

URGING CHINA'S PRESIDENT XI JINPING TO STOP STATE-SPONSORED HUMAN RIGHTS ABUSES

HEARING BEFORE THE CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA ONE HUNDRED FOURTEENTH CONGRESS FIRST SESSION SEPTEMBER 18, 2015

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**URGING CHINA'S PRESIDENT XI JINPING TO
STOP STATE-SPONSORED HUMAN RIGHTS
ABUSES**

FRIDAY, SEPTEMBER 18, 2015

CONGRESSIONAL-EXECUTIVE
COMMISSION ON CHINA,
Washington, DC.

The hearing was convened, pursuant to notice, at 2:02 p.m., in room HVC 210, Capitol Visitor Center, Representative Christopher Smith, Chairman, presiding.

Also present: Senator Tom Cotton and Representative Robert Pittenger.

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

Chairman SMITH. The Commission will come to order. And I want to begin first by welcoming each and every one of you here—Senator Tom Cotton, who is a member of the Commission, a former Member of the House now serving with great distinction over on the Senate side and, of course, Commissioner Pittenger, who is also a totally dedicated human rights advocate. And I want to thank him for his leadership on all issues related to China, but also religious freedom around the world.

I will give a very brief opening statement, then yield to my distinguished colleagues for any comments they might have.

On July 10, police came for lawyer Wang Yu. Her arrest was the first in what became a massive crackdown on China's human rights defenders. Wang Yu was one of China's brightest and bravest lawyers. She chose to represent clients in sensitive cases, such as Uyghur professor Ilham Tohti and Falun Gong practitioners.

Police later swept up her husband and others who worked at their Beijing law firm. What originally looked like a targeted attack on one law firm quickly became a coordinated hunt for human rights lawyers and legal staff across 19 Chinese provinces.

Over the next few weeks, over 300 human rights lawyers and legal staff were detained. Of that number, around 27 remain incarcerated and 10 face charges of committing national security crimes.

Li Heping and Zhang Kai, two lawyers well known to this Congress and other parliamentarians around the world, were "disappeared" in this crackdown. They remain missing and are reportedly denied access to family or legal counsel. Zhang Kai was arrested the night before a planned meeting with U.S. Ambassador-at-Large Rabbi David Saperstein.

These detentions were lawless; they were brutal and shocking. Sadly, they are not without precedent in China. President Xi comes to the United States next week, at a time when his government is staging an extraordinary assault on the rule of law, human rights and civil society.

Under Xi's leadership, the Chinese Government has pushed through new laws and draft legislation that would legitimize political, religious, and ethnic repression, further curtail civil liberties, and expand censorship of the Internet.

China also continues its coercive population control policies. The one-child-per-couple policy will mark its 35th anniversary next week. That's 35 years of telling couples that their family—what they must look like, 35 years of forced and coercive abortions and sterilizations, 35 years of children viewed by the state as excess baggage from the day that they were conceived, 35 years where brothers and sisters are illegal.

This policy is unacceptable. It is hated by the people. It is tragic and it is absolutely wrong. We urge President Xi to do the right thing and end China's horrific population control policies forever.

The NGO Chinese Human Rights Defenders says President Xi has, "overseen one of the most repressive periods in the post-Mao Zedong era."

The CECC, whose annual report will be officially released in three weeks, will conclude that the Chinese Government's efforts to, "silence dissent, suppress human rights advocacy, and control civil society are broader in scope than any other period documented since the Commission started issuing its annual reports beginning in 2002."

China is in a race to the bottom with North Korea for the title of world's worst violators of human rights. The hope that President Xi would be different, a different type of leader, has been completely destroyed.

Nonetheless, despite the torture and arrests, despite the harassment and censorship, the black jails and failed promises, the continued growth of trafficking—particularly sex trafficking, rights advocates, civil society activists, and religious believers continue to grow in prestige and social influence in China.

Persecution has not silenced them, at least not at this moment. It has not dimmed their hope for a different kind of China Dream that embraces human rights, freedom, and democracy.

U.S. policy must be geared to protect China's rights defenders and religious communities and its women, especially against coercive population control, and nurture China's civil society, its work, and those committed to the rule of law and fundamental freedoms.

The United States cannot be morally neutral in this regard. We cannot be silent in the face of the Chinese Government's repression. We must show leadership and resolve, because only the United States has the power and prestige to stand up to China's intransience.

U.S.-China relations would be stronger and more stable if people like Wang Yu or Li Heping and Zhang Kai were in positions of leadership in the Chinese Government.

Washington is preparing to roll out the red carpet, as we all know, next week for President Xi and his delegation. Toasts will

be made, statements will be exchanged, with a lot of happy faces and, again, it is important that the issues of human rights and democracy and the rule of law be raised in a profound and public way by the President, and all others with whom President Xi will meet.

If Obama fails to raise human rights prominently, as he has failed to do in the past, it is a diplomatic win for Xi Jinping. If economic and security interests grab all of the headlines, China's freedom advocates will despair. If there is no price to be paid for China's increased lawlessness and repression, it is a loss for everyone who is committed to freedom and rights.

We can no longer afford to separate human rights from our other interests in China. That has gone on for far too long. Human rights cannot be considered a separate track with discussions and negotiations in one room, totally disconnected from U.S. foreign policy. It needs to be integrated at all levels.

Surprisingly, former Secretary of the Treasury Henry Paulson agrees with this assessment. Mr. Paulson is not known as a passionate defender of human rights, but in his latest book, "Dealing With China," he says that the United States must not shy away from "shining a light on human rights problems, because nothing good happens in the dark."

He says the United States must push for greater transparency, the free flow of information and better adherence to universal standards in China, not only because they represent universal values, but because they are critical parts of U.S. economic interests.

It is increasingly clear that there is a direct link between China's domestic human rights problems and the security and prosperity of the United States. The health of our economy and environment, the safety of our food and drug supplies, the security of our investments and personal information in cyberspace, and the stability of the Pacific region will depend on China's complying with international law, allowing the free flow of news and information, complying with its WTO obligations and protecting the basic rights of its citizens.

President Obama must shine a bright light on China's human rights abuses. He must raise issues about the South China Sea and what is happening with regard to the Chinese military's expansionist ambitions, and he must use all of our diplomatic tools, including sanctions if necessary, to demonstrate our resolve on these important issues.

I would like to yield to my good friend and colleague, Commissioner, also Senator, Cotton.

**STATEMENT OF HON. TOM COTTON, A U.S. SENATOR FROM
ARKANSAS**

Senator COTTON. Thank you very much, Chairman Smith. Thank you for your years of leadership on this and so many other critical human rights issues.

I want to thank the witnesses today, not only for taking the time to testify, but for the work you do to shine a light on the dire human rights situation in China.

Chinese President Xi Jinping will arrive in the United States next week. His handlers have clearly crafted his schedule to project a modern and dignified image of Xi's role, but I see no evidence of

modernity or dignity. I only see a parade of stark contrasts, shameful juxtapositions and bitter ironies.

Xi's first stop will be a technology conference that China has organized in Seattle. Leaders of companies such as Facebook, Microsoft, and Google are expected to attend.

In Seattle, these tech titans will share pleasantries with Xi. But in China, their companies can't deliver information to the Chinese people because of Beijing's Great Firewall. And Xi's government uses that leverage to pressure tech companies into arrangements to censor content.

In Seattle, Xi will talk about expanding trade and technology, but in China he's depriving NGOs, journalists, and civil rights activists access to the Internet technology, fearful that they will organize amongst themselves, share information, and undermine the authoritarian regime.

Xi will also visit Boeing's factory in Everett, WA. In Everett, he'll no doubt praise the efficiency of the factory, operated by American workers who enjoy labor rights and workplace protections. But in China, labor organizers stand a good chance of being abducted, severely beaten, and left for dead a mile outside a city, as happened to Chinese labor advocate Peng Jiayong.

In Everett, Xi will see that all workers are skilled adults, but in China authorities ignore child-labor laws, leaving 13-year-olds like Li Youbin to die after working slave-labor shifts in harrowing conditions.

Xi will then travel to New York City, where he will chair a global leaders meeting on gender equality and women's empowerment at the United Nations.

In New York, Xi will praise international roadmaps toward gender equality, but in China, women are subjected to forced abortions, mandated sterilization, and mass implantation of birth control devices, all to advance Xi's population control policies.

In New York, Xi will urge other nations to commit to efforts to empower women, but in China Xi's regime arrests female lawyers and women's rights activists like Wang Yu.

In New York, Xi will purport to stand in judgment over other nations on women's rights, but in China prison guards raped and abused Li Ruirui. She was being held in an extralegal detention center for dissidents, or it is referred to as a "black jail."

Unfortunately, her story is not unique. The grand majority of detainees in so-called "black jails" are women, and they are at constant risk of rape and abuse by the regime's thugs.

The highlight of Xi's trip, of course, will be Washington, DC, a meeting and state dinner with President Obama. Xi and President Obama will hold a press conference where Xi will see a number of journalists representing a free press corps.

But in China, his regime arrests journalists who publish inconvenient information. After a stay in jail, the government parades the reporters before cameras to confess their supposed crimes.

Xi and the President will have a private meeting, perhaps over tea. But in China, being invited for tea has a very different meaning. It is code among civil society activists for being summoned by state security services to be interrogated, intimidated, and put on notice that the government is watching you.

During the state dinner, Xi will enjoy the sweetest of meats and the finest of wines in stately environs of the White House. But in China, Gao Zhisheng, a human rights lawyer, was imprisoned in a dark cell for years and allowed only a slice of bread and a piece of cabbage each day. He was also tortured with cigarette butts, electrified wires, and toothpicks rammed into his genitals.

Among Gao's crimes was his defense of persecuted religious groups—Christians, Tibetans, Uyghurs, and practitioners of Falun Gong. These believers are constant targets of government surveillance, imprisonment, torture, and forcible medication.

President Obama is welcoming Xi to the United States in the grandest diplomatic fashion. But as they sit next to each other in that state dinner, I hope President Obama recognizes what is perhaps the starkest irony of Xi's trip to the United States.

