room that celebrates the freedom of speech, my father remains locked in a room built to silence and punish prisoners of conscience.

It has been a decade during which I have been privileged to receive an American education and learn about freedom, democracy, and justice, but a decade during which my father has remained in prison with no medical care for fighting to secure those very same values.

As an American citizen, I cannot merely stand by and passively accept the denial of these fundamental freedoms. In the past two years, I have worked with Members of Congress to advocate for my father's freedom and for the freedom of thousands of other political prisoners in China.

Although the support from U.S. Congressmen has given me great hope for my father's release, I know that his case is only the tip of the iceberg. There remain thousands of prisoners of conscience and innocent Chinese civilians who suffer the same denial of basic freedoms. If we do not speak up, there will remain no hope for human rights in China and activists like my father will continue to suffer.

Sadly, the human rights issue is one that is easily ignored in light of pressing economic and political concerns. China has become the world's second-largest economy and a major trading partner of the United States. Powerful economic interests want us to turn a blind eye to China's human rights record.

Respecting America's values and standing up for human rights has never been easy and it is not easy now, but is that not what the promise of America is really about? Though I am no politician or expert in this field, I have learned through debate that human rights are the foundation from which meaningful and effective dis-

cussions of economics and politics must proceed. The values and interests are so often not just parallel, but the same.

In fact, these are the same values and fundamental freedoms on which our great nation was founded. As someone who was rescued, raised, and educated by this country, I feel that I owe the United States my utmost gratitude.

However, gratitude for one's country is not demonstrated by passive acceptance of our country's actions, but in active scrutiny. We show our love and gratitude for our nation by holding it to the highest of standards, the standards on which it was founded.

In doing so, I have realized that the issue of human rights is not only political, it is personal. It is a personal commitment to speak up, it is a refusal to remain silent, it is acting on the principles that we read about, write about, and talk about at hearings like these.

It is the efforts of the Congressional-Executive Commission on China, Congressman Smith and Senator Rubio, who speak up and take a stand on human rights that give me hope for the future. They give me hope for the possibility of telling my father in person how much we have all cared about him and his dream for China's future. They give me hope for the possibility of securing human rights in China and for paying the utmost respect to the values on which our own great country was founded, the values for which I hope it will always stand.

Thank you.

Chairman SMITH. Ms. Peng, thank you so very much. I can only say, as a father of two daughters just a little bit older than you, your father has to be so very proud of you. Thank you for, as you said, your refusal to remain silent. You have not remained silent. Frankly, I would never want to debate you. You really are very articulate and very persuasive. Thank you so much.

We now will turn to Mr. Ho Pin for his testimony.

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

#### **STATEMENT OF HO PIN, PRESIDENT AND CEO, MIRROR MEDIA GROUP**

Mr. HO. Representative Smith and Senator Rubio, thank you for giving me the opportunity to stand here today and to give voice to a brave Chinese journalist, Ms. Gao Yu, who has recently been imprisoned on fictitious charges for the third time. The 71-year-old Gao Yu merely fulfilled her duty as a journalist and shared the truth that she knew with the public. Gao Yu's case is not isolated. More and more writers, thinkers, and human rights lawyers are being illegally detained or imprisoned. This includes the Nobel Peace Prize winner Liu Xiaobo, economist Ilham Tohti, writer Xu Zhiyong, lawyer Pu Zhiqiang. The list goes on.

Over the years, many people have stood in this very spot, urging the world to pay attention to China's human rights abuses. But, this solitary light in the darkness has not been able to illuminate China's blatant violations or pierce through the smog shrouding all the injustices. Therefore, I do not want to take that route again and focus solely on China's human rights issues or to condemn the Chinese Government like others have done before. I want to raise some questions instead.

With its deteriorating human rights records, why is China getting stronger by the day? Why are Chinese leaders getting more popular in the international community? Is China building its national strength for the sole purpose of jockeying for the number one position with the United States? Will China engage in a war with the United States and its Asian neighbors such as Japan and the Philippines? Will the world return to a cold war?

These are not new questions. American experts have already provided some answers. Some scholars believe that there is a secret “bamboozling” department within the Communist Party. It has designed strategies that have successfully deceived the world and gained China several decades of time to develop.

Some say the rule of the Chinese Communist Party is already approaching its end and the regime is on the verge of collapsing. Others claim that U.S.-China relations have deteriorated to a critical point and that the United States should throw China some candies to lure it back to the right track.

So what are my views?

First, I believe that China has risen, and it has, as advertised, risen peacefully. China is the world’s No. 2 economy and has splashed huge amounts of investment across the globe. Millions of wealthy Chinese travelers flock to every famous tourist site and the most expensive department stores. It would be impossible to close your eyes and ignore China’s rise. The only thing China has yet to achieve is the No. 1 position in the world.

At the same time, China’s rise has not led to any wars. Even though the Chinese Army has been acting like a belligerent hormone-raging teenager in the South and East China Seas over the last few years, I don’t think the Chinese leadership has plans or the desire to start a war in Asia. Especially when they are not psychologically prepared to lose a war. The most arrogant and bold military commanders can merely strike a pose through minor incursions or the intimidation of the militarily weak Philippines. With the exception of its strategic missile defense systems, which aim to deter, rather than invade, the Chinese army does not yet have the ability to project its power around the globe. Even in the Pacific region, Chinese Navy and Air Forces are not capable of a sustaining war against Japan and the United States.

In other words, China lacks the ability to launch a large-scale war in the Pacific theater in the foreseeable future, not to mention launching a world war like Nazi Germany did. China does not have the capability, nor the guts. It is not their intention. There is no Adolf Hitler in China. More importantly, the Chinese leadership does not see the necessity.

In addition, China has no plans to engage in a cold war with the West, the United States included. The current political system in China cannot be defined in conventional terms. It is neither socialism, nor capitalism. It is not an empire in the traditional sense. It is a mongrel. One of the most famous maxims of Deng Xiaoping states that “It doesn’t matter whether a cat is white or black, as long as it catches mice.” Therefore, the end justifies the means. While this pragmatic philosophy has contributed to China’s rapid economic growth, it also turned the Chinese political system into a two-faced monster the likes of which one normally sees only in

computer games. Like the legendary cat that has nine lives, it is adaptable and resilient.

As a consequence, many incomprehensible things have happened—the ruling Communist Party has defied expectation and lived on. The government can blatantly repeat something that is universally acknowledged as lies. For example, the Communist Party is promoting an anti-West agenda in its internal documents. The Communist Party's propaganda machine distorts truths about Western democracies to prevent the pursuit of democratic values by its citizens and to threaten its citizens who are trying to demand the rights to select their own leaders, criticize their governments, and use the law to protect themselves. On the other hand, the Communist Party has long abandoned socialist theories. Many leaders are big fans of Western democratic societies. They send their children to study in the West or secretly help their relatives who intend to emigrate. Some view the fact that they can visit the West as a badge of honor. I have met and talked with many Chinese officials when they traveled in the United States, and hardly anyone was a true opponent of Western values. On the contrary, they all agree that a democratic system can guarantee fairness and bring stability to the country.

In other words, the Chinese leaders have no intention of building another Berlin Wall. Neither do they plan to start a cold war with the West. They have no desire to impose their systems on the West because they cannot even define the kind of political system China has. There is no Stalin in China and nobody wishes to be his disciple. President Xi Jinping has heaped praise on Putin, but his praise has its own purpose. President Xi admires Putin's personal power. It is true that the Chinese president stood side-by-side with Putin to inspect the troops in the Red Square a few days ago, but that doesn't mean that China and Russia can establish an alliance against the United States. Mistrust of Russia by the Chinese Government and people is deep-seated and hard to dispel.

Third, the conflicts between China and the West are not about ideology or cultures. The mainstream religion, in China has long served as a tool to unite all factions of society. Religion, a tamed pussycat, is becoming an integral part of the Communist Party. The Chinese are not capable of starting a holy war against the West. They would not even dare. Nationalism is nothing more than lip service. The Chinese leaders use this type of neurotic nationalism to cover up their empty and phony ideology. No leaders would want nationalism to become fanatical and get out of control. Overheated nationalism could set the house of the Party on fire.

If the above are true, why are we worried? We should not only be concerned but also alarmed. It's not a matter of which country will be the world's number one. The changes in China will impact the world. If China can integrate itself into the civilized world, in which people's rights and self-determination are respected, the world will enter a new era. Mankind can truly base their thinking and policies on a common destiny. If the Chinese Communist Party, with its terrible records on human rights and stellar results in economic development, is allowed to continue, it will not only bring disaster to the Chinese people, but also destruction to the whole world. It is neither an actual war with weapons, nor is it a

cold war between two ideological camps. It is not a conflict of cultures and value systems. China's mongrel and pragmatic nature has made its system more adaptable and more powerful. Its ability to destroy the world's political and biological environments and to spread such destructive power is beyond even its own expectation. A virus starts with just a few patients. Soon, it spreads to every corner, causing a worldwide outbreak. This is what China will do to the world—destroy the very foundation of human freedom.

What I want to emphasize is that this is not what the Chinese leadership envisioned 30 years ago. Neither is it the political ambition of the current leadership. The current situation is the consequence of human weakness, the short-sightedness of politicians of the West, the insatiable greed of unscrupulous capitalists, and the distorted social and political structure in China. Together, they have created such a virus, or at the very least, they have provided opportunity for it to mutate and spread.

Two months after the Chinese Government brutally cracked down on the student movement in China on June 4, 1989, President George Bush provided prompt support for Deng Xiaoping through his secret envoy. The collapse of the former Soviet Union and East European Communism made many politicians in the West complacent. They forgave and accepted the paranoid and humble Chinese leaders. In return, Deng Xiaoping and his successors initiated open door and economic reform policies. These reforms did not bring any political progress. Instead, China took advantage of the technology from Hong Kong, Taiwan, and the West and the benefits of the WTO to boost its economy at the cost of social equality and its environment. Once the Communist Party strengthened its power through its strong economy, it went on to undermine Western opposition to China's human rights practices.

Now, the Chinese leadership practically does not care at all about the pressure from Western public opinion because politicians and businessmen from around the world are salivating at China's immense purchasing power, investment, and markets. It is no exaggeration to say that today, Chinese leaders are the most well-received, honored guests in a majority of countries worldwide; China is the destination for many of the world's elite who thirst for gold.

Beijing tightly controls the freedom of the press. They could cut off Google and Yahoo! anytime; they had refused visas for New York Times journalists, and blocked access to Twitter and Facebook. All without impunity. While at the same time, they can set up any media they would like in the United States. They provide free trips to Chinese language media chieftains in the West to receive training in China, and they even hire secret hackers to attack independent Chinese media outlets overseas. Ironically, China, which screens, censors, and bans any print and electronic publication, has been invited to serve as the country of honor at book fairs in Frankfurt, London, and New York.

Hollywood is the epitome of free American culture; filmmakers are free to ridicule, mock, and criticize American politicians and government officials such as senators, judges, and the president, without fear of persecution. But in their pursuit of China's box office dollars, Hollywood executives have consciously decided to steer clear of any criticism of the Chinese Government. Despite this,



American movies are still censored in China, and some are not allowed at all.

Given these circumstances, does China's leadership have to risk it all and start a war? Does China have to close its doors once again and restart the cold war against the West? They can get everything they need and they can reject everything they do not want.

The problem lies in the fact that the West pursues short-term economic interests by ignoring the worsening of Chinese people's rights. Western corporations scrambled to do business with China regardless of the record of human rights violations. A desire for profit with no social conscience encourages the growth of this new style of politics in China. It is tantamount to striking the core of every lesson Chinese officials learned about conducting their political business worldwide. Meanwhile, the cash that the Communist Party waves in their hands has made it possible for the China virus to spread unencumbered in the world, causing the value of Western freedom to grow weaker, feebler, and more and more susceptible to illness.

China was never a threat before. It was the Western world that has made the Chinese leadership think the West could easily be threatened.

So what can we conclude? No one can figure it out, because no one is consciously aware; to a certain extent, we have all been infected by the virus. Otherwise, we would not feel so confused and lost, so powerless. And because of our inaction and complacency, Gao Yu, Liu Xiaobo, Ilham Tohti, Wang Bingzhang, Xu Zhiyong, and Pu Zhiqiang are languishing in prisons. Chinese citizens who died 26 years ago in Tiananmen Square and now lie in the ground have turned into lonely ghosts wandering in the wild. Dawn has yet to arrive in China. If we continue along this muddy, murky road, we will also be swallowed by the darkness.

The reason that I'm standing here today is that the scene I saw 26 years ago in Tiananmen Square still has not faded from my memory. I share the pain of those who lost friends and relatives in Tiananmen Square. I firmly believe that things could change if America were to wake up from its vacant and passive view of China. America is not a narrow-minded nationalist empire. America represents the values established by people who pursue the dream of freedom. This means that America is destined to be responsible for people who are pursuing similar dreams in other countries. I am not advocating war between China and the United States. I absolutely do not want confrontation between China and the United States. I do not think it is necessary for another Pearl Harbor to wake up the American people. I hope that America will become the driving force for democracy and human rights in China. The very least we can do is to take actions that will not encourage the continued growth of a dangerous political virus in China that values cash more than freedom and human rights. We can, and should, work to assure the Chinese people their dignity, to assure a long-term friendship between the United States and China, and to assure the security of the cornerstone of freedom for the whole world.

Chairman SMITH. Thank you so very, very much.

Without objection, I would like to put Mr. Ho Pin's April 28 New York Times op-ed, just a few days ago, into the record, "Gao Yu's Real Crime." Without objection, so ordered.

We are joined by Commissioner Randy Hultgren. Randy, thank you for being here.

We will now go to Michael Horowitz.

[The article appears in the appendix.]

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

**STATEMENT OF MICHAEL HOROWITZ, CEO, 21ST CENTURY INITIATIVES, A WASHINGTON, DC THINK TANK**

Mr. HOROWITZ. Thank you, Mr. Chairman. This is an important hearing because it sends a signal that efforts to cast the Tiananmen massacre into the memory hole may not—hopefully will not—succeed. You are keeping the flame, the candle, flickering, and maybe more than that. That is the purpose of this hearing, and it means a great deal.

It means a great deal not only because we remember and think of the bravery and the courage of the people who stood up for democracy, but Congressman Hultgren, I want to say to you what I have said to Congressman Smith. It really gets to the core strategic issue of the 21st century.

We talk about terrorism and we have got to focus on it, but the 21st century will largely be defined by one question: Will China become a democracy. If the answer is yes, we will compete in terms of who builds better cars and computers.

If the answer is no, in a nuclear age particularly, the risks will be extraordinary, and indeed as to terrorism there will be a protector and defender and financier of terrorists throughout the 21st century.

I worked in the Reagan administration when the United States confronted the Soviet Union. I think the risks of China remaining a dictatorship, for China itself and for the world, greater by orders of magnitude than they were during the years that Ronald Reagan tried to deal with the Soviet Union.

And so this hearing, and some of the people here are the people standing for the hope that the 21st century will not be, God forbid, bloodier than the 20th has been.

Human rights is the focus here, and what do we do? You have heard from some of the witnesses, and I know about this in personal terms. My wife, a physician, went to China last year and was detained by the Chinese to give medical attention to Ju Yufu, a man in jail for seven years for writing a poem.

I just heard yesterday the awful news and the marker of why this hearing is important and attention is important. Ju Yufu's wife visited the prison and her visits are being cut down. His phone calls are not being permitted. They're not even giving him medication for some of the grave medical conditions he's confronting, including an aneurysm, vascular sclerosis, enormously high blood pressure. He is at risk of death and the Chinese are indifferent to that. And all these other cases—Lisa's case of her father in jail.

Well, what does one do? Let us begin with the fact I believe that China is the least ideological country in the whole world, and that, for China, policy is made on a cost/benefit analysis basis. If the

costs exceed whatever benefits they get for keeping North Korea alive, for keeping Lisa's father in jail, if those costs exceed the benefits, China will change its policy. Ronald Reagan understood that that's how dictatorships operate and that was the basis on which he dealt with the—I love the word former—former Soviet Union.