If President Obama had lived his life not in the United States but in China, as a Christian, a community organizer, a civil rights lawyer, and a constitutional law professor, he would not be enjoying a grand fete with Xi Jinping. President Obama most likely would be in prison, or much, much worse.

Chairman SMITH. Thank you very much, Senator Cotton, for that very eloquent statement.

Mr. Pittenger?

**STATEMENT OF HON. ROBERT PITTENGER, A U.S.
REPRESENTATIVE FROM NORTH CAROLINA**

Representative PITTENGER. Thank you, Chairman Smith, for allowing me to make an opening statement and for participating in this important hearing.

Thank you, as well, to our witnesses for appearing here today.

China is among one of the world's greatest powers, but its rise has come at a spectacular cost—the rights of its people.

Now, America has her own faults. America is dealing with crime. We deal with violence, with drugs, with racial issues. Notwithstanding that, but as we address our own concerns, we must have an honest dialogue with the Chinese leadership.

There is little question of China's frequent, systemic violations of human rights. Their thinly veiled offenses against freedom of the press, expression, religion, and speech, as well as their focused attacks on international entities and human rights advocates, paint a picture of a stifling and oftentimes terrifying life for the Chinese people.

We must not turn a blind eye to these horrific acts. Among other initiatives in Congress, and as part of this Commission, I am proud sponsor of H.R. 343, which expresses strong outrage regarding reports of China's systemic, state-sanctioned organ harvesting to non-consenting prisoners of conscience.

While these efforts are important, President Xi Jinping's upcoming visit to the White House presents a unique opportunity for President Obama to become a champion for human rights and freedoms of conscience for the Chinese people.

It is imperative that President Obama use every available opportunity to discuss these issues with President Xi Jinping. The United States must remain committed to the human rights of all

peoples and hold our counterparts around the world accountable to their violations.

We must promote human rights and fair treatment for all in China and across the world.

I am grateful to those who will offer testimony today, and I yield back.

Mr. Chairman, your respect for this Commission, I do have a plane I have got to catch, and I regret that. But I offer my deep commitment to each of you in this cause.

Chairman SMITH. Well, thank you very much, Commissioner Pittenger, and I do hope—and I know you will—take the testimony to read, because the testimony is devastating.

Representative PITTENGER. Yes.

Chairman SMITH. Thank you.

I would like to introduce our distinguished witnesses, beginning first with Dr. Teng Biao, who is a well-known human rights lawyer, visiting fellow at Harvard University Law School, and co-founder of the Open Constitution Initiatives. Dr. Teng holds a Ph.D. from Peking University Law School, and has been a visiting scholar at Yale Law School.

As a human rights lawyer, Dr. Teng is a promoter of the Rights Defense Movement and co-initiator of the New Citizens Movement in China. In 2003, he was one of the three Doctors of Law who complained to the National People's Congress about the unconstitutional detentions of internal migrants. And of course, Dr. Teng is involved in so much more.

A full bio for all of you will be made a part of the record, without objection.

We will then hear from Xiao Qiang, who is the founder and editor-in-chief of China Digital Times, a bilingual Chinese news website. He is an adjunct professor at the School of Information at the Graduate School of Journalism at the University of California at Berkeley. He is also the principal investigator of the Counter-Power Lab, an interdisciplinary faculty-student research group focusing on technology and the free flow of information in cyberspace based in the School of Information at Berkeley.

We will then hear from Yang Jianli, who is the president of Initiatives for China/Citizen Power for China. Dr. Yang 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. Dr. Yang returned to China to support the labor movement and was imprisoned by Chinese authorities for espionage and illegal entry.

Following his release in 2007, he founded Initiatives for China, a non-governmental organization that promotes China's peaceful transition to democracy.

We will then hear from Wei Jingsheng, a long-time leader for the opposition against the Chinese Government dictatorship. He was sentenced to jail twice for a total of more than 18 years due to his pro-democracy activities, particularly the Democracy Wall.

After his exile to the United States in 1997, he founded and has been the chairman of the Overseas Chinese Democracy Coalition,

which is an umbrella organization for many Chinese democracy groups, with members in over a dozen countries.

He is also president of the Wei Jingsheng Foundation and president of the Asia Democracy Alliance. And I would note parenthetically, in the early 1990s, soon after Tiananmen Square, on one of my many trips to China, I traveled, visited, had dinner with Wei Jingsheng.

He was let out of prison in order to get the 2000 Olympics. He was that high of a political prisoner asset to the Chinese Government. They thought if they let out Wei Jingsheng, they were more likely to get the 2000 Olympics.

They did not get it and they rearrested him, but we had dinner and he went back to not only being jailed, but also being very harshly treated, including multiple beatings.

We will then hear from Shohret Hoshur, who is a journalist reporting on news in China's Xingjiang Uyghur Autonomous Region for Radio Free Asia, where he has worked since 2007.

He began his career in 1989 in China's far west as a TV reporter. In 1994, Chinese authorities condemned two of his editorials as subversive, forcing him to flee his homeland.

As stated in the New York Times profile, "His accounts of violence in his homeland are among the few reliable sources of information about incidents in a part of China that the government has sought to hide from the international community."

We will then hear from Ethan Gutmann, who is an award-winning China analyst and human rights investigator and the author of "The Slaughter: Mass Killings, Organ Harvesting and China's Secret Solution to its Dissident Problem" and "Losing the New China: A Story of American Commerce, Desire and Betrayal."

Currently based in London, Mr. Gutmann has been associated with several Washington think tanks over the years, including the Foundation for the Defense of Democracies, the Free Congress Research and Education Foundation and the Brookings Institution.

I would like to now turn it to Dr. Teng.

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

Mr. TENG. Thank you.

Since July this year, at least 300 lawyers have been kidnapped, arrested, disappeared, or intimidated. Most of them are my friends. This ongoing persecution of rights lawyers is only a small part of Xi Jinping's comprehensive crackdown on civil society.

Since Xi Jinping came to power in 2012, at least 2,000 human rights defenders have been detained or sentenced, including Uyghur scholar Ilham Tohti and his students. Also detained were journalist Gao Yu, lawyer Xu Zhiyong, Pu Zhiqiang, Tang Jingling, Li Heping, Sui Muqing, Zhang Kai, Wang Quanzhang, Wang Yu, rights defender Guo Feixiong, Liu Ping, Zhang Shengyu, Su Changlan, and dissidents Qin Yongmin, Zhang Lin, Jang Lijun, Hu Shigen, Yu Shiwen, and some prisoners of conscience that are in custody, like Cao Shunli and Tenzin Deleg Rinpoche.

Obviously, after torture or inhumane treatment in Zhejiang and other provinces, government destroyed thousands of church buildings, arrested pastors and Christians, and demolished the crosses. Falun Gong practitioners were detained or sent to legal education centers, a kind of extra-legal detention. Many of them have been tortured to death. Other small religious groups are persecuted after the government has listed them as evil cults.

Many NGOs have been shut down, like Gongmeng—the Open Constitution Initiative. Even those NGOs focusing on the environment, women’s rights, LGBT [lesbian, gay, bisexual, and transgendered], or citizen libraries are not allowed to work.

The Communist Party made new regulations or policies on education and ideology, more censorship on Internet, textbooks, publishing, and traditional media.

The Communist Party authorities, with their excessive violence, have created hostility, division, and despair in Xinjiang and Tibet.

In Xinjiang, many protests were labeled as terrorist attacks; thus, many Uyghur people were shot dead without any necessity or legal basis. In Tibet, the number of self-immolations has been 147. Seventy-nine self-immolations happened since November 2012, since Xi came into office. Some family members of the self-immolators were even detained or sentenced.

Why is Xi Jinping purging the rights activists? Xi Jinping is somebody living in the 1960s. He never accepts the idea of liberal democracy or constitutionalism or human rights.

What he has been doing, and is going to do, is maintain the Communist Party’s monopoly of power. He will not tolerate any challenge to the one-party rule. The Communist Party never stops its punishment on activists, but Xi has a much lower threshold of prisons.

But the deep reason is located in the whole political and social situation. China has become the second-largest economy in the world. China is flexing its muscles by military parades, AIIB [Asian Infrastructure Investment Bank], and a new message on the South China Sea by tearing up the promise of Hong Kong’s autonomy. Also by detaining Nobel Laureate Liu Xiaobo, disappearing the Panchen Lama, arresting more and more rights activists.

But the Party’s attempts to project confidence cannot disguise its panic. It is beset by economic strife, antagonism between officials and the people, widespread corruption, environmental and ecological disasters, unrest in Xinjiang and Tibet, and its own sense of ideological crisis.

Compared with all of these things, the rights lawyers and civil society activists are gaining in prestige, influence, and organizational capacity. Since 2003, more and more people joined in the Rights Defense Movement. Human rights lawyers defend civil rights, challenge the abuse of power, and promote rule of law in China.

People organize more and more NGOs, working on various rights of the unprivileged people. Bloggers and writers criticize the comments or disseminate its information on sensitive events.

Activists initiated New Citizens Movement or Southern Street Movement to demand political rights. People gather privately to commemorate the Tiananmen Massacre.

Xi Jinping is coming here soon, while the human rights situation is deteriorating in China. “The day we see the truth and cease to speak is the day we begin to die,” Martin Luther King, Jr., once said. We should not keep silent when so many Chinese people are suffering the atrocities of the Communist Party.

History of the Nazis will repeat itself when people choose to do nothing when Xi Jinping is going toward Hitler. Those who welcome Xi Jinping without raising human rights issues are helpers of the dictator.

I recommend that the U.S. Congress pass an act on China’s human rights, making sure that U.S. companies and universities comment on the government’s organizations, not involving human rights violations when dealing with China, making sure that perpetrators are being prevented from entering the United States.

Thank you very much for your support of human rights and freedom.

Chairman SMITH. Thank you so very much for your testimony, and we will wait for questions until after everyone has completed.

Mr. Xiao?

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

STATEMENT OF XIAO QIANG, FOUNDER AND EDITOR-IN-CHIEF, CHINA DIGITAL TIMES

Mr. XIAO. Thank you, Mr. Chairman. I really am grateful for you, congressman, that for so many years you have been upholding human rights in this position, and you are a great friend of Chinese people.

My own work is on China’s state censorship, particularly on the Internet censorship, suppression of the media and freedom of expression in general.

Today I want to point out two examples. One is about domestic censorship; one is about the Internet censoring at the border of China.

China has the world’s largest number of Internet users, estimated at 641 million to date. After President Xi Jinping took power in 2012, he framed the Internet as a battlefield for ideological control and appointed himself head of a top-level Internet security committee. He also established the State Internet Information Office. Later on, it was renamed Cyberspace Administration of China, and it continues to intensify restrictions and controls on Internet freedom.

In the past two and a half years, Xi’s administration has not only expanded its crackdown on freedom of expression and freedom of the press, it has also launched a ferocious assault on civil society. My respected colleague, Dr. Teng Biao, just gave a comprehensive list of that crackdown.

These violations of fundamental rights and freedoms also have been well documented by international human rights organizations. For example, Freedom House’s annual report, “Freedom on the Net,” details China’s restriction of Internet freedom by blocking and filtering access to international websites, censoring online content and violating users’ rights. I recommend Freedom House’s excellent report to the Commission.

China Digital Times, my own work, closely follows the interplay of the censorship, activism, and emerging public opinion of the Chinese Internet. In particular, we collect and translate many of the censorship directives the Party sends to the state media and Internet companies. We also aggregate breaking news deemed sensitive by state censors.

During the last 12 years, the China Digital Times team has published over 2,600 such censorship directives and, using these directives, has pieced together how the Chinese Government restricts Internet freedom. Here I am just going to share one example with the Commission.

On September 7, 2015, the Chinese Communist Party's Central Propaganda Department issued a classified document marked as Notice Number 320 for the year 2015. In other words, until this day this year, they had already issued 320 of such notices.

This document instructs state media to report positively on the economy. Here is one excerpt of this document:

The focus for the month of September will be strengthening economic propaganda and guiding public opinion, as well as overall planning for domestic- and foreign-facing propaganda and Internet propaganda, in order to take the next step in promoting the discourse on China's bright economic future and the superiority of China's system, as well as stabilizing expectations and inspiring confidence.

In fact, both state and independent media have been pressured to keep economic reporting upbeat and to downplay the stock market crash last month. A directive from August 25 required Chinese websites to delete specific essays about the crash, while in June another directive instructed TV and radio stations to, "rationally lead market expectations to prevent inappropriate reports from causing the market to spike or crash."

The Central Government did not stop at issuing Internet censorship and propaganda instructions. In August, Caijing reporter Wang Xiaolu confessed on CCTV to, "causing panic and disorder," with a negative story on the stock market slump.

In this case, the Chinese Government is persecuting and prosecuting Chinese citizens, to quote H.R. 491, for "posting or transmitting peaceful political, religious, or ideological opinion or belief via the Internet."

Mr. Chairman, members of the Commission, I also would like to recommend another remarkable report, "China's Great Cannon," published by Toronto University's Citizen Lab. The Great Cannon is an attacking tool used to launch distributed denial-of-service attacks on websites by intercepting massive amounts of Web traffic and redirecting it to targeted websites.

The first deployment of the Great Cannon was in late March 2015, targeting two specific users of the San Francisco-based code-sharing site GitHub; The New York Times' Chinese mirror site, and another anti-censorship organization, GreatFire.org.

Based on this weapon's network position across different Chinese Internet service providers and on similarities of its source code to the Great Firewall, the researchers at Citizen Lab and the International Computer Science Institute based in Berkeley believe there is compelling evidence that the Chinese Government operates this Great Cannon.

In other words, the Chinese Government is not only deliberately blocking, filtering, and censoring online information based on the expression of political, religious, and ideological opinion in China, it is also using technology to disrupt Internet traffic and commercial infrastructures beyond its borders.

Mr. Chairman, I want to thank the Commission for holding this important public hearing on human rights in China days before Chinese President Xi Jinping's first state visit to the United States.

I urge President Xi Jinping to stop his repressive policies and practices. The Chinese people want and deserve more access to information and the Internet, and greater freedom to express their views. Chinese people desire and demand greater protection of human rights in their political, social, economic, and cultural life.

I urge President Obama to engage President Xi on Internet freedom, press freedom, and freedom of expression in their meetings, not only raising concerns, but also insisting publicly that future political and economic relations be dependent on the Chinese Government demonstrating improvements in upholding human rights.

Thank you, Mr. Chairman.

Chairman SMITH. Mr. Xiao, thank you so very much for your leadership on many issues, but that one in particular with regard to the Internet.

Dr. Yang?

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

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

Mr. YANG. Mr. Chairman and the members of the Commission. Thank you for holding this important hearing. Twenty-six years ago, after the Tiananmen Massacre, we came to Washington, DC, to plead with the U.S. Government to link China's most-favorite-nation [MFN] status with its human rights record. Without such a link, we argued that trading with China would be like a blood transfusion to the Communist regime, making it more aggressive while harming the interests of American and Chinese people.

But our warning fell on deaf ears. After a lengthy debate, the U.S. Government decided to grant permanent MFN to China, contending that economic growth would automatically bring democracy to that country.

With money and technologies pouring in from the United States and other Western countries and their free markets wide open for Chinese-made goods, the Chinese Communist regime not only survived the 1989 crisis, it catapulted into the 21st century. The country's explosive economic growth has brought it from near the bottom of the world in GDP per capita to the second-largest economy in the world. But democracy remains yet only a far-fetched dream.

Worse, today the Xi Jinping regime, as you have already heard from two of my colleagues and will hear from other fellow panelists, has launched numerous assaults in the past two decades against China's civil society on a scale and with ferocity making Xi Jinping China's worst leader in 20 years in terms of human rights record.

China uses its economic power, gained with the help of the West, to build a formidable, fully modernized military that has reached

every corner of the Earth. With this unprecedented power, China is now forcefully demanding a rewrite of international norms and rules. China wants to create a new international order threatening regional and world peace, with its dominance in the Asian-Pacific region as the centerpiece.

What went wrong with the American engagement policy? In my view, the failure lies primarily in the lack of moral and strategic clarity in its design and implementation. The origin of the error can trace back to the early 1970s, when then-Secretary of State Henry Kissinger, claiming that by integrating Beijing into the international community economically and politically, China would behave responsibly and abide by international norms and rules.

This amoral, geopolitical, and short-term pragmatic strategy fails to comprehend the evil nature and hegemonic ambition of the Communist regime, as reiterated recently in Xi Jinping's China Dream of a great red empire, to replace the Western civilization with the so-called "China Model."

Washington policymakers also failed to understand that economic growth may be a necessary condition, but not a sufficient one for cultivating democracy. Consequently, this policy has fundamentally undermined America's national interests and security.

The alternative is to engage China with a moral and a strategic compass. China under the CCP's rule cannot rise peacefully, and its transition to a democratic country that respects human rights, the rule of law, freedom of speech and religion, is in everyone's best interest, including China's own.

China's totalitarian regime has hijacked 1.3 billion Chinese people, imposing a political system on them by force and coercion and running the country like a slave owner of the past. It has obliterated their self-governance and controlled the people's lives without their consent.

To support this regime is both morally corrupt and strategically stupid. Like Frankenstein's monster, China is now seeking revenge against its creator, the West. It will destabilize and endanger the world, for the China Model, better called the Chinese disease, like the Black Plague, has spread and infected the international community. But most people in the world are not aware of it, and many are being fooled to believe it is the future.

Now, it is time for the United States to begin the era of an engaged China with moral and strategic clarity. To begin, the Congress should pass a China Democracy Act. It would be binding legislation flatly stating congressional judgment that the enhancement of human rights and democratic values in China is decidedly in America's national interest.

That would preclude the currently widespread but inaccurate claim that Congress must abandon on one hand its claim to support a universal value of human rights and on the other hand America's national interest.

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

All federal departments of a government should have to report on what they are doing to foster democracy in China by advancing

human rights and the rule of the law there. The Act also would put them on notice to take no action, adopt no policy, and implement no program that would undercut the democracy movement or weaken human rights in China.

Such a China Democracy Act would give us a better idea of what success we have had so far, what costs have been, and how we should increase or deploy financial resources to promote democracy and human rights.

If America expressly commits to strengthening those ideals and visibly implements that commitment, it will allow the people of China and indeed of the rest of the world to see that the words of Americans' promises to support liberty everywhere are fully matched by its deeds.

Thank you.

Chairman SMITH. Dr. Yang, thank you so very much. And without objection, your full statement, which is very extensive, will be made a part of the record, as well as all of our witnesses'.

I would like now to welcome Wei Jingsheng.

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

**STATEMENT OF WEI JINGSHENG, CHAIRMAN, OVERSEAS
CHINESE DEMOCRACY COALITION**

Mr. WEI [through interpreter]. Thank you, Mr. Chairman.

After Xi Jinping took over power, much illegal government behavior that existed in the past is even more widely used now and is becoming the norm. I am only going to talk about one example; that is, the illegal detention in the name of residential surveillance.

In early 1994, after I met with Representative Chris Smith and then-Senator John Kerry and before my meeting with then-Secretary of State Warren Christopher, the Chinese police illegally detained me for as long as 18 months.

According to China's Criminal Procedure Law, subpoenas cannot exceed three times in a row. After I was detained for three days, I asked them, either come up with a legitimate arrest certificate or release me.

They said the Procuratorate would not give them the arrest warrant, while their superiors ordered them not to release me, so they would use residential surveillance, which does not need the approval of the Procuratorate. Further, they did not have to notify the family in accordance with the law, with no time limit.

I said, this is illegal detention. They replied, the highest authorities in the government had approved this conduct, and they were just executing it with no responsibilities. As far as I was not detained in the prisons and detention centers, that would be counted as residential surveillance.

Nineteen months later, when they put me on trial, I requested them to count 18 months of residential surveillance as part of my sentences. However, the court answered explicitly that because there was no legal basis for this period, the 18 months cannot be credited into my sentence.

According to the clear statement in China's Criminal Procedural, that would be called illegal detention, yet that illegal detention was a detention that was approved by the highest authorities in the Chinese Government.