So the first thing it seems to me that needs to happen is that we must raise our voices about these human rights cases, as Ronald Reagan raised his voice about the Soviet Refuseniks and Pentecostals. Add to that, Congressman Smith, your visit to Perm Camp No. 5. These were the kinds of things—they were not just blowing in the wind, they were powerful political forces that ultimately changed history.

Today's silence flies in the face of an American history where Theodore Roosevelt complained about Soviet pogroms, and Ronald Reagan and Jimmy Carter raised human rights issues. The fact that we have abandoned that history sends a signal to China that it is free to keep these people in jail. We are a country with a history where values and interests have been closely aligned and when we move away from that equation, dictatorships understand that they are free to do whatever they want.

So we do not even have the option of silence. Silence is not a neutral factor, it is a negative factor, and has great negative weight. So speaking out counts and we can make things happen when we do. I wish this President did so more and understood what he could gain by doing so.

The second thing regarding China is, I think, to focus on the United Nations. We provide—we write the check for, what, 25 percent of its budget. Lisa has talked about how her father is a designated refugee by the United Nations, entitled under international law to be free.

The fact that he is in jail is in naked, open Chinese violation of its UN treaties. This violation is even more particularly important as China remains the force that keeps North Korea alive. North Korea is Tiananmen every day. Its regime stays alive because of the Chinese Government. Well, there is leverage that we have. The United Nations has been silent and appeasing of China as, in violation of law, China sends back North Korean refugees to death camps.

Why do we not use our leverage on the United Nations through the appropriations process to speak out? There is evidence that the China-UN treaty actually gives the United Nations the right to take China to binding arbitration. I have talked to the High Commissioner for Refugees and they are scared stiff of doing that.

Well, that is because China is applying the pressure and we are not. We have leverage to move the United Nations to be a force speaking out against China's treatment of political dissidents and North Korean refugees. It will make a great difference if we do that.

Now let me get to the big one, the Chinese Internet firewall. Do not take my word that it is the big one. Hu Jintao has said that if China cannot maintain the "purity of the Internet," it cannot maintain the "stability of the socialist state."

Tens of thousands of China's ablest IT people are at work in its firewall bureaucracy, and China spends billions of dollars to keep

its Internet firewalls going. Such firewalls are the Berlin Walls of the 21st century. It is not bricks and stones and barbed wire as much as it is electronic firewalls that isolate and control millions of people in the world's closed societies, and very particularly in China.

Now I know Congressman Smith knows this, but Congressman Hultgren, the Board of Broadcasting Governors [BBG] gets \$750 million a year and we cannot get them to allocate \$20 million to hold an Internet firewall breakthrough competition. That is less than 3 percent of its budget.

We cannot get the State Department to do it. We have given money for Internet freedom and that money has gone down a hole and has had no immediate effect. But a \$20 million breakthrough competition mandated under the FY 2016 appropriations bill, which the State Department can fund via access to the Economic Support Fund [ESF] could make history.

If State and the BBG split the cost of such a competition, it would take 0.1 percent of the ESF and 1.5 percent of the BBG budget. Instead, the BBG now thinks its core mission—in the 21st century—is as a radio operation and dedicates 95 percent to radio and little to Internet firewall circumvention. And it does so with the GAO [Government Accountability Office] saying \$150 million of its spending is duplicative.

I have friends at the BBG and know that there is an internal struggle to move the agency into the 21st century, and they are good people. But the present bottom line is what Senator Tom Coburn said: That the BBG is “the most worthless organization in the Federal Government.” That is saying an awful lot. We cannot get them to hold a competition to achieve an Internet freedom breakthrough.

Now, why is that important? Hear me, Congressman Hultgren. The two most senior people at the Board of Broadcasting Governors have said in writing that \$20 million would be “very likely” to achieve such a breakthrough, and they have been even more affirmative in private conversations. They acknowledge that \$20 million will permit, within eight months, the following: 25 million closed society residents a day would have access to the same Internet that you and I have. The President of the United States would have an at-will capacity to speak to the people of any country at any time of his choosing on their cell phones.

Now to get to this hearing: 500,000 house church Christians in China would be able to participate in a worship service hosted in the United States and do so interactively. We could have 200,000 Iranians in a town meeting in and out of Iran and we could do it within eight months for 0.1 percent of the ESF and 1.5 percent of the BBG budget, where 20 percent of it right now is spent for waste and duplication. This is the real stuff of history and we can make it happen.

Congresswoman Granger sits on the Appropriations Committee for the BBG. Under the current appropriations bill, the FY 2015 bill, the BBG is clearly authorized to do this. Well, a letter was sent two years ago by former Congressman Wolf, whose role I hope you will take, Congressman Hultgren, as the amigo to Chris Smith standing up for human rights. He can almost do it alone, but not

quite. Frank Wolf wrote that letter, along with Roy Blunt and Jean Shaheen and John Boozman to the BBG saying, do that \$20 million competition.

So we really need to achieve Internet firewall breakthroughs—and you have seen demonstrations of what field-tested systems can do, Congressman Smith.

And by the way, the State Department was asked why we are not doing this and the answer was because China would “go ballistic” if we did. Internet firewall circumvention is the most cost-effective peaceful means of advancing American national interests and it has not happened.

Now, let me just say, if I may, that people like former Senator Joseph Lieberman understands this, as does former Congressman Frank Wolf. They have seen demonstrations of what can be done just to scale up field-tested systems that have now survived billion-dollar attacks by China. It is just a question of getting more IP addresses and servers for those systems.

We can have 25 million by May 2016, at the latest. Let us assume that somehow it does not happen. How in the world can we not spend \$20 million as against the Chinese spending tens of billions of dollars and the Iranians the same? We have dropped out of a peaceful war that the Iranians and Chinese say is critical to their survival.

So I hope from out of this hearing will come renewed determination. Let me add that Senator Lindsey Graham writes the checks on the Senate side and I hope he, too, will play that role to allow a free Internet to make history. I think it is there to be made. Taking China’s word—not mine, not anyone else’s—taking Iran’s word, can allow for the Berlin Wall of our time to be peacefully brought down.

That is what we can do to honor those people who are now in jail, Lisa’s father and all the people in those photos over there, and I hope it will be done. Thank you for hearing me.

Chairman SMITH. Thank you very much, Mr. Horowitz, for that very impassioned and insightful presentation. I, too, have seen the demonstration, about a three-hour demonstration on how the Great Firewall can be pierced. It is gross negligence on our part that we have not availed ourselves of that technology and others that do exist or potentially could exist and the \$20 million, as you said, is a mere drop in the bucket.

The reason for the “no,” I do believe, is that there is that undue fear, a cowering, if you will, by BBG and others where they do not want to infuriate the Chinese dictatorship. It is just that simple. If we pierce, as you said, the modern-day equivalent of the Berlin Wall, although 21st century, it could make a huge difference. So, thank you.

Dr. Yang?

Mr. HOROWITZ. May I just say one thing for the record? You spent three hours watching the demonstration, Congressman Smith. I do not want to frighten other Members of Congress into thinking it will take that long to learn what can be done. We could not stop you from taking the three hours. We wanted to leave the room and you wanted to see more of the demonstration, but I would say we could do it in 20 minutes. If we can get some of your

colleagues to watch this demonstration for 20 minutes they would understand how close we are to making history.

Chairman SMITH. Thank you, Mr. Horowitz.  
Dr. Yang?

**STATEMENT OF YANG JIANLI, PRESIDENT, INITIATIVES FOR CHINA/CITIZEN POWER FOR CHINA**

Mr. YANG. Thank you, Mr. Chairman and members of the Commission. Thank you for hosting this important hearing.

Today we the panelists want to cover three distinct but related points. First, when it comes to Tiananmen, why we must never forget and why we must counter, as your Commission has persistently done, China's desperate attempt to infect both its people and the outside world with amnesia about these tragic events.

Second, we want to stress the need to pierce the facade of President Xi Jinping's phony reforms. Third, we want to address the ultimate question of what can the Congress and the administration do to strengthen human rights and democratic values in China?

Since both my long written statement and my fellow panelists have covered the first two, I will focus on the third in the rest of my opening remarks. After the Tiananmen massacre, Americans of all political persuasions and faiths joined in the protest of the slaughter of innocents.

Their outreach showed that human rights issues are not partisan issues, but when it came to trade relations with China there was a big debate. One side of the debate led by Representative Nancy Pelosi asserted that U.S. trade relations with China must be linked to China's human rights record. This idea was embodied in Pelosi and Mitchell's legislation in 1993.

When President Clinton reversed the policy in Representative Pelosi's proposal, he made a terrible mistake. The reversal was based on the theory which was widely upheld by corporations, columnists, pundits, and policy makers that trade would inevitably result in more political freedom and guaranteed basic human rights. In order to test that confident prediction, Congress established this Commission which Congressman Smith chairs.

Under its mandate, the Commission has annually examined just how much China's economic growth and interaction with the world has led to real civil liberty and political freedom for its citizens and each year the Commission's clear conclusion has been: not very much.

That finding is consistently echoed in the annual human rights records of the State Department, U.S. Commission on International Religious Freedom, international human rights groups, and by the testimonies of my fellow panelists today.

The lessons are very clear. We must abandon the delusion that economic growth will bring human rights and democracy in China in the foreseeable future. Instead, Americans of conscience should insist that their government confront China on human rights issues. They should demand that their government openly condemn China's violation of basic human rights and demand the release of its prisoners of conscience.

They should express support for those in China briefly asserting or defending the human rights of others and receiving brutal pun-

ishment for their good deeds, They should support such congressional bills as the China Human Rights Protection Act that you, Congressman Smith, just introduced yesterday, and the Global Magnitsky legislation that you and Representative McGarver introduced earlier this year.

We applaud and fully support these worthy initiatives, but in closing I would like to suggest you carefully consider another proposal that is at the same time more fundamental. Congress should pass a simple, short and sweet China Democracy Act.

We, Initiatives for China, recently hosted our 10th annual Inter-Ethnic Inter-Faith Leadership Conference. It was attended by a great many members of faith groups, ethnic minorities, and advocates in China and abroad of democracy, civil liberties, and human rights.

At its conclusion, we passed a resolution which I want to expand on today. It calls on Congress to enact a China Democracy Act, recognizing that advancement of human rights and democracy in China is in America's national interest and calling for an annual assessment of whether the American Government is advancing or actually undermining those goals.

In the early 1990s, I and many others believed that it would take only a few years and not much outside physical assistance from the U.S. Government to achieve those goals. But we over-estimated how soon those briefly resisting in China could educate the people about the need for a peaceful transition when their voices were being silenced by prison and brutal torture and their speech was blocked by modern technology.

At the same time, the Chinese Government has never stopped discrediting China's democracy movement with the claim of American policy to provide it with secret assistance. In fact, the U.S. Congress has never passed something as simple as a China Democracy Act, stating American policy to advance human rights and rule of law and democratic values in China. It is shocking to me that there is no such law at the present time.

That brings me to the resolution proposed by our conferees a few weeks ago for the China Democracy Act. This would not be a non-binding resolution. Instead, it would be binding legislation flatly stating congressional judgment that advancing human rights and democratic values in China is decidedly in America's national interest.

That precludes the currently widespread but inaccurate claim that the Congress must balance on the one hand its claim to support the universal value of human rights and on the other hand America's national interests.

The bill also would require a report from the President to Congress every year on how government programs, policy, or action during the prior 12 months has strengthened human rights and democratic values in China and, equally important, how any program, policy, or initiative has weakened human rights and the democratic values in China.

All Federal departments of government, every single one, should have to report on what they are doing to bring democracy to China by advancing human rights and the rule of law there. The act also put them on notice to take no action, adopt no policy, and imple-

ment no program that would undercut the democracy movement or weaken human rights in China.

Such a China Democracy Act and annual presidential report would give us a better idea of what success we have had so far, what caused them, and how we should increase the financial resources and deploy them to promote democracy and human rights in China. Without such legislation, I very much doubt we will be on track and on course to succeed in what we dreamed of back in 1989.

Thank you, Mr. Chairman.

Chairman SMITH. Dr. Yang, thank you very much, again, for your steadfast support for human rights defenders and for democracy and freedom in China for all of these years, for the personal sacrifice you have made, and for this recommendation. As you know, with the China Human Rights Protection Act, it would specifically sanction Chinese Government officials, create a China human rights documentation center for NGOs [non-governmental organizations], and require a report to Congress.

So I think we are paralleling, but any additional ideas you might have on how we can beef that up, I think you just, in your written testimony, have provided some of that. We will absolutely take it into consideration. So, thank you for that very important input that you have provided.

Let me just ask a couple of questions and I will yield to my good friend and colleague, Commissioner Hultgren.

First, Lisa Peng, when you testified before the committee, my subcommittee a couple of years ago before Xi Jinping's first trip, you and the other four, five daughters in total—we actually called it the five daughters. It was a hearing of five daughters, all of whom—and Michael, you will remember that hearing very, very well—have a dad who is incarcerated, is a human rights defender, and you were all very eloquent that day, as you were again today.

You had asked—all of you had asked—to meet with President Obama and I will never forget. It was so touching. You said, "Well, he has two daughters, he will understand and he will listen to us when we make an appeal on behalf of our fathers." We tried for six months through letter, phone calls, and every other way we could think of to get the President to meet even for 15 minutes with the five daughters, and Xi Jinping came, a missed opportunity if ever there was one when he was here.

But he will be coming again and I will again reach out to the President. I hope he will hear that appeal that he meet with you and the other four daughters before he again meets with Xi Jinping to raise the cases of your dads.

So we will do that by way of letter, we will include your testimony from today, and then the other five testimonies from that last hearing. You know what the answer was that we got back from the President of the United States, which I find absolutely appalling? He said—or they said on his behalf—he does not have the time.

When you say you do not have time for something, you have not stated a fact, you have stated a priority. The fact that five wonderful daughters was not a priority, that needs to change and the



President needs to find his voice. I am glad—when it comes to human rights—I do not care who is in the White House.

I have never shied away, and I have been here 35 years. When there was a Republican that was being neutral—and there is no such thing as being neutral. I think your point, Dr. Yang, a moment ago about pushing forward or not, neutrality is being on the side of enabling and complicity. I was very glad that you pointed out, Ho Pin, in your testimony—I believe it was yours. Let me just find it again—yes.

When you talked about how George Bush sent a special envoy. It was Brent Scowcroft, National Security Advisor, to reassure Deng Xiaoping that we were okay maybe not with what was actually happening, but that we would not create ripples and problems.

When Frank Wolf and I went a couple of years ago to Beijing Prison No. 1 where Tiananmen Square activists, 40 of them with heads shaved, looked just like a concentration camp from the news reels from the 2nd World War in Nazi Germany, very gaunt men who were doing slave labor in Beijing Prison No. 1, 40 of them were Tiananmen Square activists. Even then we thought, how could President Bush have reassured the dictatorship that all is well?

As you also pointed out, it was Clinton, Dr. Yang, who first linked most-favored-nation status with progress, significant progress—operative phrase—with regard to human rights and then infamously de-linked it when there was significant deterioration which gave the cue, gave the nod to the dictatorship that profits trump human rights every day of the week.

So to me, that was a reneging that said that it was not a priority for us. We need to regain our voice and we need to do smart things like Mr. Horowitz is advocating to break the Chinese firewall. Again, we will ask again that the President meet with you and with the other four daughters, five in total, to bring up these issues.

I would point out for the record that on June 25 we are going to be chairing—in my subcommittee, I am going to be chairing—a hearing on American universities in China and academic freedom. We have invited NYU and they have said “yes.” It has been a year—in invitations—for them to come.

Dr. Jeffrey Lehman will be testifying, as will others, to raise this issue of whether or not we are on the side of promoting democracy, human rights, and freedom or whether or not we are enabling the dictatorship in that country and actually making them even more effective in their dictatorship and their repression.

Mr. Horowitz?

Mr. HOROWITZ. Congressman Smith, may I make one recommendation to you as in advance to the Xi Jinping visit? Get in touch with George Schultz, would be my recommendation. He tells this great story of Reagan’s great breakthrough of when the Soviet Ambassador came to him and said, “What is going on with your boss? I try to talk to him about ruble stabilization and nuclear war and whatnot, and all he wants to do is talk about Jewish Refuseniks and Pentecostals. I can’t do any business with him.” And Schultz, who was very shrewd, said “I have got the same problem. If you want to deal with Ronald Reagan you have got to start re-

leasing Pentecostals and you have got to start treating Refuseniks differently.” Of course, that happened and with it cracks began to develop in what was thought to be a 10-foot thick Russian Iron Curtain wall.