This kind of illegal detention is now being widely used as jurisprudence in China. It is not only being used against political dissidents, but also widely used against any Chinese citizens which the officials are dissatisfied with.

Any level of the government can take advantage of this form of detention to illegally hold citizens they dislike and then implement torture for the deposition they want. This residential surveillance forms the legal basis for Xi Jinping to maintain the one-party dictatorship, and then carry out his personal dictatorship.

On the basis of this illegal residential surveillance, the Chinese Communist Party launched the so-called “double designated system.” The purpose is to force illegal detention of certain Communist Party members with restricted personal freedom by the Central Commission of the Discipline Inspection of the Chinese Communist Party.

What this illegal detention covers includes the top leadership of the Chinese Government and the Communist Party, even the Politburo Standing Committee, which only has seven members. That is to say, except for Xi Jinping, all people have the possibility to be illegally detained, including American citizens in China. This is a downright personal dictatorship.

I suggest that when President Obama meets with Chairman Xi Jinping, he should make restoring the rule of law, abiding by the law, abolishing all forms of illegal detention and torture one of the main themes of their negotiations, rather than perfunctory generalities of human rights.

When Xi Jinping visits the U.S. Congress, the lawmakers should also apply pressure to Xi Jinping on these issues in order to promote human rights in China as well as to protect hundreds of thousands of U.S. citizens in China and their rights and their interests.

Thank you.

Chairman SMITH. Thank you so very much, Mr. Wei.

I would like to now invite Mr. Shohret Hoshur to provide his testimony.

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

STATEMENT OF SHOHRET HOSHUR, JOURNALIST REPORTING NEWS IN CHINA'S XINJIANG UYGHUR AUTONOMOUS REGION FOR RADIO FREE ASIA

Mr. HOSHUR. Thanks, Mr. Chairman, for inviting me to speak at this hearing on Xi Jinping's visit.

I am going to speak about my situation and my family's. For the sake of expediency, my translator will read my statement in English.

Mr. HOSHUR [through interpreter]. I came to the United States in 1999, almost five years after leaving my homeland in China's far western Uyghur region in 1994. The journey that took me away from my family did not begin by choice. I left to escape the wrath of local Chinese authorities who deemed two of my writings for local Uyghur-language newspapers as subversive.

I was a journalist for Qorghas Radio and Television, a local media outlet in the Xinjiang Uyghur Autonomous Region when I decided to write two pieces about Beijing's harsh oppression of Uyghurs.

The choice I made then upon leaving China, as now, was to never give up being a reporter covering the Xinjiang Uyghur Autonomous Region. To give that up would mean that a remote part of the world and its people, the Uyghurs, would lose one of their only lifelines to reliable news and information about what is happening in their own neighborhoods and communities.

When I began working for Radio Free Asia in 2007, it was a great opportunity to continue work that is badly needed, but it was also an opportunity seized by Chinese authorities as they began to harass my family.

As my reports for RFA began to be heard by Uyghurs listening on shortwave radio and reading my stories on the Web, authorities wasted little time in making it clear to my family—and to me—that they would one day pay a price for my journalism.

For the next several years, as China ramped up its security clampdown in Xinjiang, violence intensified and grew more frequent. But China's state-controlled media rarely reported on these deadly incidents. Radio Free Asia disclosed the majority, often through my reports.

The threats against my family—and, by way of my family, me—became more frequent and grave during this period. They culminated last year when all three of my brothers were jailed. My younger brother, Tudaxun, was detained in April before being tried in court and sentenced to five years in prison. He was charged with endangering state security.

My two other brothers, Rexim and Shawket, talked with me about Tudaxun's situation on the phone in June. I tried to comfort them when they grew understandably emotional. I told them that in time the situation might improve.

The next month, in July, a Chinese daily newspaper, the *Global Times*, ran a story attacking Radio Free Asia for its coverage of violence in Xinjiang. Though I wasn't named, the article cited my June phone call with my brothers, which had been intercepted by state surveillance.

In August 2014, local authorities also detained Rexim and Shawket. Their families have not seen them since. They were later charged with leaking state secrets—I believe, largely in connection with that phone call with me in June.

They were also charged with endangering state security. When it became clear that the authorities were not going to release them, I reached out with the help of RFA to the Committee to Protect Journalists, which issued a press release about my brothers' situation in January 2015.

The case received wide attention in global media and interest here from the U.S. Government. Their families and my sister were informed of their cases being reopened by authorities—hopeful news in China, where a prosecutorial office almost never calls for the reopening of a case submitted by police.

But our hopes soon dimmed when it became obvious, despite this development, that my brothers were to remain behind bars. Eventually, after the postponing of several court dates that came after inquiries from the U.S. Department of State to Chinese officials in the embassy here in Washington and overseas in Beijing, their sep-

arate trials were finally held this past August at the Urumqi Intermediate Court.

They now await their verdicts, which the judge told their lawyers would be issued by the Chinese Political and Law Council, Zhengfawei. These could come in two months, putting them after President Xi Jinping's state visit to Washington.

Today I am here to ask for officials in the U.S. Government—my government—and the administration to raise this case with President Xi next week. My family only wants to be left alone, free from persecution by local authorities. They want to live their lives as citizens of a country that respects their wish to be husbands and fathers looking after their families.

I know my case is not unique. Many of my colleagues at Radio Free Asia with relatives in China also have faced retribution and harassment. But I hope my testimony today helps to ensure that the United States will continue stand up for people like me who came to this country in hope of having the freedom and rights we did not have in our homelands.

Thank you.

Chairman SMITH. Thank you very, very much.

We will now go to Mr. Gutmann.

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

STATEMENT OF ETHAN GUTMANN, CHINA ANALYST AND AUTHOR OF "THE SLAUGHTER: MASS KILLINGS, ORGAN HARVESTING, AND CHINA'S SECRET SOLUTION TO ITS DISIDENT PROBLEM"

Mr. GUTMANN. Thank you for inviting me to participate in this profoundly important hearing.

In order to piece together the story of how mass organ harvesting of prisoners of conscience evolved in China, I spoke with medical professionals, Chinese law enforcement, and over 100 refugees. My interviews began in 2006 and my book, "The Slaughter," was published last year.

Now, I was not the first to examine this issue in depth. That distinction belongs to David Kilgour and David Matas, the authors of the seminal "Bloody Harvest" report of 2006.

Nor will I be the last. The World Organization To Investigate the Persecution of Falun Gong, a group of Chinese investigators scattered throughout the world, have just completed their own study.

Based on our collective evidence, here is a brief timeline of what we know.

In 1994, the first live organ harvest of death-row prisoners was performed on the execution grounds of Xinjiang, in northwest China. In 1997, following the Ghulja massacre, the first political prisoners, Uyghur activists, were harvested on behalf of high-ranking Chinese Communist Party cadres.

In 1999, Chinese State Security launched its largest action of scale since the Cultural Revolution: the eradication of Falun Gong. In 2000, hospitals across China began ramping up their facilities to what would become an unprecedented explosion in China's transplant activity. And by the end of that year, well over 1 million Falun Gong practitioners were incarcerated in labor camps, detention centers, psychiatric facilities, and "black jails."

By 2001, Chinese military hospitals were unambiguously targeting select Falun Gong prisoners for organ harvesting.

By 2003, the first Tibetans were being targeted as well. By the end of 2005, China's transplant apparatus had increased so dramatically that a tissue-matched organ could be located within two weeks for any foreign organ tourist with cash on hand.

While the execution of death-row prisoners, hardened criminals, supplied some of the organs, the majority were extracted from Falun Gong practitioners, and this was a fact that was not even being kept all that secret from the prison population, visiting foreign surgeons, or potential customers. Kilgour and Matas estimate 41,500 transplants were sourced from Falun Gong between 2000 to 2005. I estimate 65,000 Falun Gong practitioners were murdered for their organs from 2000 to 2008. The World Organization To Investigate the Persecution of Falun Gong believes the numbers are more likely in the hundreds of thousands.

In early 2006, the Epoch Times revealed the first allegations of the organ harvesting of Falun Gong and was following by the Kilgour-Matas report.

By 2008, many analysts, and I was among them, assumed that the Chinese state would stop harvesting prisoners of conscience for fear of international condemnation during the Beijing Olympics. Yet the physical examination of Falun Gong prisoners for their retail organs actually showed a slight uptick.

In 2012, Wang Lijun, Bo Xilai's right-hand man, attempted to defect at the U.S. Consulate in Chengdu. Two weeks later, the World Organization To Investigate the Persecution of Falun Gong revealed that Wang had personally received a prestigious award for overseeing thousands of organ extractions and transplants. Fatally exposed, Chinese medical authorities declared to the Western press that they would cease organ harvesting of death-row prisoners over the next five years. Yet no mention was made of prisoners of conscience, and third-party verification was rejected.

It is during this period from 2012 to the present day, even as the Chinese medical authorities spoke publicly of shortages due to relying on voluntary organ donation, that a very strange anomaly occurs. While China's hospitals have maintained strict Internet silence on their transplant activities since 2006, the hiring of transplant teams at many of the most notorious hospitals for harvesting prisoners of conscience is actually on the increase. In a handful of hospitals—for example, Beijing 309 Military Hospital—it is practically exponential.

Witness accounts shed some light on this mystery. One spoke to me about 500 Falun Gong prisoners having been examined for their organs in a single day—the largest cattle call that I know of. A Western doctor was recently assured by a Chinese military hospital surgeon that prisoners are still being slaughtered for their organs. And Falun Gong practitioners across China's provinces have described police forcibly administering blood tests and DNA cheek swabs—not in prison, not in a detention center, but in their homes.

I cannot supply a death count for House Christians, Uyghurs, and Tibetans, but if I had to make an estimate on Falun Gong, I would double my previous numbers. I am sure the World Organiza-

tion to Investigate the Persecution of Falun Gong would go much further. Either way, two points are clear:

The official number of Chinese transplants per year, 10,000, is a fiction; the real number is likely three times that. And the serious public declarations by the Chinese medical establishment of a new ethical environment for transplantation is simply a privacy shield to murder prisoners of conscience.

What can we do? We are not the moral arbitrators of this tragedy, but neither is the World Health Organization or the Transplantation Society. The moral authority belongs to families across China who have lost loved ones. Until we can hear their voices, we need at a minimum to follow our convictions.

I am not a lawyer, but in my layman's understanding, medical privacy ends when there is a gunshot involved. Why then do we adhere to strict medical privacy when there is an organ sourced in China? Why can't we even make a proper estimate of how many Americans received transplants in China? Why do we have to make guesses based on a humorous, feel-good account like "Larry's Kidney?"

This is an obscenity. For an American to go to China for an organ in 2015 is to participate in an ongoing crime against humanity. So I ask you to remove our privacy shield. And until the Chinese state offers the full and comprehensive accounting that the world demands, I ask you to follow the example of two very small but brave countries—Israel and, now just recently, Taiwan—and ban organ tourism to China.

Thank you.

[The prepared statement of Mr. Gutmann appears in the appendix.]
Chairman SMITH. Thank you very much.

I would like to now yield to Commissioner Cotton for any questions he might have.

Senator COTTON. Thank you all for your very powerful testimony. I would like to start by exploring the trajectory of state-sponsored human rights abuses under Xi Jinping and my office's conversations with Freedom House. They have indicated that under Xi, China's oppression has worsened across 13 of 17 categories.

It sounds as if many, if not all of you, would agree. Some of you have said it is as bad as it has been in 20 to 26 years. I would like to ask why. Why do you think China's human rights record has deteriorated so badly under Xi's regime?

And we can just start with Dr. Teng and maybe move down the panel.

Mr. TENG. Briefly, two points. First, Xi Jinping is different from other Party leaders. He never accepted the Western ideas of human rights or democracy. And he is a princeling and he wants to keep the one-party rule.

Second, what Xi and the Communist Party is facing is the comprehensive crisis, the political crisis within the Party, the social crisis, the conflicts between the people and the local governments, and the environmental crisis and the growing civil society.

So he is so nervous about the possible color revolution, and he must feel that if he does not issue the severe crackdown on the human rights movement or the civil society, he may lose control and the Communist Party may lose power.

Thank you.

Senator COTTON. Mr. Wei?

Mr. WEI. I think that the most important reason is because the 30-year period of reform led by Deng and followed by Jiang Zemin and Hu Jintao has reached an end. And China is right now in a crisis, both in politics and the economy.

When Xi came into power, he faced a choice, whether he should continue the road and heading to the road of the former Soviet Union and Taiwan, evolving China into a democracy, or returning back to the era of Mao. It seems like he chose the road to Mao.

So the two years' rule by Xi Jinping can best be characterized as a Mao-style ruling of China. But obviously there is resistance from all directions. But one thing is sure; he is facing another choice.

The moment for President Obama to put some pressure on Xi Jinping could lead to some surprise.

Senator COTTON. Mr. Yang?

Mr. YANG. We all know Xi Jinping is a second generation of their revolutionary—Communist and revolutionaries. And he came into power with a very strong sense, much stronger sense than his predecessors, that he must do everything possible to keep the Red Empire.

Because coming into power made the atmosphere in which everybody thought he would be the last one, last emperor. So he tried to do everything against the wave.

And two things can topple the regime. One, corruption, which is internal. The other is democratization. So once he came into power, he actually did two things inside China. One, anti-corruption, but it is selective. Mainly it is for consolidating his power, cleansing his competitor, power competitor in the power struggle.

And as he is doing this, he is really, really worried that people will join in. Because people have great hatred against those corrupt officials. And of course, he understands opening up freedom of speech, of press and let people join in would be the best way to curb corruption in the power, but he would not do it, because he is very careful not to let the people's power grow, which can also topple the regime.

So another reason, I think, ever since Xi Jinping became the ruler of China, the human rights record has been deteriorating. It is the Western democracies; we have to find some wrong policies toward China.

Ever since Obama became president, he stopped the old practice which each of his predecessors had done, ever since the Tiananmen Massacre. That is release the prisoners in whatever meeting with China's leaders and press China to release these prisoners. I just gave you one example. He has stopped this practice.

Let us give China a very clear signal that he would not care so much as others about human rights situation in China. And on her first trip to China as Secretary of State, Hillary Clinton said clearly, publicly, openly that the human rights issue cannot interfere with other issues, you know, the United States will have cooperation with China.

So this message has been the wrong message. The Chinese leaders now understand better than they used to in the 1990s about

how the game is being played in this country. If you do not match your words with your deeds, they know how to play with you.

So they know you are sincere, so they can do whatever they do. I think largely the China human rights record is so bad, largely because of an appeasement policy from Western countries like the United States.

Thank you.

Senator COTTON. Thank you.

I'd like to follow up that question with one other question—Mr. Wei alluded to this—is the growing economic crisis in China, particularly over the last three months as the Chinese Government has made extraordinary efforts to intervene in their marketplaces, to apparent failure time and time again.

Unlike our country, where an economic crisis may turn a person or a party out of office, in China, given their self-proclaimed ability to manage the economy, this could lead to a political crisis that questions the legitimacy of the entire regime.

I would like to hear your perspectives on what this economic and perhaps political crisis could mean for the coming future of the human rights condition in China.

Mr. XIAO. I am interested that you raised this question with the concept of legitimacy, because this is indeed a rising concern in the Chinese society, both on public opinion and apparently among the Chinese leadership, that I quote recent—it was the first time Xi Jinping, the right-hand man, Wang Qishan, also Standing Committee member, in the public speech, first time for the Chinese Communist leaders mentioned the word legitimacy.

He self-volunteered to answer the question, the legitimacy of Chinese Communist Party rule in China, and he simply said, because in his historical choice of people.

That, obviously, did not answer the question, because as Internet and public opinion emerges, simply say well, even we have chosen you, but that was 60 years ago. Have we given any other chances to choose again? Other countries choose every four years, maybe, and we never had another chance.

This legitimacy question is relating to the bankruptcy of the ideological control of the Communist Party, and that can be watched clearly on the Internet. There is more and more—despite all the censorship and the propaganda, there are more and more people aware that the fundamental questions of who the government represents, of what a taxpayer's rights are, and what is rule of law and an integral system of freedom of expression. And these even—linking to the question of legitimacy of Communist Party rule.

So when the ideological control is weakened and then there is economic downturn, or slowdown, and then that could lead the political crisis.

But I want to add one more thing, which is how the Party will address this question of legitimacy if the economic growth is not strong enough to support it. The answer is simple, but it could be terrifying, which is extreme nationalism.

And history has told us—that it is not hard to imagine that in order to deflect a crisis of legitimacy particularly and the ruler, particular dictators will use the nationalism to indicate the ex-

treme—and even creating crisis and external issues and conflict in order to consolidate the internal support and a repression.

Mr. YANG. Just to follow up Xiao Qiang's comment—sorry, Mr. Wei—I agree with him. So as China—CCP's rule in China has had two sources of illegitimacy. One, fast economic growth, which is now in question. The other one is nationalism.

When China's economy now has taken a downturn, the regime automatically will choose to mobilize more nationalism, the sentiment among the ordinary people. So this is the time they need an external enemy most.

In other words, it is a critical moment for the United States to come up with the right foreign policy toward China. It is a critical moment.

Mr. WEI. Mr. Xi is facing a major problem in economy, especially after the crash of the stock market which resulted in a lot of people's dissatisfaction.

On the other field of his anti-corruption campaign, he is doing too much. His personal initiative is creating a lot of backlashes from the class of high-ranking officials, thus a political crisis.

So he is facing a choice. One choice is to still push ahead on the hardline strategy which will soon bring him much more problems and a collapse is possible.

The other possibility for him to choose is to yield to the people, to the bureaucracy, and to foreign powers so that he can peacefully go on.

It seems to be the right moment for the United States to put on some pressure to demand some human rights improvement. Actually, I would guess he might be thinking to do so, but he needs some reasonable excuse.

Obviously, in his trip to the United States he will ask cooperation from the United States in the economic field, then the United States could make its own demand on him. That is not a bad thing for the United States either.

So if we put some effort into pushing him to human rights improvement, the result can be beneficial to both sides.

Senator COTTON. Thank you all for your insightful answers and for your compelling testimony, and thank you most importantly for the bravery of your advocacy for the rights of all men and women and children living in China.

Mr. Chairman?

Chairman SMITH. Thank you.

And before I go to my questions, I want to thank Senator Cotton for being here and most importantly for his service. He served in both Afghanistan as a combat veteran and Iraq, five years in active duty, received the Bronze Star. He graduated from Harvard University Law School, and first served in the House for a brief stint and then jumped over to the big house in the U.S. Senate. And we are just delighted as a Commission to have his expertise and incisiveness on this Commission. So thank you, Senator. We really appreciate it.

I would like to go to some questions now, if I could, beginning first, Dr. Yang. You mentioned, and I think very appropriately, that 26 years ago you strongly admonished Congress, the Presi-

dent, to link human rights with MFN and trade and to make it very clear and unambiguous to Beijing.

I traveled soon after Tiananmen Square, got into Beijing Prison Number One, where concentration camp-looking incarcerated individuals, 40 of them from Tiananmen Square, were being held, and was told that they are all eating all that they could possibly want. It was one big Potemkin village. And then a couple of years later, I met with Wei Jingsheng when he was let out briefly, but then was rearrested.

We did not listen. As you point out, it fell on deaf ears. First with Bush One and then, I think infamously, with Bill Clinton. Bill Clinton seemed to get it. He linked most-favored-nation status with human rights and then gave it a year. We had the votes, we believe, in the House and Senate to strip MFN from the People's Republic of China, but primarily because of Tiananmen Square and the ongoing crackdown. And then the President first linked and then delinked.

And I think, as you pointed out, they look at our words, but they especially look at our actions. And when they are inconsistent, when they are compromised, when they are hypocritical, claiming human rights and then saying, on a Friday afternoon, which is when he delinked it, May 26, 1994, everybody in this building, almost like today—at the end of the day on a Friday, people do tend to head back to their home districts—he delinked.

And the news cycle was over. I did a press conference, C-SPAN carried it and said, "We have chosen profits over human rights. It is to the detriment of every Chinese man, woman, and child, but also to ourselves."