So former Secretary Schultz, one of the most distinguished Americans, understood what speaking out for dissidents in dictatorships can produce. I think if he could speak out and tell the story about this simple bargaining 101 strategy and its effectiveness, he could be a great ally before the Xi visit if you could get him to tell that story.

Chairman SMITH. That is a great story. The lessons learned from the Soviet Refuseniks and the Jewish Refuseniks is a great one. I went to Moscow many times during the Soviet dictatorship and Schultz always met with the dissidents first, then met with his Soviet interlocutors. We have asked President Obama to do the same thing on his trips to China: meet with the dissidents, listen to them, provide an umbrella of protection and concern and empathy for their plight.

Mr. HOROWITZ. But here is the point: Even if you did not empathize a fig about fingernails getting pulled out of pastors or life sentences of dissidents like Lisa’s father and so forth, history teaches you that if you want China—Reagan understood this with the Soviet Union—to talk about weapon systems, to talk about all the bilateral issues that the State Department regards as important, the best bargaining technique to make this happen is to start talking about human rights. They then change the subject and start to bargain on those other issues.

So the lesson to be learned here is that this is not just—they put your efforts down, the efforts of the three of you here, as some knee-jerk reaction. That is very nice, thank you very much, they tell you, but we are big boys talking about the big issues, and human rights controversy gets in the way.

They do not understand history in the way Ronald Reagan did and the way it has happened, in the way Teddy Roosevelt talked about pogroms on the Soviet Union in 1900. Human rights advocacy is a great power tool to get dictatorships to start coming to terms on all the issues. They fear it most, are most vulnerable, if we talk about human rights. So it is a Bargaining 101 issue here and it is that history that ought to be communicated to the Obama administration, I think.

Chairman SMITH. Before yielding to Commissioner Hultgren, let me just say, Dr. Teng, you made a very profound statement when you said “History will require us to answer one question: Did we stand on the side of tank man or on the side of the tank?” That is just very profound and unfortunately I will not even say the jury is out; we have enabled and stood on the side of the tank as a society and as a government.

Mr. Hultgren?

Representative HULTGREN. Thank you. So good to be with you. I appreciate the incredible work that all of you are doing. I also am so honored to be with two of my heroes. Chairman Smith just is a tireless fighter for life and for freedom and for human rights. It is so powerful. And my good friend Trent Franks as well. Both are incredible mentors to me and it is a privilege to be a part of this

Commission and know that we will—absolutely can and will—make a difference together. So, thank you.

I have a couple of questions, if I could. I apologize, I had a couple of hearings this morning and so missed some of the early statements, but wanted just to follow up on that.

Dr. Teng, I wonder if I could ask you quickly about current crackdowns on freedom of speech, association, assembly, and religion that have begun after Xi Jinping took office, and why do you think this crackdown has been so severe?

Mr. TENG. Thank you. Yes. As I have mentioned today, the Internet, universities, the NGOs, human rights defenders are facing a very severe crackdown. First, we can see the Communist Party feels the ideology increasing, especially as we analyzed Document No. 9.

We can feel the Communist Party is fearing the possible or the potential color revolution so much and they think the Western NGOs, the Western information, media, universities are influencing Chinese intellectuals as well as ordinary people. Besides the ideology crisis, we know that the Party is also facing a lot of social and political problems that clashes between the people and the comments and the Xinjiang Uyghur area and Tibetan area and the gap between the poor and the rich.

Many, many mass protests are related to corruption or pollution or land-taking. So superficially we can see that the Communist Party is very, very strong and powerful and confident, but in reality obviously the Party feels insecurity. They are not confident. Thank you.

Representative HULTGREN. Thank you.

Ms. Peng, thank you for being here. I want you to know, certainly for myself and others, your father and your family are in our thoughts and prayers and we appreciate so much your strong voice certainly fighting for him, but for others as well.

I wondered—and again, I apologize I was not able to hear your testimony—if you could just give a brief update to me and to others, and if you have already covered this I apologize, but how your father is doing, his health, is he getting proper food and care? When was the last time you communicated with him, and what your sense is of his current condition?

Ms. PENG. Thank you for being here today. My father is still suffering from poor health with no medical care. He has suffered from many heart attacks, kidney stones, bronchitis, arthritis. He has been serving his life sentence for the past 11 years and, frankly, it is a miracle to me that he is still surviving and motivated to continue to live.

I think this is because he has faith that the United States will stand for its own values, the same values for which my father fought. I think he has faith that the United States will understand that its values and its interests are one and the same, and for that he continues to exercise, to write, and to do whatever he can to push through.

His courage to continue to live is what inspires me to continue advocating for his freedom here in the United States because if he who has spent 11 years in prison can still have hope that the United States will stand for its values, then I certainly do. Like

Mr. Horowitz said, I think it takes Bargaining 101. I think it requires the United States to speak up, to mention the names of people like my father, to use to its advantages China's contempt for international law.

In fact, China has made it easy for us, the United States and the international community, to take action and make a case for political prisoners like my father, because much of what they've done is illegal, even according to their own law. For example, my father is a U.S.-based dissident with UN refugee status who fled persecution, so his arrest in Myanmar by Chinese police violates the principle of non-refoulement. He was denied his right to due process, he has suffered the past 11 years from no medical care, and his requests for medical parole have all been ignored. So I think China's contempt for rule of law makes it easy for us to support cases like my father's and to bring up his name.

Representative HULTGREN. Well, thanks. Your father, his example, certainly is inspiring and quite honestly convicting to me and to us, as well. I know we can, and need to do and must do, more. So thank you again for being a part of this and being here today.

Can I have time to ask one more question? Is that okay?

First of all, before I have a question, Mr. Horowitz, thank you. I am in, whether it is the 20-minute version or the 3-hour version I definitely want to. Let us schedule that and maybe see if we can get some other colleagues to join in as well, because that is to me, again, unconscionable and, with such an incredibly small investment, the world change that could happen with that, so I definitely want to see that.

I wonder if I could just kind of wrap up, I guess, Dr. Yang, just to ask quickly. It appears many human rights advocates and legal defenders in China also belong to religious institutions that exist outside of state control. I wonder if you could discuss how China's religious communities play a role in fostering human rights awareness and political reforms.

Mr. YANG. Thank you for your question. Before I answer this question I want to follow up with Teng Biao's answer to your previous question just now. There was a New York Times article a few days ago. The title is, "China's Security Laws Elevate the Party and Stifle Dissent." Mao would approve. "Mao would approve" means China is on the way back to the Cultural Revolution. Mr. Ho Pin, in his opening remarks, mentioned Gao Yu.

Gao Yu, for your information, is a 71-year-old journalist who was charged with leaking state secrets. What she gave out to the international media actually was the CCP's [Chinese Communist Party] Document No. 9, which actually states the seven no-speaks or seven perils. I will just give you an idea of what is in it.

The seven perils are: constitutional democracy, press freedom, market economy, universal values, civil society, independent judicial system, and CCP past mistakes. So you can see that censorship has been brought to another level ever since Xi Jinping assumed his leadership.

Back to your question. The religious groups are playing a very important role in China. There is no civil society, nor any independent organizations allowed in China. The Chinese Government is suspicious of any organization because if people organize they

can do more than individually. An organized force is always a threat to the Chinese Government.

But you understand that religious groups are so committed, they are more committed than other civil groups, so they come together and become a very important force, demanding freedom. So they may just begin with a freedom of religion approach, but in the end they will help China liberalize in other fields as well. I will just give you one example.

There is a house church organization which is very big in China, especially in Beijing. When their members form NGOs on environmental issues, for example, the Chinese Government tries to target them. But when they understand that there is a big religious group behind them, they will be more careful dealing with them.

So I think religious groups are playing a very important role. But at the same time, religious groups have received persecutions, severe persecutions in the past two decades. Falun Gong practitioners are the most severely persecuted in the past two decades, so we cannot forget them and we should continue to advocate for the imprisoned religious people in China.

Representative HULTGREN. Is it okay if Mr. Horowitz comments just quickly?

Mr. HOROWITZ. I really do apologize, but I think this is so central. I am doing it because Congressman Franks is here and you have been the leader on the issue of religious persecution, and very particularly in China.

I want you to know that in doing so you are not just out there protecting Christians, you are making a difference for human rights throughout China. When we first, with Congressman Smith and former Congressman Wolf, tried to pass the International Religious Freedom Act [IRFA], the New York Times was saying how could these right-wing Christians be out there speaking for this minority sect when all these great Chinese human rights heroes—I forget, senior moment, the name of the great one who was in jail for like 15 years. Wei Jingsheng—and the columnist at the New York Times said why aren't they focused on Wei Jingsheng?

Well, Wei Jingsheng got out of jail while we were trying to pass the IRFA bill and he became its No. 1 advocate. He did so because, he said, if the word goes out to the Chinese people that the regime cannot even burn down a church, there will be freedom for political dissidents, for artists, for everybody in China. That was exactly the story of what protecting Pentecostals and the Soviet Refuseniks did. It sent out the word that there was freedom for everybody.

I am a Jew who has worked on Christian persecution. I am in such awe of these Christian groups in China and the leadership and the courage they exercise, and the fact that they are the spear points for freedom for everybody.

I will just tell one last story of a major figure—I do not want to name her—in Chinese human rights efforts. She was very, very successful in China in the fashion industry and she tells the story about how she thought her life just was hollow. She was making money but, she said, “but I do not want to wind up with lots of pretty dresses. There's more to life than that.”

So a friend of hers said, “Why don't you go to church?” And she said, “Oh no, come on, no church for me, I'm not into that sort of

thing.” The friend bugged her and finally she went to church. She said when she went in that church in China, a house church, she said, “For the first time in my life in China I walked in a room and everybody was smiling.” She had never seen that. She has become a very devout, quietly committed Christian whose bravery emanating from her faith has her dealing with one-child policies, and dealing with all sorts of human rights advocacy.

So your question could not be clearer that when we—when you, Congressman Franks—protect religious leaders who are persecuted in China, you are protecting every atheist in China, every activist in China. That is what history tells us and that is what is happening in China right now.

Representative HULTGREN. Thank you. I yield back.

Chairman SMITH. I would like to yield to Chairman Franks. Commissioner Franks serves as Chairman of the Constitution Subcommittee on the Judiciary, but he also is the Chairman of the Religious Freedom Caucus in the House.

Representative FRANKS. Well, it would be better if I left the room because I cannot improve the circumstances here on my behalf at all. I appreciate the kind words. I just say to you that I know that it seems obligatory always, but I truly believe that Chris Smith, when it comes to human rights in the Congress, is the four-star general. He is the man that when people ask me about something, sometimes they get a blank stare and I say, ask Chris. He has been a hero of mine for a long time. I have watched Congressman Hultgren ever since he has been here. He has always been on the side of human dignity and freedom.

Let me just say, while we are walking along that road, those of you that have been activists for human rights and human dignity and human freedom on China, I do not think you could possibly understand the importance of your role because you bring to the whole world the recognition inside a country that is not known for human rights.

You are bringing the whole world the reality. If you win China today, you will win the world tomorrow. You have an opportunity to be a catalyst for the most profound kind of change and I just cannot express to you the affection and the respect that I feel for you for that commitment.

Not to patronize you, Mr. Horowitz, but when you made the comments a moment ago about the notion if we focus on human rights, that sometimes it drives our potential partners to the table on some of these other issues. I have got to be very open with you, that never occurred to me.

I always thought, well, when you speak of human rights you are speaking of the greater issue because if we can create a collective, introspective examination of these countries, their own heart, that maybe that will change things in a big way and we will not be adversaries. But still, your words spoke very powerfully to me and I found them extremely compelling and I was embarrassed that it had not occurred to me before because I could not agree with you more.

When we speak of the true foundational issues in some of these countries that have an intrinsic—not only a fear of discussing that, but a recognition of their own failure in that regard, it pushes

them over and at least we get some efficacy in our discussion with them.

Then one other thing I would mention and then I will have one question for everyone. That is the whole notion, again, Mr. Horowitz—that he mentioned, when we talk about religious freedom it is the cornerstone of all other freedoms. If we have religious freedom, out of it flows free speech and a lot of other wonderful things.

Countries that practice religious freedom do not find themselves at war with each other most of the time. They do not find themselves enemies of the human family. Those who practice religious freedom do not suggest that we have no differences, they simply suggest that we can be kind and decent to each other in spite of those differences. It is, in my judgment, one of the great hopes of humanity. Again, no one practices that more than you.

So I would have one question for all of you. I did not mean to give a speech, Mr. Chairman, but I have one question for all of you. In a very brief way so that we can kind of take advantage of the time here, because I believe that you all have a collective and a derived wisdom here and understanding of the real challenges we face, you can apply it to China or to the greater cause of religious freedom and human rights.

If you could say to America one brief thing that you think we should either know as a people or do as a people to ameliorate this tragedy of people across the world not having the recognition for the fact that they were created in the image of God, this human dignity that is intrinsic to all human beings, this religious freedom, this freedom to be human, could you just give me your top line thought and then I will turn it back to the Chairman with gratitude.

Mr. Biao, first. Dr. Teng?

Mr. TENG. Yes. I would say that religious freedom is the most fundamental of human rights and I hope that the United States and Western democracy can mediate and take strong action to punish the perpetrators of violating religious freedom, to stop these perpetrators from entering the Western world.

Representative FRANKS. Have any thoughts?

Ms. PENG. I would say that the reason we should care about religious freedom in other nations, not just in our own, is that the fundamental freedoms that come from religious freedom, are the values on which our nation was founded. In order to respect our own values and to hold our own actions to the highest standards, we need to continue to promote religious freedom and other freedoms in other nations. So in a sense this is about what we can do to respect our own nation's values as much as it is about promoting freedoms around the world.

Representative FRANKS. Thank you.

Mr. HO. My sentence would be that if human rights freedom in China cannot be improved, then America's foundation on human rights and freedom would be also impacted. It will bring the erosion of U.S. freedom. In this New York book fair, the Chinese officials put out their books. In China, you do not even have the freedom to publish books, but the Chinese officials can bring their own books to a book fair in New York.

Representative FRANKS. Thank you.

Mr. HOROWITZ. Can I just modestly shift the question? I do not think the issue is reaching the American people, I think they are reached. I do not think the issue is reaching Members of Congress. For the most part, they are reached and those who are not do not dare vote the other way. The real question is congressional strategy that can be effective. I think we send the wrong signal when bills get introduced and they do not get passed. It tells China they are scot-free.

So I have a very specific suggestion as a former general counsel of the Office of Management and Budget. I hope that you, Congressman Smith, can gather together 40 or 50 Members and come up with a package that is effective but doable in the FY 2016 appropriations bill when you take up the State Foreign Operations appropriations bill.

Yang Jianli has talked about an annual report. Requiring it is the sort of thing that can go in an appropriations bill, which can do the very thing Jianli wants done in his stand-alone bill. I think that a provision in the coming FY16 bill that does not merely authorize but mandates a break-through competition for Internet firewall circumvention would be another provision that could go in a reform package.

Something else would deal with the United Nations saying that the United Nations must do *X* to enforce its treaty, which China regularly breaks. That is the tool, in my judgment, to get Lisa's father out of jail, to force China to live up to its treaty obligation, to get the United Nations much more aggressive on that score. I would be happy to work—and many of us would be happy to work—with a small group to help produce such a reform package.

But if you could get 50 Members, bipartisan, Congressman McGovern, others, on a bipartisan basis to approach Speaker Boehner, Congressman McCarthy, Congressman Rogers, Congresswoman Granger and the House leadership and say this is what we have got to have in the FY 2016 foreign operations appropriations bill, the leverage you could exercise and the reforms you could achieve would be enormous.

I think you can put some very historic things in the FY 2016 bill. You have got Congresswoman Granger who starts on your side, and Congressman Rogers for sure on your side. So I think that by just working effectively, quietly at the beginning, you can promote religious freedom and liberty with powerful tools, signals, and real actions that will not involve just talking. And you can do it within the next month or so in the FY 2016 appropriations act. Thank you.

Representative FRANKS. Well, Mr. Chairman, I hope that we can follow up specifically and practically and definitively and proactively—and use all these other kind of words—I mean, in other words, seriously about this because I think the man makes a lot of sense.

Mr. HOROWITZ. You just whistle, I will be there.

Dr. Yang Jianli.

Mr. YANG. Thank you, Congressman Franks, for your question. As a Christian, I understand how important religious freedom is. It is so important that people can find the source of their con-



science and also they can act according to the convictions of their conscience.

In China, there is no religious freedom. At this point I want to bring to your attention what is happening in China. The Chinese Government has been making great efforts to demolish churches in a few provinces, mostly in Zhejiang province. That happened because the Party Chief saw the church was taller with the cross. It is taller than the Party Committee's building so he felt jealousy of the influence and jealousy of power, so he ordered the demolition of many churches in Zhejiang province.

So that gave us an example that a one-party system can never guarantee religious freedom. That is something we try to change in China. At this point I want to mention to you, Congressman Franks, before you leave that I think America has had lost opportunities in the past two decades to change China right after the cold war.

The mistake was made simply because what I called the compartmentalization of policies which put human rights against national interests of the United States. So today in my opening remarks I emphasized advancing human rights and democracy in China is in America's interests.

Representative FRANKS. Absolutely.

Mr. YANG. There is no such law in this country to say it, to regulate the Federal Government's work in that regard. I bring with me today two books. One is by former Congressman Barney Frank and another is by former Secretary of Treasury Henry Paulson. Both books talk about the case that they worked together to get my freedom, how they worked together, one from Congress, the other from the executive branch. They worked together.

Actually, they got my release when Secretary of Treasury Paulson went to the first U.S.-China Strategic Economic Dialogue, which is not about human rights on the surface, but in the meeting he mentioned my case and pressed the Chinese Government to release me, he said, literally said, "This case is very important for me. If you want to continue the dialogue, you have to respond." Then they responded and released me just two weeks later.

Representative FRANKS. Yes.

Mr. YANG. So that is the example. That shows how the congressional members, the Congress and the executive branch, can work together for human rights even on occasions which on the surface are not human rights issues related.

So what I advocate is we have to end compartmentalization of American policies and to link every single work of the U.S. Government to human rights because it is in the interests of this country. Thank you.

Representative FRANKS. Thank you.

Mr. Chairman, I have come to a lot of your hearings and they are always very insightful, but I think this one has been especially so and I hope we follow up on what Mr. Horowitz and some of the others have said. Thank you for your commitment. Thank all of you.

Mr. HOROWITZ. Congressman, I apologize for talking so darned much, but this is such a rich hearing. I agree with you. I cannot let Jianli discuss his imprisonment without telling, very quickly, a

little bit about him. He had a five-year sentence in jail, much time in solitary confinement.

This man wrote poetry in his own mind while he was in solitary confinement and he published it afterward. But what happened was, the Chinese said after a period of time, "We will let you out and as soon as you get out of prison we are going to kick you out of the country."

He said—and this is the bravery of these dissidents like Jianli—"Well, you cannot tell me when to leave my country. It is my country. I will leave when I think the time has come." "Well," they said, "that is okay but we will stick you in jail for your full term." He said he was ready for that. I do not know, he probably served another year or so in jail just to send that signal of freedom and independence and patriotism.

But it also sends the message that this dangerous guy—and the Chinese knew how dangerous he was—got released when a Secretary of the Treasury said quietly we ought to do it.

I would say one other thing on the religious side. Xi Jinping may be making a strategic mistake. He is going a little too far. He is not being shrewd here.

On the religious side, one thing that ought to be on the table at this hearing is that the Three Self-Patriotic churches, which used to be held out as patriotic Chinese believers supporting the Communist regime, they are now being subject to persecution so that the Three-Self churches and the House Church movements are working together and becoming allies—and this is a great movement that is happening and developing in China.

As Congressman Smith knows, both are now on the same side more and more which creates a critical mass of protesters so that the power of the Christian community and the Falun Gong and the Uyghur community is greater than it has ever been because Xi Jinping is taking persecution one step too far. So the work you are doing has an even more fertile possibility of changing China and making history.

Representative FRANKS. Thank you. Thank you, Mr. Chairman.

Chairman SMITH. Thank you. Just let me conclude with one or two final questions and a comment. First of all, we do meet again today to remember the sacrifice, even unto death, of those people and those who endured severe injury and have suffered decades of incarceration on behalf of internationally recognized human rights.

Tiananmen Square could have been the turning point for China. I believe that the spirit of Tiananmen Square, of the students who were there, inspires, as I said in my opening, everyone, including the Congress, to never let up, never lose focus that the people of China absolutely yearn to be free and deserve to be free. When we enable a dictatorship, we then become complicit in their misery.

Let me also say that Xi Jinping—and I read that article in the New York Times as well and was again disturbed by this race to the bottom of Xi Jinping—it seems as if he is seeking to channel Mao Zedong and to emulate the excesses of that man and, of course, to the great detriment of the Chinese people.

But when we talk about what can be done, what can you say about a country that continues to incarcerate the best and the bravest and the brightest of China, as it did with Dr. Yang and as

it is with your dad and so many others? It still holds in jail the Nobel Peace Prize winner Liu Xiaobo.

The world cannot forget that, and we will not forget it, certainly, on this Commission. Many of us in Congress will not forget that, or his wife who has suffered, kind of like being jailed herself because of that incarceration.

I would call on the administration again to enforce the law. China gets the designation “Country of Particular Concern [CPC]” and there are 18 or so specific prescribed sanctions that can be meted out because of their extreme violation of religious freedom and the persecution of believers of all kinds.

And as you said, the Falun Gong get a special set of repressive measures meted out against them. Yet, the only sanction that the administration continues to use is almost like a double-hatted sanction, the Tiananmen Square sanctions on military cooperation and technological transfers, while there are several other sanctions that ought to be imposed upon the PRC because of their designation “CPC.”

They ought to be Tier Three under the Trafficking Victims Protection Act, the law that I sponsored. There is no doubt that they have become the worst violator in a number of human trafficking cases, largely attributable to the one-child-per-couple policy and the lack of women because women have been systematically exterminated through sex-selection abortions.

They were Tier Three for one year and had an automatic downgrade, and then were replaced back up to the Watch List, which I thought was a very cruel misdesignation on the part of the administration because Tier Three could need more sanctions when it comes to the atrocity of human trafficking.

There is a visa ban in effect. I wrote it [the ban] in 2000. They are not enforcing it for those who are part of the cruelty of the one-child-per-couple policy. Less than 30 people have been sanctioned years-to-date since 2000.

New laws. We need those. We need them now and we will work hard on those. Michael, as you know, there are always interests starting at the White House and the State Department who are loathe to put anything that looks like a sanction on the country of China, so we have huge obstacles to overcome there.

I would ask all of you in conclusion, if you could—and again, there are opportunities. We interface with the Chinese and with leaders there, but it is not the same as the executive branch. They are the designated hitters, if you will. They are the ones who are empowered by our Constitution to be the point people, the President being the number-one person, to talk with and to meet with presidents and prime ministers.

There is an executive meeting going on, at the end of this, on economic issues, a dialogue. The human rights issues, Dr. Yang, need to be incorporated. That is at the end of this month. Very often, they are hermetically sealed away from all other talks. Remember, Hilary Clinton said it.

It was an insight into the modus operandi of this State Department when she said she is not going to let human rights interfere with global warming issues and peddling U.S. debt through Treasury bills to the Chinese on her first trip to Beijing as Secretary of

State. I am fearful that there might be a perfunctory mention of, oh, human rights, let us put an X in that box and get that off the table. Names have to be tendered.

This Commission has the best prisoners list, and I applaud our staff for the tremendous work that they do in compiling, vetting, and ensuring that political and religious prisoners and their case stories and their families are all compiled in a way that is actionable. That needs to be conveyed to the Chinese at every meeting.

My question to all of you in conclusion is that the President will be meeting with Xi Jinping, as we all know. When he met with Hu Jintao, it was an utter failure the first time, especially when they had the joint press conference and a reporter asked about human rights and Hu Jintao had trouble understanding the question through some alleged technical difficulty. The President jumped in and said, "Oh, but they have a different culture in China and a different political system."

It was so bad that the Washington Post wrote a scathing editorial that said, "Obama Defends Hu on Rights" and said "the culture understands human rights." That is why the gulags, the laogai, are filled to overflowing with people like Dr. Yang and so many others, your dad, who have suffered to ensure that those rights someday are respected in the People's Republic of China.

The other point was a political system. It is a dictatorship. Let us call it for what it is. So what would all of you say to the President when he meets with Xi Jinping? What should he say to him? Should he hand him a list and say, come on, Mr. President, it is time. Join the 21st century. These people are good people. They love your country. They are patriots in the greatest sense of that word and they just want human rights and fundamental freedoms respected. What would you say? Dr. Teng, we will start with you.

Mr. TENG. Yes. If I have a chance to talk to President Xi Jinping I will tell him, stop the persecution of human rights activists and release all the political prisoners and prisoners of conscience and start the process of democratization or there will be no future for the Communist Party, there will be no future for the Chinese people. If the Chinese Communist Party still commits more crimes against universal values, it will be punished definitely in the future.

Ms. PENG. I would say to the President, who seems so eager to preserve multi-culturalism around the world, is that one man's cultural diversity is another man's life sentence, his denial of medical care, his denial of basic liberties, his being torn apart from his family.

But I would also note that the "culture" the President bends over backward to appease, is not the culture of the Chinese people. The culture of the Internet firewall, violating internal law to kidnap political prisoners, denying freedoms—that culture that the President tries to "respect"—is the culture of the Communist Party.

I think if he really were in the interest of respecting cultures, as he says, he would do well to realize that one demonstrates respect for another culture not by tacitly consenting to anything they do, such as imprisoning human rights activists, but rather by holding those cultures to the highest of standards. That to me is the expression of the most genuine and truest respect for another culture.

Chairman SMITH. Thank you.

Mr. HO. Xi wants to come to the United States for recognition of China-U.S. relations as a relationship between two powerful countries. But if Obama accepts this relationship, Obama will also accept China's violation of human rights.

During the Jiang Zemin era, Clinton met with him and established this strategic partnership relation and actually gave a weapon to them for violating human rights—it was a mistake and gave them a weapon for violating human rights. We do not want Obama to repeat this mistake. Thank you.

Mr. HOROWITZ. I have a wonderfully ironic point but it would be the most ultimate strategic point that I would urge on the President to say to Xi Jinping. I think he should say:

“You know the greatest source of power that any government can have is for its currency to be the world's trading currency. It means that if you are the world's trading currency you can run your printing press and just print pieces of paper and the rest of the world gives you goods and services.

“Well, Mr. Xi, as long as you have an absence of human rights and religious freedom in China, it does not matter what our debt to you will be, it does not matter how much your GNP goes up and how much ours may go down, the dollar will have no competitor because the world will not cede to you the kind of respect and authority that the dollar has and allow the RMB to be its trading currency.

“You want to compete with us for world power? Release Lisa's father.

“The power that the release of dissidents would have and the power you have in terms of being a more powerful factor in the 21st century by implementing the agenda of this Commission is greater than all of your defense spending in terms of what China will be in the world.

“No matter what happens to your economy, the world will never cede to you the kind of power that America has. When you become a democracy, when you implement human rights, you will be a much tougher competitor to the United States.”

I think that would be such a strategic way of the President saying, become a democracy, compete with us, and even if you win some trade competitions, the world and the United States will be in better shape.

All these dissidents who are accused by the regime of being anti-China, they are the greatest pro-China people in the world because once human rights is implemented in China, China can project its economy and its economic strength into world respect in ways that all of the armies and navies it may put together never will.

Mr. YANG. I would urge the President to convey a very clear message to President Xi Jinping that how the Chinese Government treats its own people matters to the relationship of the two countries because the American people care. They care, so as President I must care because America is a democratic country. There is no normalization of so-called new power relations if China is not on

the way toward democracy. If there is no progress of human rights, there is no normal relationship between the two powers.

It would be remiss of me if today I do not mention a group of Chinese students studying in this country who were born in the 1980s and 1990s and who recently signed an open letter to their counterparts in China, calling on them to pursue the truth, the truth about the massacre and pursue democracy and freedom in China. That shows the failure despite its best effort on the part of the Chinese Government to infect amnesia about the tragic events and the failure to brainwash the younger generation.

That also shows democracy, freedom, and human rights are not a gift for one generation, it is a common, universal desire for all human beings. Here at the hearing I want to thank them. I want to thank them because they give us hope. Thank you again for your leadership. I lost count of how many times I have testified at the hearings you hosted. Ever since 1996 when China's defense minister came here, you hosted the first hearing on China's human rights; 15, 16, 17, 20 hearings. I lost count. Thank you very much for your leadership.

Chairman SMITH. Well, Dr. Yang, this is my 52nd hearing on human rights in China.

Mr. YANG. Fifty-second? Oh, my God.

Chairman SMITH. And the hearing you mentioned—and again, it is so apropos to this hearing. You recall and you were so eloquent that day. Chi Haotian, the defense minister of China, was here, got a 19-gun salute at the White House, was at the Army War College, and was feted as a respected diplomat, even though he was the Butcher of Beijing, the operational commander who sent in the tanks.

We called on President Clinton to repudiate that and he would not, so then Chi Haotian, as you recall so well, went to the Army War College and a mid-level officer asked about how many people died at Tiananmen Square, and Chi Haotian said no one died at Tiananmen Square. He thought he was in Beijing where the big lie would be amplified by the local media.

So we put together a hearing in two days, and you testified, as did some others. We had a person from the People's Daily who actually reported on it and then got into big trouble, went to prison himself, and others who saw what went on.

The Time Magazine correspondent who watched from his balcony as people were killed. We invited Chi Haotian or anybody from the Chinese Embassy to sit there and tell us their side of the story, and they refused so we had an empty chair. But that denial, which the students are speaking to students back in China about, you can only suppress the truth for so long.

As Michael Horowitz has said, when the Internet finally opens up widely, the truth about Tiananmen Square will be well-known and the agony suffered by so many will be well-known. That will be part of the reform process. But you were eloquent that day and I will never forget it.

Mr. Horowitz?

Mr. HOROWITZ. As we are closing, I cannot not do it without complimenting you and your leadership, however uncomfortable it may make you, Congressman Smith. This is a lesson in history. You

have these hearings and how you do not get discouraged is almost beyond me, because people say, "Oh, another hearing, who cares, you're not making a difference, the 'big' issues are moving forward and not yours."

Well, I lived in Mississippi when the University of Mississippi Law School was first integrated. I have watched what has happened in Eastern Europe. People think that history is a process of gradual progression until it reaches a point and things change.

That is not how history is made. History is a flat-line that declines a little bit from time to time, but keeps alive because a handful of people just keeping a torch lit, keep a little flame flickering, and they go on and on and on with people saying, "Why are you wasting your time?" And then, overnight, everything changes and people say, "How did it happen?" Overnight not gradually, what was impossible becomes inevitable. I saw it in Mississippi, we saw it in the Soviet Union.

People who used to talk about freedom in the Soviet Union were put down, why are you bothering me with Captive Nations Week resolutions when we have got to negotiate nuclear treaties with this power that is going to be around for a thousand years.

So I have to say about your leadership in keeping that flame of freedom flickering, that there will come that overnight day that dictatorships will fall and people will say, "Where did this come from? We never assumed that it would happen." When it does, your leadership, in my judgment, will have been an irreplaceable component of that development, and it is going to happen. Thank you.

Chairman SMITH. I beg to differ. It is the people at this table that are making all the difference in the world, and the people that are incarcerated and struggling every day in China. But thank you so much.

I appreciate it again. We will continue on. Our next hearing, as I said, is on June 25. It will be in my Subcommittee on Human Rights and it will be on campuses like the NYU campus in Shanghai and others, whether or not that is a help or a hindrance. So thank you so much.

We remember with prayer and deep awe those who suffered at Tiananmen Square for a new China where freedom and democracy flourish. God bless you all.

Without objection, the opening statement by Senator Marco Rubio, our Cochairman, will be made a part of the record.