Every area of human rights will probably—and they have, as I said—and I was not the only one; you and others said it—will deteriorate, including the one-child-per-couple policy, religious freedom, and all the others.

And yet today you are suggesting that there might be an opportunity; it is not too late. And I would ask you, if you would, to elaborate on that a bit.

You know, we are looking at Xi Jinping as someone who admires the excesses of Mao Zedong and seeks to emulate him in some way. That is frightening in the extreme, for the Chinese people who suffer so horribly under his cruel boot.

Let me also ask a few other questions and then I'll yield for answers, if I could.

The big issue of the summit, the reason why this hearing is being held today. We are not in session Monday or Tuesday. Wednesday the Pope will be coming in, and Xi—we have a great man coming in and then a man who has committed atrocities against his own people by the name of Xi Jinping.

I would hope, and I would make the appeal, as did the Washington Post, that at Lafayette Park, those who gather in peaceful protest be given that opportunity to express themselves. We, as a Commission, join you in asking the White House.

I hope they don't hide behind a Secret Service analysis that might have a political aspect to it, make it not happen because Xi won't like it. I've been at the White House for protests against others who have been there. Why not allow this? Because certainly La-

fayette Park is sufficiently far enough away to—there is a large buffer zone.

But that presence, that witness for human rights and democracy needs to be there. And I would appeal to the President, and we are appealing to the President to intervene and make sure that happens.

I would point out, and I am worried, Wei Jingsheng, in his statement, talked about, and I thought he phrased it so well, that rather than the perfunctory generalities of human rights, when he meets with the President and Xi Jinping, it ought to be all about restoring the rule of law, abiding by the law, abolishing all forms of illegal detention and torture as main themes of their negotiations.

Well, we could hope, but I am not holding my breath. And I think that is tragic; that the President of the United States, who has won the Nobel Peace Prize, does not, in a bold but civil tone, promote the agenda of human rights with Xi Jinping.

And publicly, the fact that Liu Xiaobo remains incarcerated, his wife suffering in the way that she is, and thousands and thousands of other political and democracy activists and religious prisoners, is an atrocity. A Nobel Peace Prize winner at the White House, Obama should at least raise the cases of Liu Xiaobo and many others.

I would remind my colleagues and our witnesses—and this is a revelation into priorities—we had a hearing some years ago that we called the “Five Daughters.” We had the five daughters—you all might remember it. It was a great hearing. Five of the daughters of dissidents, including Gao Zhisheng testified. And at the end of their testimony, they asked the President, “we would like to meet with you to talk about our dads.”

And one of the girls, young women, said, “He is the father of two girls, two young daughters whom he loves dearly—he will get it. He will understand it.”

We tried for months to get a meeting with the President of the United States—not with me; I will never get that, and that is the way it goes—but for these five daughters. Fifteen minutes, and we got word back that he did not have the time.

If you say you do not have the time for something, you have not stated a fact; you have stated a priority. And the priority was not to meet with these five extraordinary young women.

So we make that appeal again to meet with the five daughters, to meet with a group of dissidents, the people at this table, all of you, eyeball to eyeball with the President to talk about what you know and have such profound information concerning the human rights situation, whether it be among the Uyghurs, the Falun Gong, all the different aspects that you have brought to this table today. So that is a missed opportunity.

Let me just ask Mr. Xiao, we had hearings about a decade ago, a little less than a decade ago, on Google, Microsoft, Cisco, and Yahoo!—on their complicity in censorship and surveillance. You remember it quite well. You helped us with that back then.

And I swore all of them in. We asked them questions and they said they were just following Chinese law as they were surveilling the good people of China as they went on the Internet.

We know that Google is returning to China, and it has agreed to allow censorship. They are right back into enabling a dictatorship. And they also have to keep their user information in China which allows, as we saw with Yahoo! when they were there, in Shi Tao the ability to round up the dissidents just by going to the databases.

I thought Yahoo!, which has left, did the right thing in Vietnam when they put those servers, those vaults of information, outside the reach of the Vietnamese Government, which also does that kind of misuse of names and Internet and the like.

So if you can speak to that issue of what is happening. We know Baidu is doing a lot and others that have probably crowded out the Googles of this world, but they are going back now, Google, Google Play, and that is very disturbing, in my opinion.

And I am worried about Facebook. When they all start, for the sake of making money, conforming to these aggressive, enhanced rules of surveillance, I think they are worse now than they were 7, 8, 9, 10 years ago. I think that is certain.

That is some opening questions. I do have a few more, and so if you could begin with those.

Mr. YANG. Thank you for your question. I remember the day President Clinton reversed the policy dealing with human rights, the MFN vis-à-vis human rights. That was the beginning of what I call the year of engagement without moral and strategic clarity.

And I describe it as compartmentalization of U.S. policy toward China, one opposing another, and people automatically naturally will choose not to care for human rights because it is difficult. The cause—is difficult.

So the fact is that everybody tries not to touch this issue when they have a meeting with Chinese leaders or engage with China. That is how the disaster began.

I think it is never too late to correct this mistake. And, now I think it is time to end the year of engagement with China without moral and strategic clarity and begin the year of engagement with moral and strategic clarity.

First off, we must have integration of a policy throughout our dealings with China. Everything has to come together.

Engagement with China, whoever does it, whichever government organization or department, must take care of human rights. So this is the first thing we must call for.

And I remember Senator Rubio issued a statement on the 26th anniversary of the Tiananmen Massacre. He said clearly that he supports integration of U.S. policy toward China; you cannot pit human rights against other policy issues. I fully agree with that.

In my opening remarks, I called for a China Democracy Act which is a law that clearly states it is in this country's interest to advance human rights and democracy in China.

China's government has tried very hard to distract people like us, the China Democracy Movement, with a claim of American policy providing secret assistance to us. I wish that were the case, but there is no such thing.

So why such a thing is important? Because it usually takes four things to be present at the same time for a transition to take place in an autocratic society.

One is a robust, generous discontent with the regime, which is now lacking in China, according to the report today. You can see it very clearly.

Another is cracks in the top leadership, which is going to happen. It is happening, so I do not want to talk about it now.

The third is a viable democracy movement, an opposition movement, which we try very hard to build up. And if U.S. and other strong democracies have such a policy to help us build a viable democracy movement, that is vitally important.

The fourth thing is international recognition of the moment of transition. In 26 years, we have the first three, but not the international recognition. The moment has come, so we lost the opportunity. So I think it is very important.

The Obama administration has sent too many wrong messages to the dictator in China. This time, again, it is very alarming. And I am one of the organizers of the 25th rally in Lafayette Park. In two meetings with the Park Service, they could not confirm with us whether we will be able to use the park to have our rally.

And I have organized in past years many, many rallies in that very place. There was no restriction whatsoever. But this time it is different. I do not know how long we have to wait to get a confirmation either way.

But this is the wrong message again. It is not a small matter. It is a terrible message, and that means that the Obama administration can even do the things like restricting the freedom of expression in this country. That is a wrong message.

So it is unacceptable, actually, if Xi Jinping returns to China without having received a clear message from President Obama or from Congress or from the people of this country that he will not have the full trust of this government, of the people of United States, if he continues to mistreat his own people.

Thank you.

Mr. XIAO. I will respond to your second question. But actually, I also want to say a few things about your first question, because—and also Senator Cotton before, in his eloquent opening speech, also mentioned those points. I thought it was excellent.

The point is that President Obama himself, he is a father of daughters and he is a Nobel Peace Prize winner. He is a constitutional lawyer, and he also is a Christian and—et cetera.

If anyone, it should be him to feel more empathetic and feel the gross violations under the Xi Jinping administration, and with all these concrete examples right in front of him.

So I really hope that personal message can be driven to him and it can be reflected in his personal meeting at Xi Jinping's state visit.

The second point is about the technology companies, the U.S. technology companies—Google and Yahoo! and Microsoft—Google in particular, because it generates lots of attention, that when they withdraw from China and now are thinking about returning to the Chinese market.

I do believe it is out of the reason for making money as a company that is a commercial decision because, as I mentioned in my testimony, Chinese Internet users have been growing so large for

commercial companies they are hard to ignore that market potential.

However, the particular information and communication technologies for companies like Google is not just a commercial technology; it has implications in human rights and freedom of expression. And/or the other way, that it can enable the dictators, the repressive regimes, to violate further the human rights of their own people. Therefore, for those technology companies, there is a lot more at stake for human rights.

I was, as Congressman Smith mentioned at the hearing when those executives of companies were making decisions—both in China and relating to human rights. And I remember the Congressman's words at that time, asking them powerful questions, thinking about the human dignity, the human rights in relation to its moneymaking. I remember how uncomfortable those executives were in their seats, sitting right next to me.

Yes, this has been 10 years or so, and history will continue. It is the CEO of Google himself last year who wrote an article saying the censorship, Internet censorship, eventually will be obsolete. And actually, he did not say eventually; he said in 10 years. Because he believed technology will surpass that.

Coming from the CEO of Google, I believe he said that with some kind of confidence and understanding of—the technology turns.

However, they are returning to China, becoming part of the group of American leading-technology companies dealing with the Chinese regime, also telling us that they are looking at the short-term benefit, commercial benefit, much over the longer obligations and trend.

So let me finish in this way. Maybe the business concerns their bottom line, but it is up to the government, it is up to the people, to hold the basic moral principle of human dignity and freedom. The American Congress passing the Internet Freedom Act and those kinds of laws and being an instrument can help us to protect the human rights through those technology transfers and exchanges and trade and curb the potential damage of the human rights violation, if those American companies engage inside of China.

So I believe that kind of action from the government, from the Congress, is absolutely essential and critical.

Chairman SMITH. As you know, we have introduced the Global Online Freedom Act, but it has run into an enormous amount of opposition. But we will continue fighting for it, and I thank you for that.

I would like to ask Mr. Hoshur, if I could, has the situation changed for the Uyghurs in China since Xi Jinping came to power, and if so, how?

Mr. HOSHUR. Thank you for this good question. I was actually thinking about it myself and was going to speak about the situation of Uyghurs.

Since Xi Jinping came to power, the situation in the region has been worsening with the number of violent events taking place.