Thank you so much.

The hearing is adjourned.

[The prepared statement of Senator Rubio appears in the appendix.]

[Whereupon, at 12:15 p.m. the hearing was concluded.]





## **A P P E N D I X**

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## PREPARED STATEMENTS

PREPARED STATEMENT OF TENG BIAO

JUNE 3, 2015

IT'S TIME TO CHANGE CHINA POLICY

INFLUENCE OF TIANANMEN MASSACRE

Twenty six years have passed, but the killing did not end in 1989. Many innocent citizens labeled “Tiananmen thugs” have been executed. In custody and repatriation centers, prisons, reeducation through labor camps and various black jails, countless deaths have been due to state violence. Citizens die at the scene of forced demolitions, or under the iron fists of city management. Since 1999, at least 3,800 Falun Gong practitioners have been cruelly tortured to death. Since 2009, at least 140 Tibetans have self-immolated in protest of the authorities’ brutal domination. Cao Shunli was tortured to death because of her participation in the Universal Periodic Review at UN in Geneva on behalf of independent citizens. As activists are captured and tortured and underground Christian churches and other religious groups are persecuted, the gunfire of Tiananmen is echoing in the background.

The Tiananmen massacre sustained the one-party system. Since the Party showed its true face in 1989, its ruthless treatment of the Chinese people has become even more brazen. Partly because of not having unions and not having the freedom to assemble and go on strike, there is “the [economic] advantage of the lack of human rights.” Through government-business collusion and an extremely unequal redistribution, China has achieved its rapid economic rise.

But many social and political problems are behind this economic growth: pollution, ecological crises and widespread unsafe food products threaten this generation and later generations. Extremely unequal income distribution causes China to become one of the countries with the greatest wealth disparity. Corruption spreads viciously. Clashes between citizens and authorities are increasingly intense. It is ever more difficult to see hope for solutions to the problems of Uyghurs and Tibetans.

## THE RECENT COMPREHENSIVE CRACKDOWN

The Chinese government never stopped its crackdown on people’s resistance. Since Xi came to power, he issued a harsh comprehensive crackdown. More than 1500 human rights defenders have been arrested and detained—some of them were brave enough to promote political activities, but many did not touch politics. Environmental protection, LGBT rights groups, feminist NGOs, rural libraries, think tanks—so many NGOs have been shut down. Some lawyers were disbarred, jailed, tortured and disappeared. Some lawyers are facing disbarment.

Internet censorship is increasingly strict. Influential writers and bloggers are silenced or even jailed. VPNs are controlled and Gmail is blocked. Document No.9 reflects the severe control over ideology in universities, internet and media. Gao Yu, 70-year-old renowned journalist, was sentenced to seven years, accused of leaking state secrets.

Three important laws have been drafted and will pass soon. The State Security Law, Counter-Terrorism Law, and Foreign NGO Management Law. These laws are abusive by nature and these laws give ample room for abuses. These laws will empower the domestic security forces and state security cadres. Foreign NGOs will be seriously affected, and many will have to leave China. Public security bureaus, instead of civil affairs bureaus, will be given the power to ratify and supervise Foreign NGOs. The Counter-Terrorism Law requires western IT companies to provide encryption keys and source codes.

Very recently, a Uyghur Muslim was sentenced to six years in Khashgar for refusing to shave off his beard, while his wife was imprisoned for 2 years for wearing a burqa, as part of a severe crackdown on religious “extremism” in Xinjiang.

The Panchen Lama, Gedhun Choekyi Nyima has been disappeared for 20 years. Some relatives and friends of Tibetan self-immolators were detained and sentenced for assisting in the self-immolation.

In Zhejiang and other provinces, local authorities destroyed many crosses and Christian churches, and some pastors were jailed. Falun Gong and other some religious groups’ members were detained and tortured in prison and Legal Education Centers (an extra-legal detention system). Many lawyers were harassed when chal-

lenging the Legal Education Centers, with at least four of them suffering broken ribs from beatings.

Forced abortion and forced sterilization are still widespread, even though there was a slight loosening of the one-child policy.

More forced demolitions have happened, and petitioners are facing harsher punishment than before.

In general, the current comprehensive crackdown is seen as the worst since the 1989 Tiananmen Massacre.

I don't deny that there are some improvements and reforms. In enumerating progress being made in China's legal system, people have pointed out the lower number of death sentences, the new criminal procedure law, the abolishment of re-education through labor, reform of the local court system, the government's willingness to provide information, and the ongoing anti-corruption campaign. To begin with, it is questionable whether or not most of the above are actually progress in the legal system. Even if they are, the major driving force for these changes has been the people, each a result of the probing, pressure and price paid by rights lawyers, democracy activists, and the countless Chinese on the lower rungs of society. It is really ridiculous that some people think the credit should go to the dictators and perpetrators of human rights abuses. The meaningful progress of the past two decades is the growing civil society.

#### RETHINK CHINA POLICIES

There must be something wrong: so as to not inflame the Chinese Communist Party (CCP), they do not dare to meet with the Dalai Lama. To gain Chinese markets, they disregard violations of human rights. To receive large orders for goods, they one after another adopt appeasement policies towards the Chinese Communist autocratic regime. Democratic countries join in the Asian Infrastructure Investment Bank. Beijing watchers and researchers self-censor, even to the point that they defend despotism, to please the Party, or to not lose cooperation projects with China, or scared they won't get a China entry visa. Confucius Institutes, scholars and students federations supported by Chinese Embassies, and other government-sponsored programs, have eroded western academic freedom.

But now is the time for the West to rethink and adjust its policies towards China. A strong repressive political power is threatening not just the Chinese people, but the entire world—economically, politically, militarily and spiritually. Only promoting a truly free China comports with the long-term interests of humanity. Before China is democratized, the world will not be safe. The CCP won't last forever, but Chinese people will continue to live on that soil. The day will come when US must deal with today's Chinese prisoners of conscience locked away and filled with suffering, Liu Xiaobo, Xu zhiyong, Ilham Tohti, Pu Zhiqiang, and others.

#### RECOMMENDATIONS

Pass an act to prohibit Chinese perpetrators who are responsible for human rights violations from entering the US and other democratic countries. The Magnitsky Act is a good example.

Support Chinese human rights defenders, political prisoners and real NGOs. Give awards to prominent activists, just as the west has done with the Dalai Lama, Liu Xiaobo and Hu Jia.

Stop the cooperation with Chinese government-organized NGOs—or GONGOs—which are helping the Chinese government to suppress human rights and freedom. For example, the All-China Lawyers Association and Chinese Human Rights Association.

Make sure that the Confucius Institutes, scholars and Students federations and other government-sponsored programs do not violate academic freedom and human rights.

Punish the American companies and individuals who help or cooperate with the CCP to suppress freedom and human rights. Yahoo is one example when it provided clients' information to Chinese state security, leading to the long-term imprisonment of several Chinese intellectuals.

Help to develop technology to circumvent internet censorship.

After 26 years, the symbolism and meaning inherent in that world-famous picture still need understanding: a young person solitarily standing in front of a tank, it communicated the terror and bloodiness of tyranny, and communicated Chinese people's resolute and brave resistance to tyranny. History will require us to answer one question: Did we stand on the side of the Tankman or on the side of the tank?

Thank you very much for hearing me. Your ideas, your voices and your votes will influence China, and bring more freedom and human rights to this planet.

## PREPARED STATEMENT OF LISA PENG

JUNE 3, 2015

## PASSIVE ACCEPTANCE, ACTIVE SCRUTINY

Resolved: The United States is justified in intervening in the internal political processes of other countries to attempt to stop human rights abuses.

This was the 2013 topic at the City Club of Cleveland's Annual High School Debate Championship featuring Lincoln-Douglas debate, a one-on-one form of debate centered on the morality and ethics of a value proposition. Each year, the City Club of Cleveland provides two high school debaters the opportunity to debate in a room historically renowned for celebrating the freedom of speech. As I researched the topic of human rights abuses in preparation for the debate, I reflected on the moral obligation of countries to protect human rights and the fundamental role human rights ought to play in foreign relations. I learned that despite such a moral obligation, it is easy to stand by as human rights are abused; it is easy to passively accept human suffering. This topic was personal for me because my father, Peng Ming, is serving a life sentence in a Chinese prison, branded a criminal by the Chinese government because of his work advocating for human rights.

My journey to advocate for the release of my father and for human rights in China began two years ago with a debate topic that piqued my interest in learning about those rights and about my own father. I had always known that I am his mirror image and that we both share a love for the art of debate, but, beyond that, I did not know much else. After all, my last memory of him was from eleven years ago. Thus, I began to piece together a timeline of my father's life and my family's journey of escape to America.

My father, Peng Ming, is an environmentalist, an economist, and a human rights activist. He is the author of *The Fourth Landmark*, a book on China's economic and political growth that was sponsored by the Ford Foundation. He was also the founder of China Development Union, a think tank established to address the censored topics of rule of law and human rights. However, in 1999, the Chinese government shut down the think tank and sentenced my father to 18 months of labor camp. His crime? Passionately advocating for human rights and freedom in China. Upon his release, the government wire-tapped our house, began following our car, and even threatened my father with a second arrest. It became too dangerous to continue living in China, and so my family decided to flee political persecution.

We eventually made it to Thailand, where we were granted UN Refugee Status. On August 29th, 2001, we landed in the United States, the land that stood for us as a beacon of freedom, human rights, and rule of law. For the first time, we experienced freedom of expression and justice not as values confined to an underground think tank, but rather as values championed by a nation.

In the United States, my father continued his human rights work. In 2004, he traveled to Thailand to establish a safe haven for political refugees. However, he was lured to Myanmar, kidnapped by Chinese secret police, and quickly sentenced to life in prison. The United Nations Working Group for Arbitrary Detention has determined that the deprivation of my father's liberty is in contravention to the Universal Declaration of Human Rights. Furthermore, my father is a U.S.-based dissident with UN refugee status who escaped political persecution in China. Therefore, his kidnapping is in violation of the principle of non-refoulement, which forbids the return of a victim of persecution to his persecutor. My father has also been deprived of his right to due process, as he was denied access to a lawyer and a jury of his peers, rights we take for granted here in the United States.

That Lincoln-Douglas debate resolution prompted my journey to discover who my father is and the values for which he stands. While I had the privilege to debate in a room that celebrates the freedom of speech, my father remains locked in a room built to stifle and punish prisoners of conscience. It has been a decade during which I have been privileged to receive an American education and learn about freedom, democracy, and justice, but a decade during which my father has remained imprisoned for fighting to secure those very same values. As an American citizen, I cannot merely stand by and passively accept the denial of these fundamental freedoms.

In the past two years, I worked with members of Congress, written op-eds and essays on my father's story, and testified before the Taiwan Parliament, the European Union Parliament, and the United States Congress to advocate for my father's freedom and for the freedom of thousands of other political prisoners in China.

Although the support from US congressmen has given me great hope for my father's release, I know that his case is only the tip of the iceberg. There remain thousands of prisoners of conscience and innocent Chinese civilians who suffer the same

denial of basic freedoms. If we don't speak up, there will remain no hope for human rights in China, and activists like my father will continue to suffer.

Sadly, the human rights issue is one that is easily ignored in light of pressing economic concerns. China has become the world's second largest economy and a major trading partner of the United States. Powerful economic interests want us to turn a blind eye to China's human rights record. Respecting America's values and standing up for human rights has never been easy. And it is not easy now. But isn't this what the promise of America is really about?

Though I am no politician or expert in this field, I have learned through Lincoln-Douglas debate that human rights are the foundation from which meaningful and effective discussions of economics and politics must proceed. In fact, these are the same values and fundamental freedoms on which our great nation was founded. And as someone who was rescued, raised, and educated by this country, I feel that I owe the United States my utmost gratitude. However, gratitude for one's country is not demonstrated by passive acceptance of our country's actions, but in active scrutiny. We show our gratitude and love for our nation by holding it to the highest of standards, the standards on which it was founded.

In doing so, I have realized that the issue of human rights is not only political—it is personal. It is a personal commitment to speak up. It is a refusal to remain silent. It is acting on the principles that we read and write about. It is the efforts of people like you who speak up and take a stand on human rights that give me hope for the future. They give me hope for the possibility of telling my father in person how much we have all cared about him and his dream for China's future. They give me hope for the possibility of securing human rights in China, and for paying the utmost respect to the values on which our own great country was founded, the values for which I hope it will always stand.

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#### PREPARED STATEMENT OF HO PIN

JUNE 3, 2015

Representative Smith and Senator Rubio:

Thank you for giving me the opportunity to stand here today and give voice to a brave Chinese journalist, Ms. Gao Yu, who has recently been imprisoned on fictitious charges for the third time. The seventy-one-year-old Gao Yu merely fulfilled her duty as a journalist and shared the truth that she knew with the public. Gao Yu's case is not isolated. More and more writers, thinkers, and human rights lawyers are being illegally detained or imprisoned. They include Nobel Peace Prize winner Liu Xiaobo, economist Iham Tohti, writer Xu Zhiyong, lawyer Pu Zhiqiang. The list goes on.

Over the years, many people have stood in this very spot, urging the world to pay attention to China's human rights abuses. But, this solitary light in the darkness has not been able to illuminate China's blatant violations or pierce through the smog shrouding all the injustices. Therefore, I don't want to go that route again and focus solely on China's human rights issues or to condemn the Chinese government like others have done before. I want to raise some questions instead.

With its deteriorating human rights records, why is China getting stronger by the day? Why are Chinese leaders getting more popular in the international community? Is China building its national strength for the sole purpose of jockeying for the number one position with the United States? Will China engage in a war with the United States and its Asian neighbors such as Japan and Philippines? Will the world return to a cold war?

These are not new questions. American experts have already provided some answers. Some scholars believe that there is a secret "bamboozling" department within the Communist Party. It has designed strategies that have successfully deceived the world and gained China several decades of time to develop. Some say the rule of the Chinese Communist Party is already approaching its end and the regime is on the verge of collapsing. Others claim that US-China relations have deteriorated to a critical point and that the US should throw China some candies to lure it back to the right track.

So what are my views?

First, I believe that China has risen, and it has, as advertised, risen peacefully. China is the world's No.2 economy and has splashed huge amount of investment across the globe. Millions of wealthy Chinese travelers flock to every famous tourist site and the most expensive department stores. It would be impossible to close your eyes and ignore China's rise. The only thing China has yet to achieve is the number one position in the world.

At the same time, China's rise has not led to any wars. Even though the Chinese army has been acting like a belligerent hormone-raging teenager in the South and East China Seas over the last few years, I don't think the Chinese leadership has plans or the desire to start a war in Asia. Especially when they are not psychologically prepared to lose a war. The most arrogant and bold military commanders can merely strike a pose through minor incursions or the intimidation of the militarily weak Philippines. With the exception of its strategic missile defense systems, which aims to deter, rather than invade, the Chinese army doesn't yet have the ability to project its power around the globe. Even in the Pacific region, Chinese navy and air forces are not capable of a sustaining war against Japan and the US.

In other words, China lacks the ability to launch a large-scale war in the Pacific theater in the foreseeable future, not to mention launching a world war like the Nazi Germany did. China does not have the capability, nor the guts. It's not their intention. There is no Adolf Hitler in China. More importantly, the Chinese leadership doesn't see the necessity.

In addition, China has no plans to engage in a cold war with the West, United States included. The current political system in China cannot be defined in conventional terms. It's neither socialism, nor capitalism. It's not an empire in the traditional sense. It is a mongrel. One of the most famous maxims of Deng Xiaoping states that "It doesn't matter whether a cat is white or black, as long as it catches mice." Therefore, the end justifies the means. While this pragmatic philosophy has contributed to China's rapid economic growth, it also turned the Chinese political system into a two faced monster the likes of which one normally sees only in computer games. Like the legendary cat that has nine lives, it's adaptable and resilient.

As a consequence, many incomprehensible things have happened—the ruling Communist Party has defied expectation and lived on. The government can blatantly repeat something that is universally acknowledged as lies. For example, the Communist Party is promoting an anti-West agenda in its internal documents. The Communist Party's propaganda machine distorts truths about Western democracies to prevent the pursuit of democratic values by its citizens and to threaten its citizens who are trying to demand the rights to select their own leaders, criticize their governments and use the law to protect themselves. On the other hand, the Communist Party has long abandoned socialist theories. Many leaders are big fans of Western democratic societies. They send their children to study in the West or secretly help their relatives who intend to emigrate. Some view the fact that they can visit the West as a badge of honor. I have met and talked with many Chinese officials when they traveled in the U.S., and hardly anyone was a true opponent of Western values. On the contrary, they all agree that a democratic system can guarantee fairness and bring stability to the country.

In other words, the Chinese leaders have no intention of building another Berlin Wall. Neither do they plan to start a cold war with the West. They have no desire to impose their systems on the West because they can't even define the kind of political system China has. There is no Stalin in China and nobody wishes to be his disciple. President Xi Jinping has heaped praise on Putin, but his praise has its own purpose. President Xi admires Putin's personal power. It is true that the Chinese president stood side by side with Putin to inspect the troops in the Red Square a few days ago, but that doesn't mean that China and Russia can establish an alliance against the U.S. Mistrust of Russian by the Chinese government and people is deep-seated and hard to dispel.

Thirdly, the conflicts between China and the West are not about ideology or cultures. The mainstream religion, in China has long served as a tool to unite all factions of society. Religion, a tamed pussycat, is becoming an integral part of the Communist Party. The Chinese are not capable of starting a holy war against the West. They wouldn't even dare. Nationalism is nothing more than lip service. The Chinese leaders use this type of neurotic nationalism to cover up their empty and phony ideology. No leaders would want nationalism to become fanatical and get out of control. Overheated nationalism could set the house of the party on fire.

If the above are true, why are we worried? We should not only be concerned but also alarmed. It's not a matter of which country will be the world's number one. The changes in China will impact the world. If China can integrate itself into the civilized world, in which people's rights and self-determination are respected, the world will enter a new era. Mankind can truly base their thinking and policies on a common destiny. If the Chinese Communist Party, with its terrible records on human rights and stellar results in economic development, is allowed to continue, it will not only bring disaster to the Chinese people, but also destruction to the whole world. It is neither an actual war with weapons, nor is it a cold war between two ideological camps. It's not a conflict of cultures and value systems. China's mongrel and pragmatic nature has made its system more adaptable and more powerful. Its

ability to destroy the world's political and biological environments and to spread such destructive power is beyond even its own expectation. A virus starts with just a few patients. Soon, it spreads to every corner, causing a worldwide outbreak. This is what China will do to the world - destroy the very foundation of human freedom.

What I want to emphasize is that this is not what the Chinese leadership envisioned thirty years ago. Neither is it the political ambition of the current leadership. The current situation is the consequence of human weakness, the short-sightedness of politicians of the West, the insatiable greed of unscrupulous capitalists and the distorted social and political structure in China. Together, they have created such a virus, or at the very least, they have provided opportunity for it to mutate and spread.

Two months after the Chinese government brutally cracked down on the student movement in China on June 4th, 1989, President George Bush provided prompt support for Deng Xiaoping through his secret envoy. The collapse of the former Soviet Union and East European Communism made many politicians in the West complacent. They forgave and accepted the paranoid and humble Chinese leaders. In return, Deng Xiaoping and his successors initiated open door and economic reform policies. These reforms didn't bring any political progress. Instead, China took advantage of the technology from Hong Kong, Taiwan and the West and the benefits of the WTO to boost its economy at the cost of social equality and its environment. Once the Communist Party strengthened its power through its strong economy, it went on to undermine Western opposition to China's human rights practices.

Now, the Chinese leadership practically doesn't care at all about the pressure from Western public opinion because politicians and businessmen from around the world are salivating at China's immense purchasing power, investment and markets. It's no exaggeration to say that today, Chinese leaders are the most well-received, honored guests in a majority of countries worldwide; China is the destination for many of the world's elite who thirst for gold.

Beijing tightly controls the freedom of the press. They could cut off Google and Yahoo anytime; they'd refused visas for New York Times journalists, and blocked access to Twitter and Facebook. All without impunity. While at the same time, they can set up any media they would like in the US. They provide free trips to Chinese language media chieftains in the West to receive training in China, and they even hire secret hackers to attack independent Chinese media outlets overseas. Ironically, China, which screens, censors and bans any print and electronic publication, has been invited to serve as the country of honor at book fairs in Frankfurt, London, and New York!

Hollywood is the epitome of free American culture; filmmakers are free to ridicule, mock, and criticize American politicians and government officials such as senators, judges, and the president, without fear of persecution. But in their pursuit of China's box office dollars, Hollywood executives have consciously decided to steer clear of any criticism of the Chinese government. Despite this, American movies are still censored in China, and some are not allowed at all.

Given these circumstances, does China's leadership have to risk it all and start a war? Does China have to close its doors once again and restart the cold war against the West? They can get everything they need and they can reject everything they don't want.

The problem lies in the fact that the West pursues short-term economic interests by ignoring the worsening of Chinese people's rights. Western corporations scrambled to do business with China regardless of the record of human rights violations. A desire for profit with no social conscience encourages the growth of this new style of politics in China. It is tantamount to striking the core of every lesson Chinese officials learned about conducting their political business worldwide. Meanwhile, the cash that the Communist Party waves in their hands has made it possible for the China virus to spread unencumbered in the world, causing the value of Western freedom to grow weaker, feebler, and more and more susceptible to illness.

China was never a threat before. It was the Western world that has made the Chinese leadership think the West could easily be threatened.

So what can we conclude? No one can figure it out, because no one is consciously aware; to a certain extent, we have all been infected by the virus. Otherwise, we would not feel so confused and lost, so powerless. And because of our inaction and complacency, Gao Yu, Liu Xiaobo, Ilham Tohti, Wang Bingzhang, Xu Zhiyong, and Pu Zhiqiang are languishing in prisons. Chinese citizens who died 26 years ago in Tiananmen Square and now lie in the ground have turned into lonely ghosts wandering in the wild. Dawn has yet to arrive in China. If we continue along this muddy, murky road, we will also be swallowed by the darkness.

The reason that I'm standing here today is that the scene I saw 26 years ago in Tiananmen Square still has not faded from my memory. I share the pain of those

who lost friends and relatives in Tiananmen square. I firmly believe that things could change if America were to wake up from its vacant and passive view of China. America is not a narrow-minded nationalist empire. America represents the values established by people who pursue the dream of freedom. This means that America is destined to be responsible for people who are pursuing similar dreams in other countries. I am not advocating war between China and the US. I absolutely don't want confrontation between China and the US. I don't think it is necessary for another Pearl Harbor to wake up the American people. I hope that America will become the driving force for democracy and human rights in China. The very least we can do is to take actions that will not encourage the continued growth of a dangerous political virus in China that values cash more than freedom and human rights. We can, and should, work to assure the Chinese people their dignity, to assure a long-term friendship between the US and China, and to assure the security of the cornerstone of freedom for the whole world.

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[From the New York Times, April 28, 2015]

#### GAO YU'S REAL CRIME

(By Ho Pin)

NEW YORK—One evening in June 2013, I received a call from a man who identified himself as an official for the Chinese Communist Party's Propaganda Department in Beijing. He asked me to publish an internal party directive on Mingjing, a Chinese-language news portal I run out of New York.

Western media had already reported on the key segments of the directive, known as Document No.9. Many analysts saw it as President Xi Jinping's attempt to adopt a traditional leftist and anti-West agenda.

The caller claimed that Document No.9 was merely a routine directive that analyzed new political trends and that journalists should not read too much into it. By sending me the full text, the official said he intended to provide a proper context. "The political situation in China isn't all that bad," he told me.

I wasn't sure whether the call was part of a deliberate leak with tacit approval from the senior leadership or an individual acting alone. He sent me the document, and though I thought that its significance might have been overblown in the earlier press accounts, I believed it offered a rare glimpse of the inner workings of the Chinese government. I verified its authenticity and published it in Mingjing Magazine in July 2013.

In April 2014, Gao Yu, a journalist friend, disappeared in Beijing. The next month I was shocked to learn that she had been arrested for allegedly leaking Document No.9 to me via Skype. The police claimed to discover on her computer three digital copies of the paper, which they used as evidence against her. Ms. Gao countered that she had downloaded them from the Internet and that they were slightly different from what I posted online.

Earlier this month, Ms. Gao, 71, was sentenced to seven years in jail for leaking "state secrets." The judge based his conviction chiefly on her "confession," which she retracted because, she said, it was given after threats against her son by the police.

Did the propaganda official leak the document to me with the intent to frame her, I wondered. Or, did the police simply find a convenient excuse to lock up Ms. Gao, who had been blacklisted because her writing had frequently appeared on overseas websites? I chose to believe the latter.

Document No.9, written in a typical jargon-studded language, warns party leaders against seven political "perils," including the promotion of constitutional democracy, universal values, civil society and Western-style press freedom.

As a publisher of United States-based magazines about Chinese politics, I frequently receive news tips and government documents—a mélange of truth and rumors—from Chinese officials, scholars and business people. Some expose scandals within the government out of a sense of justice, while others aim to advance a political agenda or to smear political opponents. One thing is certain: The "deep throats" know that China's senior leaders care about what the overseas news media reports about them.

I have known Ms. Gao since the late 1980s, when we were both journalists for state media organizations. In China, where most journalists are mouthpieces of the party, she has kept her independence and paid a hefty price: She was put in jail in 1989 for her support for the 1989 student protest movement, and again in 1993 because of her connection with a Hong Kong magazine. In recent years, Ms. Gao's commentaries and analyses published in the West have offered valuable insights



into Chinese politics, especially during the internal wrangling surrounding Bo Xilai, the former Politburo member purged in a cloud of scandal in 2012.

Ms. Gao frequently gives voice in her articles to the liberal and moderate factions within the party that have become disillusioned with President Xi Jinping, the man whom they called China's Vladimir Putin. Document No.9 was reportedly directed at this group. But Ms. Gao has never allied herself with any political factions.

In 2012, when Mr. Xi's relatives sought her help in clarifying Western media reports about his family's finances, she agreed and presented their views through Mingjing. At the same time, she was not afraid of speaking out against Mr. Xi. In a private talk, she described China under Mr. Xi as a combination of a modern-day Nazi and Stalinist state.

Before Ms. Gao's trial in November 2014, I drafted an affidavit detailing how I had received Document No.9 from a party propaganda official. The Chinese Consulate in New York refused my notarized statement. I then FedExed it to Ms. Gao's defense attorney, but the Beijing Third Intermediate People's Court excluded my testimony in its deliberation.

If the leadership punished Ms. Gao to intimidate future leakers, their efforts are in vain. As long as the Chinese public craves Chinese news from overseas, and trusts Western media over state-controlled propaganda, China's elite will continue to feed Western journalists "exclusives." Our stories will influence Chinese politics more than ever as factions compete to smear their opponents, intensify power struggles and hasten changes within the party.

Ms. Gao's real crime had nothing to do with leaking Document No.9. She offended the authorities by speaking out against government policies. Even though Mr. Xi has recently announced plans to make the legal system more transparent, Ms. Gao's conviction shows that nothing has changed under a dictator who cannot abide dissenting views.

The case also reflects China's increasing arrogance toward the West, which is increasingly tolerant of Beijing's growing human rights violations and nationalistic behavior. Corporations are caving in to Chinese demands, placing short-term business gains ahead of principles, thus confirming to China the diminishing influence of the West. Consequently, the Chinese government feels free to imprison and bully Chinese and foreign journalists. Standing up to China will not only guard basic human values, but protect Western economic interests. No business is safe in a totalitarian country.

Gao Yu has sacrificed her personal freedom three times for the cause of free speech because it is the cornerstone of all freedoms.

*Ho Pin, the founder of Mirror Media Group, and Wenguang Huang, who translated this essay from the Chinese, are co-authors of "A Death in the Lucky Holiday Hotel: Murder, Money, and an Epic Power Struggle in China."*

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Written Statement Presented at CECC Hearing on  
China in 1989 and 2015: Tiananmen, Human Rights, and Democracy

June 3, 2015

by YANG Jianli

*Founder and President of Initiatives for China/Citizen Power for China*

Mr. Representative Smith and Mr. Senator Rubio,

Thank you very much for hosting this important hearing on the 26th anniversary of the 1989 Democracy Movement and the Tiananmen Massacre. In this written statement, I review the lessons learned and address the unfinished business of the 1989 Democracy Movement which was violent suppressed by the Chinese government. I also analyze the current political situation, current fights for human rights, and prospects of democratization in China and make policy recommendations to the U.S. Congress and government.

1. China's Human Rights Situation in the Past Year

Since Xi Jinping took office, China, this big bird cage has become even bigger. While its geometrical area is expanded, the height is reduced. The freedom of speech and other freedoms have become more limited. The Chinese government has basically abandoned the one-country-two-systems pledge. Hong Kong has become part of the authoritarian system and thus is no longer a place with basic human freedoms. With China's economic achievements and enhanced state power, the Chinese government has stepped up its manipulation and control of overseas Chinese, especially the overseas Chinese media. It even bribes and intervenes the overseas non-Chinese media. The grim reality now is that this huge cage tends to expand globally. Media in China are all under tight authoritarian control, and there is no sign of any loosening. The public space is strongly also pressed, with the Internet under strict surveillance beyond imagination. Confrontations in all aspects of society are highly intense. It is only when confrontations broke out in full swing and this huge bird cage collapses can the Chinese people regain their freedom.

a. Hong Kong is no longer a free port city

In the past, many Chinese dissidents were able to visit China by getting their visas in Hong Kong if they couldn't get Chinese visas in the countries of their residence. Today, this road has been completely blocked. While some dissidents may still enter Hong Kong, they can no longer enter

mainland China from there. Some dissidents, myself included, are even denied entry into Hong Kong and are not allowed to transit at the Hong Kong airport.

In Hong Kong, the freedom of speech, freedom the press and freedom of the publication are gradually being taken away just like the fate of a slow-boiled frog. It will only get worse if we do not take any action. In October 2013, the Chinese authorities trapped and arrested Mr. Yao Wentian, the 73-year-old chief editor of the Hong Kong Morning Bell Press. In May 2014 he was sentenced to 10 years' imprisonment on charge of "smuggling". This is a case of serious violation of Hong Kong's human rights and freedom of speech and freedom of the press. It undermines the one-country-two-systems promise. The Chinese government accused Mr. Yao of smuggling forbidden items, but the real reason behind is that the publishing house for many years have been publishing a series of books criticizing the Chinese authorities and leaders, among them are *Great Crab Hu Jintao* by Yu Jie, *Fugitive* by Zhang Boli, *June Four Diary* by Feng Congde, *Head Counting Overriding Head Cutting* by Hu Ping, and the *Independent Chinese PEN Archives Series*, etc. The publishing house is also planning to publish *The Chinese Godfather Xi Jinping* by Yu Jie.

On August 31, 2014, the Standing Committee of National People's Congress, the Chinese government's rubber stamp, announced its resolution regarding the election of Hong Kong's Chief Executive. In an attempt to duplicate the fake election system of mainland China, the Chinese government completely ignores the determination of the Hong Kong people in their demand of a real and open election. This aroused great indignation and strong protests among the Hong Kong people. On September 28 2014, a campaign of disobedience was launched in full swing. This campaign was called "Occupying Central with love and peace". The use of tear gas by the Hong Kong police to disperse the protestors sparked more public anger and caused the occupation campaign to spread to more areas. This Umbrella Revolution which lasted about 80 days showed the world the determination and power of the Hong Kong people in their pursuit of true universal suffrage and freedom and democracy. It also exposed to the world how the Chinese Communist Party and the Hong Kong Government failed to keep their promises through dirty manipulating the Basic Law. The Umbrella Revolution on one hand won the attention and support of the world's democracies for the democratization of Hong Kong. On the other hand, it reminds us once again that there is a long and arduous way to go for Hong Kong's democracy.

#### b. The ever-increasingly severe repression of dissidents

The crackdown on dissidents by the Xi Jinping regime is becoming more barbaric and unscrupulous with its blackguardly mentality. In the past three years, freedom of speech has become more limited, censorship of publications and Internet more stringent, customs control tighter, and street protests almost completely banned. Dissidents who used to enjoy some limited personal freedom are now all behind bars, among them are Gao Yu, Xu Zhiyong, Ilham Tohti and others.