Each time with the chance of power in China, Uyghur people are very hopeful for positive changes. But unfortunately, the Uyghurs

in the region, they have not seen any positive changes. Instead, they see the very harsh crackdowns on the activities.

In particular, they were talking about corruption, but the corruption is not the main concern for Uyghur people. The main concern is the hard oppression of the people.

What is the other very important issue? It is the execution of prisoners and the sentencing of political prisoners and executing the people, the protesters, extrajudicial killings.

Even with the example of my brothers being currently held, and this is all reflecting Xi Jinping's policies and harshness.

Chairman SMITH. I would like to ask Mr. Gutmann, do you think the U.S. Government reporting on the issue of organ harvesting has been sufficient? Have you found receptivity to your research at the U.S. Department of State? And what would be your recommendations to the U.S. Government and Congress on how to combat the problem of organ tourism?

Mr. GUTMANN. The first thing I would like to see is that the Department of State tell us exactly what Wang LiJun said during the 24 hours he was in the Chengdu consulate. I think everybody knows that something went on, and that he talked about organ harvesting. There cannot be any real question of this. But we don't really know what was said.

Now, my theory—and I think it is an operating theory throughout Washington, really—is that he basically said yes, we have been doing this for some time. That he basically made some sort of confession. If that is not true, the State Department should tell us so. This is really important information. This is critical.

The rest of that question I see as just typical bureaucratic inertia in Washington. And I understand that.

If I can take the question to the current situation, following on what Wei Jingsheng was saying about how this is the time, with the Chinese economy on the ropes, this is the time to push on human rights. I have mixed feelings about this.

One of the interesting things about being an outsider is that I can observe what is going on within the Falun Gong community and see the debates that go on in that community.

There are two views right now about Xi Jinping and his leadership. One is the hope-springs-eternal side: Xi has possibilities, Bo Xilai is in jail, Zhou Yongkang is gone, Jiang Zemin is subject to lawsuits, and the whole "Dead Hand" faction is under attack. And they see all kinds of possibilities in this, and the feeling is that if the U.S. Government would just push, then we could get some answers.

There is another view, which I think is more aligned with this report that I was showing you: Xi is expanding organ harvesting, and the facts on the ground seem to bear that out.

Now there is also a synthesis view which I subscribe to: It is not the crime; it is the coverup. That is always the problem, yes? And we do have a coverup going on, and that can be more lethal. Think about it in extreme terms—when concentration camps were about to be overrun by Allied soldiers, the Nazis would kill prisoners and burn the place down. So for people in the Laogai System, this is actually a very dangerous time.

Obviously that includes Uyghurs. We have seen the level of enforced disappearances of the Uyghur community go up. It is another exponential curve.

Yet my view is ultimately a little different than any of these views. It is a very pessimistic view. This is a structural problem within the Chinese Communist Party. They will keep repeating these kinds of atrocities, and it is not the crime, but the coverup, and so it does not matter really who is in power, because they are always dealing with the last coverup. So it does not matter if Xi would like to end the persecution of the Falun Gong and Uyghurs and Tibetans. He cannot, because there are too many skeletons in the closet.

And in that case, if that is true, then maybe the answer for Washington is, perhaps the best we can do is to at least limit our own moral decay in these areas.

Take the Google situation—I have always argued that Google should not be in China. Google should be out of China.

Cisco should have been completely banned from China. They should have been held to terms for what they did: surveillance, and they actually were assisting with a database that was used to arrest Falun Gong practitioners.

But the same is true here, in the medical field. We are allowing this to just go on. We are allowing doctors—there are doctors in the transplantation society who are considering starting joint ventures in China. Yet this is a line the West cannot cross. That is my view. At least we can get to that. We cannot agree on everything when it comes to China, not in Washington, but we can agree on some basic moral principles. And these are basic moral principles. We sense that we are crossing a line. We know we are involved in some terrible way with the kinds of atrocities that have been described here today.

Chairman SMITH. If I could ask Dr. Teng, you laid out the fact that many of those who have been incarcerated are your friends. You said that Xi Jinping will not tolerate any challenge to the one-party rule. he is living in the 1960s, and the purge of the rights activists is awful, but it is getting worse.

Has the U.S. Government really weighed in on this, from the State Department, U.S. Ambassador in Beijing, the Assistant Secretary for Asian Affairs and, of course, the President and Vice President? Have they spoken out in a way that has been heard by Beijing that this matters to us?

I have always believed that human rights defenders, if they are eviscerated by a dictatorship, where would the people go then? There are religious people who fill in that gap and that role, but defenders are using the rule of law to the best of their ability.

I remember in the Soviet Union, the Helsinki Final Act activists were raising international law, particularly the Helsinki Final Act, from Vaclav Havel, and I was in Czechoslovakia and met with people who were part of Charter 77—they had a lot more lawyers. Some were clergy, the priests; some were lawyers.

I was even in a prison camp, Beijing Prison Camp 35. And there was a man named Mikhail Koznikov who was a Helsinki human rights lawyer. And the Soviet officials did not know how to deal with him. He was citing chapter and verse.

And so human rights defenders are really a first, second, and third line of defense. And when they are being purged systematically, there has to be an absolute, robust counter-push on the part of democracies, including and especially the United States.

Are we doing that, as a country? Is Obama doing it? State Department?

Mr. TENG. Thank you. I know many international human rights organizations and the media have a lot of reports on the crackdown on rights lawyers and American State Department and—Canada and many other countries have also issued some statements on this.

And we really appreciate it, and it is good even though we have not seen any direct consequence of this statement of attitude.

So I want to say first what the international community should do. It is not to say something, but do something up to that, do something directly and indirectly to give pressure to the Chinese Government to make sure these political prisoners are not tortured, make sure the Chinese abide by its own laws and regulations.

And second, what Xi Jinping and the Communist Party is doing not only harms Chinese people, but is harming the free world, harming the United States.

For example, Yahoo!, Cisco, Google, what they have been doing may be violating the freedom of expression. In California and other areas, Chinese dissidents were attacked by Chinese Government-hired hooligans.

The Confucian Institutes and the Federations of Chinese Scholars and Students have done a lot to influence academic freedom negatively, and so many other things that the Communist Party tried their best to sell its value to the world.

So the United States really should do something to protect its own freedom, and that is Obama and the Congress should not keep silent when meeting Xi Jinping.

Chairman SMITH. Anyone who would like to answer, if there is. Do you perceive a link?

First of all, we invited you here because you are world-renowned, world-class human rights activists, people who have, by your work, by your study, by your academic endeavors have made a huge difference. So when you speak, this Commission and, by extension, the Congress, hears you.

Is there a link between human rights abuse, the deteriorating situation with regard to democracy, the crackdown on the human rights defenders and the growing animosity of China toward its neighbors, including the United States, but especially Japan and other countries that are in proximity to it?

The work or the expansionism that we see going on in the South China Sea, the linkages with North Korea, especially with Iran, which is on a tear to get a nuclear weapon and under President Obama's agreement I think it is inevitable that they will get a nuclear weapon. It is a matter of when—and not if. It was not a well-honed—this is not the discussion for here and now; we have had numerous hearings on that.

But they are in league with rogue nations everywhere, and teaching a bad governance model, but especially in the region, the threat of war by either miscalculation or by design. Your thoughts

on that as human rights continually race to the bottom, like I said at the beginning, with North Korea.

And if you would add to your answers, it is outrageous that Xi Jinping will be at the United Nations on September 27 speaking about gender quality and equal rights for women when, in China, the Chinese women and girls are discriminated against like no other group of people in the world.

I have been working and combating the one-child-per-couple policy since I first learned about it in my second term in 1983 and offered numerous amendments to defund those organizations that aid and abet these atrocities against women.

This is the 55th hearing that I have chaired on human rights abuse in China. We have had exclusive hearings just focused on the one-child-per-couple policy, we heard stories from women who were forcibly aborted.

As you all know, China today has more suicides of women than any other country in the world, and the CDC, the Centers for Disease Control, in Beijing estimates 600 women per day—per day, not week or month—per day, commit suicide.

Well, when a member of the People's Congress was here visiting, I raised those issues with her and she went right into denial mode and ended the meeting. It was a meeting of the Foreign Affairs Committee, of which I am a member, and said, we cannot prove this. So I went and got the documentation and put it in her hands, and that was the end of that meeting. Her name is Fu. And she was very, very upset. I said, you are waging war against your own women.

Now, the consequences from a human rights' point of view, from the breakup of the family and the military consequences of having more men—and who knows what the number is, tens of millions of more men than women—40 to 50 million men will never marry between now and 2020 because of the extermination of the girl child while in the womb through a course of population control and abortion.

You are only allowed one. There is a boy preference, and all of you know that.

But I think our Pentagon, I think our State Department, misses by a mile the implications for China remaining not at war and not in a dire strait because of the demographic nightmare that they are experiencing.

One last point, and you might want to comment on this. I am the prime sponsor of the Trafficking Victims Protection Act. Every year a TIP [Trafficking in Persons] Report comes out. We have minimum standards of government complicity.

The administration this year, again in a bogus way, gave a higher grade—they failed to recognize the explosion of sex trafficking in China, much of it attributable to the missing daughters of China and men who cannot find wives, and this disparity. And it is only going to get worse as that disparity continues.

And yet Xi Jinping in a week will be at the United Nations talking about equal rights for women when he ought to be at The Hague being held for crimes against humanity and crimes against women for what he has done and continues to do to his own women.

I do not know if Obama will mention it. I am not even sure he has ever mentioned it, and that is a missed opportunity.

So if you would touch on some of these issues, if you would, as we conclude the hearing. But I think Wei Jingsheng, when I first met with him, he talked about the security issues and how we so misunderstand the intentions of the dictatorship—not the Chinese people, but the dictatorship and the animosities that have festered for years that go back to the Opium Wars, certainly Japan during their horrible atrocities committed against the Chinese people in World War II, all of that has festered.

Now you have a disparity of boys and girls. Nicholas Eberstadt, the famous AEI [American Enterprise Institute] demographer, wrote a fascinating piece about what is to become of a country that is increasingly male and increasingly older? The economy, how does that continue when you have too few people supporting an elderly population and they all happen to be disproportionately guys?