Xu Zhiyong is one of the key founders of the New Citizens' Movement. He is also a prominent young jurist, a scholar of theories of constitutionalism and a civil rights leader. He advocates non-violence in rights protection and demands equal access to education and government officials to reveal their personal assets in order to punish corruption severely. On January 26, 2014, he was sentenced to four years' imprisonment on charge of "gathering crowds to disturb public order".

Ms Cao Shunli was an outstanding representative figure of the Chinese human rights movement. Six months after being illegally detained by Chinese police, she was persecuted to death on March 14, 2014. Well-known for her long-term commitment to improving the human rights situation in China, she repeatedly used legal means to help petitioners and other activists. As an ordinary citizen, she was involved in the UN general periodic reviews of China's human rights situation. She submitted to the United Nations Human Rights Council detailed reports of the plights of Chinese petitioners. While her work was fully recognized by the Chinese and international human rights communities, she was on the most-hated list of the CCP.

Any talk of the June 4 Massacre is a taboo in China. Those who dare to commemorate the massacre are watched and receive warnings; they are even arrested and jailed or thrown into psychiatric hospitals. On May 6, 2014, a number of human rights activists were arrested for participating in a low-key private gathering in Beijing to commemorate the Tiananmen Massacre. Among them are the well-known human rights lawyer Pu Zhiqiang, a scholar named Hu Shigen, a researcher named Xu Youyu, a freelance writer Liu Di and a university professor Hao Jian. Ms Gao Yu, a well-known journalist who had been detained for participating the June 4 Movement had planned to go to the gathering but was arrested illegally and secretly on April 24.

In later 2014, the Chinese authorities launched a new round of crackdown on dissidents. A large number of artists and ordinary citizens were arrested for their support of the Hong Kong movement of occupying Central. Many civil society advocates and activists were arrested or forbidden to leave China. They include Guo Yushan, Kou Yanding, and Xue Ye. Although they are moderates who advocate not touching the bottom line of the Chinese authorities, they were still cracked down. In a word, any disobedient person in China is suppressed by the government no matter how mild his stand is.

On April 17, 2015, the 71-year-old Ms. Gao Yu, after being illegally detained for one year, was sentenced to seven years' imprisonment on charge of illegally leaking state secrets overseas. She was deprived of political rights for one year. The so-called "state secrets" are actually just the seven taboos proposed by Xi Jinping, i.e., the Western constitutional democracy, universal values, civil society, neo-liberalism, freedom of the press, historical nihilism, and questioning socialism with the Chinese characteristics. The seven taboos are in essence to keep the communist one-party dictatorship and their vested interests and to deceive and enslave the Chinese people. The fact that the Chinese government keeps the seven taboos under the table indicates their fear and the unrepentant nature of the CCP. CCP's so-called rule of law is just a fig leaf for its authoritarian rule.

On March 25, 2015, a dissident in Sichuan Province Chen Yunfei and other 20 people in Xinjin County of the province went to the cemetery to commemorate Xiao Jie and Wu Guofeng, who were student victims in the June 4 1989 Massacre. On their way back, they were stopped by more than a hundred armed police and were detained. On March 26, Chen was sent to be jailed in the Sichuan Xinjin County Detention Center on charges of affray and inciting to subvert state power. Prior to that in 2007, on the 18th anniversary of Tiananmen Massacre, Chen had run an advertisement in the "Chengdu Evening News" to pay tribute to the heroic mothers of the victims of the Massacre, and thus was convicted on charge of suspected inciting to subvert of state power, and he was put under house arrest for six months. He also tried several times to pay homage to Zhao Ziyang in Beijing and was thus watched and warned by the Chengdu police.

Under the so-called rule of law boasted by the Chinese authorities, Chinese dissidents are prosecuted on charges of criminal offenses instead of political ones. This approach aims to avoid being condemned for human rights violations by the international community. It also aims to stigmatize and demonize the dissidents. However, the Chinese government's trick of misleading public opinions has been seen through, and thus is not working well now.

#### c. Complaints in private are forbidden

On April 6, 2015, a video with the famous CCTV host Bi Jianfu singing at a private dinner party was uploaded to Weibo, a popular Chinese social medium. He was singing an episode from a Peking opera "Taking over the Tiger Mountain by Wise Tactics", which praises the earlier years of the Chinese communists. He sung the episode "We are the army of workers and peasants" with his impromptu lyrics. When commenting on Mao, he commented: "Don't mention that old bitch. He made us suffer so badly." On the communist crackdown on the landlords, he commented "What the hell did the landlords do you any harm?" His satiric comments ridiculed Mao, who was responsible for deaths of 80 million people from either starvation or persecution. CCTV responded quickly by purging Bi and prohibiting him from leaving China. In China, whoever dares to speak honestly will be taken off the stage where people have to lie. In fact, what the bandits in Tiger Mountain did was far less harmful than the wrong-doing by the Chinese communists in Jinggang Mountain, where Mao and his followers rebelled against the Nationalist government. Satan Mao really is the evil culprit of all time, the chieftain of all bandits, the biggest demon of all kinds and the root of all catastrophes. He was more evil than Hitler. He was responsible for a weak China and a poor people. He sold the interests of his country to curry favor of foreign countries. No ridicule about him would be an overstatement.

The Xi Jinping regime purged Bi Fujian for telling the truth in private, which shows that CCP infringes people's privacy arbitrarily. Nothing can be more despicable than depriving people's rights of grumbling in private.

During my visits to China in 2000 and 2002, on numerous occasions I met people who grumbled about all kinds of things or even directly criticized Li Peng, Jiang Zemin and Mao Zedong. I thought that was a huge step forward because people dared to complain about the government in

private. Now, the Xi Jinping regime is taking this limited freedom away. This is a big step backwards.

d. Clinging on to Mao's thought

Xi's father Xi Zhongxun was long purged and suppressed Mao Zedong and Deng Xiaoping. He was one of very few relatively honest, humane and compassionate Communist high-ranking officials who did not set up and persecute people. Given his family background, it stands to reason that Xi Jinping should have been bitter about Mao and Deng Xiaoping; however, this is not true. Xi Jinping grew up brainwashed by Mao's thought and knows too well about Mao's practice. After he came to power, he further realizes that if not for Mao, who led CCP to snatch the state power, he could not have become the new king of China. Power politics makes it necessary for him to dismiss his family suffering and woo and buy over followers of Mao and Deng in order to use Mao Zedong Thought to deceive and enslave the Chinese people. Therefore, Xi Jinping has been singing the praises of Mao by preaching that the first thirty years of the CCP ruling should not be repudiated by the economic achievements of the second thirty years. This presented a grave bad logic, because it was exactly the abandonment of Mao's practice of class struggle in the first thirty years that made the economic achievement possible in the second thirty years. The very root of a spate of social problems in China lies exactly in clinging on to Mao's evil thought and the one-party dictatorship.

With Xi's connivance and support, not only can China not eliminate Mao's influence but the leftist pro-Maoist forces are growing. The extremist Mao's fans see Satan Mao as a sacred religious worship idol just like Jesus Christ or Mohammed. The anti-Maoists are attacked and even face death threats. If the extremist Maoists come to power, they might establish a Maoist terrorist country, something like the Islamic State where all anti-Maoists will be beheaded. The confrontations between the pro-Maoist leftists and anti-Maoists are growing more and more intense. Their ultimate violent confrontations will lead to extremely dire consequences.

e. The comprehensive thought control

CCP learned one lesson from the fall of the Nationalist government, the crumbling of the Soviet Union and Eastern bloc and the color revolutions - the necessity to strengthen the control of freedom of speech and thinking and to suppress its people. The CCP shifted its strategy from encouraging its people to be involved in the national affairs to keeping them from being involved in politics and encouraging hedonism. In China, autocratic preaching is now omnipresent in primary-school to college textbooks, newspapers, the Internet, literatures, arts, films and television. Even scientific researches are tightly controlled by the Communist Party. But the Internet greatly facilitates the spread of freedoms of speech and press and is a gift from God to the Chinese people to subvert the authoritarian regime. However, the Chinese Communist Party has established an Internet Berlin Wall to block websites that promote democracy. They also hire and train a great number of Internet commenters to delete anti-communist posts and upload

posts that support the dictatorship. They also have put forward a real-name system for Internet users in order to strictly censor the Internet for the interests of autocratic rulers.

CCP has been recruiting paid Internet commenters in colleges in mainland China and even in Hong Kong. Those commenters are trained to be spies, informants and hatchet men for CCP in censoring the Internet and watching the general public. The propaganda and brainwashing of the CCP has made many Chinese (including overseas Chinese) unable to think freely and independently. Some of them are proactive in acting in favor of the CCP. About 60% of college students in China reportedly want to be members of the corrupt CCP, but none is attracted to the communist ideals. Joining the Party is a pragmatic means to gain access to power and thus amass personal fortunes. Some male college students unabashedly claim that their only motive to join the party is to make more money and sleep with more beautiful woman.

Many brainwashed Chinese now tirelessly defend and speak for the CCP. The following are some of what they typically preach.

- The crackdown on Tiananmen Movement by CCP was the last resort by the Chinese government. Without the clearing of Tiananmen Square by the tanks, there wouldn't have been the economic achievements today.
- Without CCP's autocracy, China would fall apart.
- Under the British rule, Hong Kong had no democracy. Hong Kong is now on its way to achieve democracy, and will represent the world's best democratic system.
- China will become a democracy, but not now. There will be chaos otherwise.
- Corruption is universal and unavoidable. There exists corruption in the West, too. The United States was even more corrupt than China.
- The Chinese people must be more patient in terms of cracking down corruption. For the good of China's future, people must tolerate moderate corruption now.
- As long as you do not target the Communist Party, you have enough freedom - the freedom of employment, freedom of making money, freedom of enjoying yourself, and freedom of traveling abroad.
- The China cage is big enough and its size continues to grow. People can live and work happily in the cage and enjoy being prosperous.
- If writers are not willing to write for CCP, they can choose to write for the market. But writing for freedom is not a good idea.
- The Chinese leaders are busy enough with so much to take care of. We should be understanding and not add to the burden of their shoulders.

The Chinese people will forever live in the cage set up by the Chinese government should we have any wishful thinking about the CCP and do not stay alert or discern what is really

happening in China. We should not turn a blind eye to the crackdown of disobedient Chinese thinkers and be complacent with self-deception. We should pursue truth and push the boundary of this cage. Otherwise, the brainwashed would only be thankful to the Party even when being executed.

## 2. Continued Struggles by the People of China

The people of China have long ago begun the search for dignity, justice, goodness, fairness, equality, freedom, and brotherhood. They have produced a few major pushes towards these goals in this generation. In the 1989 Tiananmen democracy movement, the Chinese people courageously stood up against government corruption that in the words of **Charter08**, has "corrupted human intercourse." They stood up for democracy and freedom. The image of a lone man standing in front of a string of tanks has inspired the entire world, and our fallen brothers' spirits have been one of the greatest sources of inspiration for continued struggle for these noble goals today in China.

a. Just two weeks ago, eleven Chinese students born in the 1980s or 1990s and studying in the US recently signed an open letter to their counterparts in the mainland. The letter carries their extreme views on the 1989 Tiananmen incident in the tone that used to be adopted by much older pro-democracy activists. It harshly attacked the current Chinese regime, twisting the facts of 26 years ago with narratives of some overseas hostile forces. Generally, even if changes in thought do take place, it's unlikely for mainland students who study in the US to lash out at their homeland in such an insulting way. The open letter claimed that the post-1980s and post-1990s generations in the mainland have been fooled and they couldn't get to know the "truth" of the 1989 Tiananmen incident until they moved abroad to study, where they can get unlimited access to the Internet. However, it's well-known that Internet censorship cannot prevent people acquiring sensitive information from overseas websites // 环球时报：境外势力试图煽动八零后九零后"

The letter, co-authored by Gu Yi, a doctoral candidate in chemistry at the University of Georgia, and his peer Chinese students who are studying here in the United States, indicates the failure on the part of the Chinese Communist Party that has been utilizing censorship to try to stop flow of information about the massacre to cause a collective amnesia among the Chinese people, and intend to stop democratization in China. Democracy and freedom are not a gift for any one generation, but a common inspiration for people of all ages and backgrounds. Democracy and freedom shall triumph over tyranny. Authoritarianism shall be doomed.

I call for all who care for the future of China to stand up in solidarity with the co-authors and all those who fight for freedom and democracy in China. Spread the word and sign on with the following link:



b. We need to stand in a more elevated position to envision the emerging of a new, democratic China although it has not taken shape, there are many signs indicating its coming.

It usually takes four factors to be present at the same time to change a country from an autocracy to a democracy: 1) the robust, general disaffection from people; 2) split in the leadership in the autocratic regime; 3) viable opposition, viable democracy movement; and 4) international support.

Let me look at these factors.

First, CCP has split China into two exclusive societies, China, Inc. and the under China. This is what some experts called the rigid stable structure. But rigid human society ever has a sustainable stability. If such a society is stable for the moment, it is only because a crisis is in the cooking and new opportunity is on the horizon.

China's Stability Sustaining System treats every citizen as a potential enemy, and it has successfully made them enemies--dissidents, independent intellectuals, land-lease peasants, victims of forced demolitions and eviction, victims of forced abortion, veterans, migrant workers, Tibetans, Uyghurs, Mongolians, Christians, and Falun Gong practitioners, you name it. The CCP regime does not lack enemies.

Second, Compared to the under China, which is more diversified, the elite China seem to have common and consistent interests. But the consistency is based on bribery and buy-offs of multi-faucet interest groups, with intrinsic flaw in the foundation. Fierce internal power struggles have never ceased since the founding of the communist party. Perhaps the only achievement in China's political system in the past 30 years is the establishment of the "two-term, 10-year, one-generation" term limit system. Many observers predicted that such a system would ensure long-term stability for the CCP regime, wishfully believing that this system helped the CCP find a way out of the pit of power discontinuity that has plagued all dictatorships in history. The Bo Xilai event, however, mercifully burst that bubble. People within the Party have begun to challenge this power succession system. The cracks are only widening.

Third, The concept of democracy has prevailed in the minds of the general public, thanks to the dozens years of efforts made by the pro-democratic activists both in and outside of China. The most important sign of this is the recent intellectual awakening, evidenced by the return of the democracy debate, which has occupied a central place in the public discourse around China's leadership change. More and more intellectuals, who were generally co-opted by the regime not long after the Tiananmen massacre and acted as its defenders for many years, have come to realize and acknowledge Chinese democracy movement's contributions, ideas, and beliefs, which are embodied in Charter 08. Recognition by intellectuals that the status quo is unsustainable is always the first, and vital, step toward changing it.

In the meantime, the ordinary people are becoming more mature, more skillful, and more aggressive in fighting for their own civil rights. The China, Inc. can sure ignore the grievance of the society, but the people will eventually unite themselves to form organized rebellion if individual petitions yield no results. Among the people, there is a subgroup called the netizens, those who use the internet a lot, nearly 5 hundred and fifty millions of them. Although the

Chinese authorities impose strict control over the media, the existence of the Internet paved a way for the people's awakening and networking. In the cyberspace language, the communist regime is rapidly losing all its moral asset while the people are constantly seeking opportunity to group together in a skillful way. The netizens constitute an "information elite" that cannot be all bought off. They will play a leading role in future organized activities. Generally speaking, as the non-governmental forces grow and the civil protests escalate, struggle for power among different factions with the communist regime will become public. Especially, once the external pressure reaches a critical mass, the rivalry factions with the CCP will have to take the citizen force into serious account and seek or use the latter's support. This means a decomposition of China, Inc.

That said, I want to emphasize that we need an overall, viable pro-democracy movement to force the dictatorship to crack open. A long-term resilient movement will reach critical mass when idealists like Liu Xiaobo and Xu Zhiyong join forces with the self-motivated public or the disaffected with the status quo.

A milestone to meet that objective would be the formation of a group of civil leaders able to represent the general public and to at least partially disrupt the current political order -- a group that would catch attention and support of the international community and carry out and to call for effective negotiations with the government. That was most needed but lacking in our 1989 Tiananmen movement. But we are moving, perhaps slowly but surely, toward that goal.

Last but not least, international support.

### 3. International Support

Many friends in the international community are skeptical about the Chinese people's demand for freedom and democracy. Let me propose the following thought experiment for you to judge for yourselves.

Imagine that you visited China, taking with you a copy of the *Universal Declaration of Human Rights*. Arbitrarily choose any citizens on the street. Show the document, asking them with the language they understand whether they want the rights listed there. What would you expect them to say? Would you for a second believe they would say "No, I do not want these rights"? Of course, you wouldn't. You see, you understand the Chinese people through understanding yourselves: Nobody wants to be a slave. In this regard, the Chinese people are no different than other people in the world. The thirst for freedom and dignity is indeed universal.

After Tiananmen, Americans of all political persuasions and faiths joined in protest of that slaughter of innocents. Their outrage showed that human rights and civil liberties are not partisan issues. But when Washington considered trade sanctions against China, corporations, columnists and pundits insisted that China's economic progress and trade would inevitably result in more political freedom and guaranteed basic human rights. In order to test that confident prediction, Congress established the Executive-Legislative Commission on China, which you both chair. Under its mandate, the Commission has annually examined just how much China's tremendous economic growth and interaction with the world has led to real civil liberty and political freedom for its citizens. And each year the Commission's clear conclusion has been "not

very much." That finding is consistently echoed in the annual human rights reports of the State Department, U.S. Commission on International Religious Freedom, and the investigations by the U.N.

Some believe that the United States cannot press China on human rights because it seeks Chinese cooperation on economic and national security issues. But Washington has negotiated arms-control and trade agreements with other countries, including the Soviet Union, while pressing for human rights reform.

The lessons are clear. Americans of conscience cannot simply wait for economic growth and revised government structures to end China's barbaric torture, extra-legal killing, and jailing of those who would speak their mind, practice their faith, preserve their ethnic culture, or defend the legal rights of others. Americans of conscience should insist that their Government confront China. They should demand that their Government openly condemn China's violation of basic human rights and demand release its "prisoners of conscience." They should express support for those in China bravely asserting or defending human rights. And they should support concrete action, including sanctions like those that the so-called "Magnitsky Law" now imposes on Russian human rights abusers.

That is how the American people, and the U.S. Government, can truly honor the heroes and victims of Tiananmen Square.

I will make specific policy recommendations at the hearing.

Thank you.

PREPARED STATEMENT OF HON. CHRISTOPHER SMITH, A U.S. REPRESENTATIVE FROM  
NEW JERSEY; CHAIRMAN, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

JUNE 3, 2015

Twenty-six years ago the world watched as millions of Chinese gathered to peacefully demand political reform and democratic openness. The hopes and promises of those heady days ended with needless violence tears, bloodshed, arrests and exile.

Mothers lost sons, fathers lost daughters, and China lost an idealistic generation to the tanks that rolled down Tiananmen Square on June 4th, 1989.

Tiananmen Square has come to symbolize the persistent and brutal lengths the Chinese Communist Party will go to remain in power. This event has done more to negatively shape global perceptions of China than any other in recent history.

We remember the Tiananmen massacre here in Congress because of its enduring impact on U.S.-China relations. We remember it also because an unknown number of people died, were arrested, and exiled for simply seeking universally recognized freedoms. We also remember Tiananmen because so many people were arrested last year for trying to commemorate the anniversary in China.

We remember this date each year because it is too important to forget and because it is too dangerous to commemorate in China.

The Chinese government should allow open discussion of the Tiananmen protests and end the enforced amnesia surrounding the events of 1989. And, more importantly, the Chinese government should take responsibility for the national tragedy that occurred on June 3rd and June 4th, 1989.

Sadly, it seems that a China lead by President Xi Jinping will not take such responsibility. President Xi and top Communist Party leaders regularly unleash bellicose attacks on "universal values," "Western ideals," and "revisionism of the Party's history."

The domestic screws on dissent have tightened considerably since Xi Jinping assumed the Presidency. Over 230 people have been detained for their human rights advocacy and peaceful efforts at political reform. A number some rights groups are calling the largest crackdown in two decades.

The Chinese government rounds up not only reformers, but those who defend them. It views most Uyghurs as security threats and then jails Uyghur intellectuals peacefully seeking ethnic reconciliation. It not only smothers internet freedom and its domestic media but threatens foreign journalists and spurs self-censorship from Harvard Square to Hollywood.

The Chinese government also threatens foreign citizens or foreign institutions who speak out for greater human rights. The family members of Canada's Miss Universe, for example, were threatened for her outspokenness about human rights. Also, China's new and troubling NGO law, could bar an American university from China, or even detain its representatives in China, if a campus student group stages a protest in the United States against the Chinese government's treatment of Tibetans, Christians, or Falun Gong; the detention of Liu Xiaobo, or the criminal tragedy of China's 35 year "One-Child Policy."

U.S. policy must support Chinese advocates who promote human rights and political reform and stand firm for U.S. interests in greater freedom and democracy in China.

Our strategic and moral interests coincide when we support human rights and democracy in China. A more democratic China, one that respects human rights, and is governed by the rule of law, is more likely to be a productive and peaceful partner rather than strategic and hostile competitor.

We should remember this fact as we watch China building bases and threatening free and open seas lanes in the East and South China Sea.

The United States must also make strong appeals to China's self-interest. The rule of law, freedom of the press, an independent judiciary, a flourishing civil society and accountable officials would promote all of China's primary goals—economic progress, political stability, reconciliation with Taiwan, good relations with America, and international stature and influence.

At the same time, the United States must also be willing to use political and economic sanctions to respond to gross violations of human rights in China—torture, prolonged and arbitrary detention, forced abortions and sterilizations, psychiatric experimentation or organ harvesting from prisoners.

That is why I introduced yesterday the China Human Rights Protection Act of 2015 (H.R. 2621). The bill will deny U.S. entry visas and issue financial penalties to any Chinese official who engages in gross violations of human rights.

The United States must show leadership in this regard and send a strong message. The worst violators of the rights of the Chinese people, those who abuse uni-

versal freedoms with impunity, should not prosper from access to the United States and our economic or political freedoms.

It is tempting to be pessimistic about China's future and the future of U.S.-China relations. I am not pessimistic, but hopeful. Constant repression has not dimmed the desires of the Chinese people for freedom and reform.

While the hopes of the Tiananmen Square demonstrators have not yet been realized, their demands for universal freedoms continues to inspire the Chinese people today and has passed on to a new generation.

We have with us today participants of the Tiananmen protests of 1989 and new generations of advocates for democratic openness and human rights. They fight for universal freedoms, they fight for the release of their fathers and families, and they fight for reform and a future China that protects human rights. It is the new generation that will inspire change in China.

I believe that someday China will be free. Someday, the people of China will be able to enjoy all of their God-given rights. And a nation of free Chinese men and women will honor, applaud, and celebrate the heroes of Tiananmen Square and all those who sacrificed so much, and so long, for freedom.

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PREPARED STATEMENT OF HON. MARCO RUBIO, A U.S. SENATOR FROM FLORIDA;  
COCHAIRMAN, CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA

JUNE 3, 2015

Twenty-six years ago this week, student-led popular protests gripped Beijing. Spurred by the death of a prominent reformer, thousands gathered in Tiananmen Square in April 1989 seeking greater political freedom. Their numbers swelled as the days passed not only in the capital but in cities and universities across the nation until more than a million, including journalists, workers, government employees and police, joined their ranks making it the largest political protest in the history of communist China.

Late in the evening of June 3, the Army opened fire on peaceful "counter-revolutionary" protesters. The bloodshed continued into June 4. To this day the precise number of resulting casualties is unknown and more than a quarter century later there has been no movement toward a public accounting of the events of that week. Rather, those seeking to commemorate the dead are harassed, detained, and arrested.

Perhaps the most iconic image to emerge from the Tiananmen Massacre, is the so-called "tank man"—the small lone figure, shopping bags in hand, who jockeyed to position himself in the path of an advancing line of People's Liberation Army tanks. His actions flew in the face of every human impulse to avoid impending danger. The "tank man" remains an enigma—his fate unknown. Some speculate imprisonment, others execution. Still others venture that he is alive today, unaware of his fame because of the Orwellian lengths that the Chinese government Internet censors have gone to block any searches of the events surrounding June 4.

Despite the fact that China's rulers revealed the true nature of their regime that day, too many of our political and business elite have been content with the status quo in China, especially as it relates to the denying of basic human rights and liberties. In fact, U.S. policy has aimed at engaging with the Chinese Communist Party, surrendering American leverage and principles.

Twenty-six years later, repression continues to be the order of the day and the aspirations of the Tiananmen generation remain unfulfilled. President Xi Jinping's presidency has been marked by what experts describe as the most intense crack-down in years. The organization Chinese Human Rights Defenders reported in March that the government's persecution of rights defenders was as severe as it has been since the mid-1990s. The list of those arrested and harassed is extensive, including Uighur economist Ilham Tohti, Tibetan Buddhist leader Tenzin Delek Rinpoche, Tie Liu, Pu Zhiqiang, and Chen Kegui. Nobel Peace Prize winner Liu Xiaobo remains in jail and his wife Liu Xia suffers under house arrest, as does human rights lawyer Gao Zhisheng.

A report released by Freedom House earlier this year found that since Xi Jinping came to power the regime has employed harsh tactics "to dominate online discourse, obstruct human rights activism, and pre-empt public protests"—findings which are routinely echoed by Chinese dissidents. There is deep concern within civil society about the draconian new NGO law now under consideration in the Chinese legislature. This law would severely restrict the operations of foreign NGOs.

The regime also is strengthening its grip on Hong Kong, denying the people of Hong Kong their promised right to freely choose their leaders. And China's growing

repression at home is being watched closely by its neighbors as Beijing flexes its military capabilities and reasserts illegitimate territorial claims threatening regional security. China's neighbors realize that how a nation treats its own citizens is indicative of more than just a country's internal situation.

Despite this grim picture, I believe change is coming to China. Systems of government which are built on repression do not stand the test of time. Even with China's economic growth, we have yet to see political openness follow. While the road to reform in China is uncertain, American support for the ideals which are at the heart of our own experience in self-governance ought to be a cornerstone of U.S. foreign policy.

In her inaugural trip as Secretary of State in 2009, Hillary Clinton opined, en route to China, that contentious issues like human rights "can't interfere with the global economic crisis, the global climate change crisis and the security crisis." Human rights should be fully integrated into every level of our bilateral relationship with the Chinese government, and repressive governments the world over. It is always in America's interest to support the expansion of democracy and its institutions.

For too long, China has gotten a free pass. With the approaching U.S.-China Strategic and Economic Dialogue the president has an opportunity to prioritize these issues—to charge every participating U.S. government agency to bring human rights to the forefront with their Chinese counterparts, to present them with lists of political prisoners and press, by name, for their unconditional release. The Administration can take proactive steps today to impose visa bans on Chinese government officials who are perpetrators of grave human rights abuses.

Twenty-six years ago several Tiananmen art students constructed a magnificent paper mache statue of the so-called goddess of democracy, in the hopes of bolstering the fledgling protest movement. It was ultimately destroyed by soldiers clearing the square, but not before its creators authored a declaration explaining their work. It read in part, "On the day when real democracy and freedom come to China, we must erect another Goddess of Democracy here in the Square, monumental, towering, and permanent. We have strong faith that that day will come at last."

Helping the Chinese people reach that day is not just our moral duty as a free people, but will have a profound effect on the state of freedom in the world and on global security. We must keep the faith with the Tiananmen generation and work toward the realization of their dream for generations to come.

## SUBMISSION FOR THE RECORD

CHINA IN 1989 AND 2015: TIANANMEN, HUMAN RIGHTS, AND DEMOCRACY

JUNE 3, 2015

*Witness Biographies***Dr. Teng Biao, a well-known Chinese human rights lawyer, a Harvard University Law School Visiting Scholar, and Co-founder, the Open Constitution Initiative**

Dr. Teng Biao is a well-known Chinese human rights lawyer, a Harvard University Law School Visiting Scholar, and Co-founder, the Open Constitution Initiative. He holds a Ph.D. from Peking University Law School and was a visiting scholar at Yale Law School. He is interested in the research on human rights, judicial systems, constitutionalism, and social movements. As a human rights lawyer, Teng is a promoter of the Rights Defense Movement and a co-initiator of the New Citizens' Movement. In 2003, he was one of the "Three Doctors of Law" who complained to the National People's Congress about unconstitutional detentions of internal migrants in the widely known "Sun Zhigang Case." Since then, Teng Biao has provided counsel in numerous other human rights cases, including those of rural rights advocate Chen Guangcheng, rights defender Hu Jia, the religious freedom case of Cai Zhuohua and Wang Bo, and numerous death penalty cases.

**Lisa Peng, Daughter of Chinese democracy activist Mr. Peng Ming, freshman at Harvard, and TEDx speaker**

Lisa Peng is the daughter of Chinese human rights and pro-democracy activist Mr. Peng Ming who was kidnapped in Burma by Chinese secret police and sentenced to life in prison in 2004. Lisa was born in Beijing and suffered doubly as a second child by being denied official legal recognition. In 2000, her family fled government persecution and was accepted by the United States as UN refugees in 2001. Lisa is working with the China Aid Association, the State Department, and members of Congress to advocate for the release of her father and other prisoners of conscience. She has shared her father's story in a Plain Dealer Op-Ed and a TEDx Talk. Lisa is a freshman at Harvard University, where she studies mathematics and political philosophy. Outside the classroom, Lisa is an op-ed writer for The Harvard Crimson and a staff writer for the Harvard Salient, a member of the John Adams Society, and a singer in the Radcliffe Choral Society.

**Ho Pin, President and CEO of Mirror Media Group**

Ho Ping, a former journalist and director of the news department at Shenzhen News was originally from Hunan and participated in the 1989 student movement. He left China for Canada after Chinese authorities started investigating him because of his writings and analysis of political events in China. Ho Ping established Mirror Media Group in Canada in 1991 and the Chinese language news website Duowei News in 1999. Ho sold the website to Hong Kong media mogul Yu Pun-hoi in 2009 (Duowei has a news bureau in Beijing). Mirror Media Group currently includes five independent publishing houses, five magazines, three websites, a bookstore, and an online bookstore. Mirror Media Group has Chinese-language publication distributors in Hong Kong, Taiwan, Singapore, and the United States. Ho Pin has worked in mainland China, Hong Kong, and Taiwan with news and publishing organizations as a reporter, editor, and executive.

**Michael Horowitz, CEO of 21st Century Initiatives, a Washington D.C. think tank**

Michael Horowitz has led a broad range of human rights coalitions and has played major roles in the passage of such human rights legislation as the International Religious Freedom Act, the North Korea Human Rights Act, the Trafficking Victims Protection Act and the Sudan Peace Act. Mr. Horowitz has been especially active on behalf of Tibetan Buddhists, Christians, Falun Gong believers, and Uyghur Muslims. He also has provided vital assistance to organizations dedicated to fighting Internet censorship and penetrating China's Great Fire Wall. He served as General Counsel of the Office of Management and Budget during the Reagan administration.

**Dr. Yang Jianli, President, Initiatives for China/ Citizen Power for China**

Dr. Yang Jianli is a scholar and democracy activist internationally recognized for his efforts to promote democracy in China. He has been involved in the pro-democ-

racy movement in China since the 1980s and was forced to flee China in 1989 after the Tiananmen Square massacre. He holds PhDs in mathematics from the University of California at Berkeley and in political economy and government from Harvard University's Kennedy School of Government. In 2002, Dr. Yang returned to China to support the labor movement and was imprisoned by Chinese authorities for espionage and illegal entry. Following his release 2007 and his subsequent return to the U.S., Dr. Yang founded Initiatives for China, a.k.a. Citizen Power for China, a nongovernmental organization that promotes China's peaceful transition to democracy. In March, 2010 Dr. Yang co-chaired the Committee on Internet Freedom at the Geneva Human Rights and Democracy Summit. In December 2011, Dr. Yang, joined H.H. Dalai Lama and four other delegates, to attend Forum Democracy and Human Rights in Asia, hosted by former Czech president, Vaclav Havel.