So if you could—any comments you might want on that, and anything else you would like to say before we conclude the hearing.

Yes?

Mr. GUTMANN. I have just a very brief point which I think illustrates the global effect—a very direct effect.

We know that Chinese surgeons have been going down to Vietnam. It is not clear who the invitation came from or whether they invited themselves, but we know they have trained several Vietnam hospitals in organ harvesting. And they have opened up a transplant industry in Vietnam that did not exist before.

Now, a couple of months ago, we learned that ISIS, or ISIL if you prefer, has been harvesting the organs of their political prisoners. This is true. And this is simply evil unchecked. Because evil not remarked on will surely spread, and that is exactly what we are seeing in this case.

Mr. WEI. I would talk about two issues. One is about the possibility of war. Not many observed but it is a fact the Chinese Communist Party is very good at constructing personal credit by war. Many Chinese generals today are still speaking of what Deng Xiaoping did in 1979 to have the war with Vietnam and built his authority quickly.

At this moment, Xi Jinping is facing major problems in political and economic areas, and he is thinking about using war to resolve his crisis inside of China. If we cannot do anything to push him for the improvement of human rights in China, and if we do not see major improvement on economic issues, he may choose a war.

I think that he personally should have already realized that his way toward Mao has failed, and now he has only two choices: Either he will yield more rights to the people or start another war.

So we should remind Mr. Obama, if he wants to leave some historical mark, the best thing he should do is push Xi Jinping to improve human rights. Xi Jinping might consider to improve human rights, but he needs some exterior push.

Mr. YANG. I have a few final comments. Number one, any leader cannot be trusted if he or she mistreats his or her own people, history has repeatedly told us thus far.

Another comment is that Xi Jinping's state visit actually provides a unique opportunity for President Obama to leave a legacy,

as Mr. Wei just mentioned. And he is a Nobel Peace Prize Laureate. He must remember there is another one. As we speak, he is languishing in a Chinese prison.

And when we talk about women, his wife Liu Xia has been under house arrest for almost five years, ever since the announcement was made that her husband won the Nobel Peace Prize. So this is another woman who has been persecuted. It is just another example.

And I think an important issue still remains how you match your words with deeds. Lip service does not do much. And the Chinese leaders and the Chinese understand the game.

When you just provide lip service, they do not take it seriously. And very likely, after Xi Jinping leaves, returns to China, President Obama and the White House will release a statement saying how the human rights issue was raised during the meeting. We express our concern. Who knows? Who knows?

Now what we want President Obama to do is openly commit himself. We want him to openly do the things that he should do so that people can hold him accountable.

It is time to bring diplomacy from dark to light.

Thank you.

Chairman SMITH. I want to thank each and every one of you for your expert testimony, for your passion for human rights and democracy, and it really has helped this Commission know exactly where we are and what we ought to be doing, and I thank you for that.

Then without objection, a statement by Cochairman Senator Rubio will be made a part of the record, his opening comments, so ordered. And again, I want to thank you again for being here today.

This hearing is adjourned.

[Whereupon at 4:07 p.m. the hearing was concluded.]

A P P E N D I X

PREPARED STATEMENTS

PREPARED STATEMENT OF TENG BIAO

WHY XI JINPING IS PURGING CHINA'S RIGHTS ACTIVISTS

SEPTEMBER 18, 2015

Since July 9 2015, nearly 30 human rights lawyers have been kidnapped or arrested, most of them are my close friends. At least 300 lawyers or activists have been questioned or released after a short detention.

This ongoing persecution is only a small part of Xi Jinping's comprehensive crack-down on civil society. Since Xi came to power in late 2012, at least 2000 human rights defenders have been detained or sentenced, including Uyghur scholar Ilham Tohti and his students, Journalist Gao Yu, lawyer Xu Zhiyong, Pu Zhiqiang, Tang Jingling, Li Heping, Sui Muqing, Zhang Kai, Wang Quanzhang, Wang Yu, rights defender Guo Feixiong, Liu Ping, Zhang Shengyu, Su Changlan, dissident Qin Yongmin, Zhang Lin, Jiang Lijun, Hu Shigen, Yu Shiwen, Pastor Zhang Shaojie, etc. Some prisoners of conscience died in detention, obviously out of torture or inhuman treatment, like Cao Shunli and Tenzin Delek Rinpoche.

In Zhejiang and other provinces, government destroyed thousands of church buildings, arrested pastors and Christians, demolished the crosses. Falungong practitioners were detained or sent to legal education centers, a kind of extra-legal detentions—many of them have been tortured to death. Other small religious groups are persecuted after the government listed them as evil cults.

Many NGOs have been shut down, like Gongmeng (the Open Constitution Initiative). Even many NGOs focusing on Environment, women's rights, LGBT, labor rights or citizen libraries are not allowed to work.

The CCP made new regulations or policies on high education and ideology. More censorship on internet, textbooks, publications and traditional media. Document No.9. Seven don't talk. Mass line. Military parade. Fundamentalist Communism—Xi seems to be very keen on bringing back Maoist style discourse and cult of personality.

The Chinese communist authorities, with their excessive violence, have created hostility, division and despair in Xinjiang and Tibet. In Xinjiang, many protests were labelled as terrorist attacks thus many Uyghur people were shot dead without any necessity and legal basis. In Tibet, the number of self-immolation has been 147, and 126 Tibetans have lost their lives. 79 self-immolations happened since November of 2012 when Xi came into office. Some family members of the self-immolators were even detained or sentenced.

Why Xi is purging the rights activist?

Xi is somebody living in 1960s. He never accepts the ideas of liberal democracy or constitutionalism or human rights. What he has been doing and is going to do, is to maintain the CCP's monopoly of power. He will not tolerate any challenge to the one party rule. CCP never stops its punishment on activists, but Xi has a much lower threshold of prisons.

But the deep reason locates in the whole political and social situation.

China has become the second largest economy in the world. China is flexing its muscles by military parade, AIB, and new message on South China Sea. By tearing up the promise of Hong Kong's autonomy. Also by detaining Nobel laureate Liu Xiaobo, disappearing Panchen Lama, arresting more and more rights activists. But isn't there a profound dread lurking behind this barbarism?

The party's attempts to project confidence do little to disguise its panic: It is beset by economic strife, antagonism between officials and the people, widespread corruption, environmental and ecological disasters, unrest in Xinjiang and Tibet, and its own sense of ideological crisis. The party no longer has the ability to carry out the frantic, Mao-style mobilizations of the past. Its ideology has lost all attraction, and the public's frustration with the party is growing. People are more willing to criticize the regime in public, and the spread of access to the Internet has stunted the effect of the party's inculcation, thought work and propaganda. The stock market's recent crash and the tragic Tianjin blast led even the middle class to fury and disappointment. Wang qishan's recent talk on legitimacy exactly reflects the CCP's anxiety of its lack of legitimacy. The recycling of old slogans, the shutting of NGOs, the arrest of dissidents and enhanced controls on the spread of information—all of it is a sign of the party's deep fear of a color revolution.

Compared with all of this, the rights lawyer and civil society activists are gaining in prestige, influence and communications and organizational capacity. Since 2003, more and more people joined in the Rights Defense Movement. Human rights lawyers defend civil rights, challenge the abuse of power and promote rule of law though taking political cases or sensitive cases. People organize more and more NGOs, working on various rights of the unprivileged people. Bloggers and writers write articles to criticize the government, or disseminate information on sensitive events. Activists initiate *New Citizens Movement* and *South Street Movement* to demand political rights. People gather privately to commemorate the Tiananmen Massacre. The Rights Defense Movement tends to be more organized and politicalized, gaining more support and respects from the general public.

These are the reasons why Xi decided to purge the rights activists and destroy the growing civil society. But this crackdown won't silence the rights lawyers and defenders, and it won't stop the march toward human rights and dignity in China. Rights lawyers will rise from the ashes with an even deeper sense of their historical responsibility.

Xi is coming here soon. Does Xi and the party wish to relive the nightmare of lawlessness during the Culture Revolution? When will he release China's prisoners of conscience? When will this ruthless suppression of freedom end? Will the Beijing 2022 Winter Olympics be another human rights disaster, like the 2008 Beijing Olympics were? We ought to ask him.

'The day we see the truth and cease to speak is the day we begin to die'. Martin Luther King Jr. once said. We should not keep silence when so many Chinese people are suffering the atrocities of CCP. History of Nazi will repeat itself when people choose to do nothing when Xi Jinping is going toward Hitler. Those who welcome Xi Jinping without raising human rights issue are helpers of the dictator.

PREPARED STATEMENT OF XIAO QIANG

SEPTEMBER 18, 2015

Mr. Chairman, Respected Members of the Commission,

My name is Xiao Qiang. I am the founder and chief editor of China Digital Times, a bilingual China news website. I am also an adjunct professor at the University of California, Berkeley School of Information, where my current research focuses on mapping political discourses in Chinese cyberspace, measuring state censorship and control of the Internet, and developing cloud-based technologies to break through that censorship. It is my privilege to testify in front of this commission again.

Mr. Chairman, China has the world's largest number of Internet users, estimated at 641 million to date. After President Xi Jinping took power in 2012, he framed the Internet as a battlefield for ideological control and appointed himself head of a top-level Internet security committee. He also established the State Internet Information Office (renamed the Cyberspace Administration of China), and continues to intensify restrictions and controls on the Internet freedom.

In the past two and a half years, Xi's administration has not only expanded its crackdown on freedom of expression and freedom of the press, it has also launched a ferocious assault on civil society. These violations of fundamental rights and freedoms have been well documented by international human rights organizations.

For example, Freedom House's annual report "Freedom on the Net" details China's restrictions of Internet freedom by blocking and filtering access to international websites, censoring online content, and violating users' rights. I recommend Freedom House's excellent report to the Commission.

"World Press Freedom Index 2015," published by Paris-based Reporters Without Borders, ranks China 176th out of 180 countries.

China Digital Times closely follows the interplay of censorship, activism, and emerging public opinion on the Chinese Internet. In particular, we collect and translate many of the censorship directives the Party sends to state media and Internet companies. We also aggregate breaking news deemed "sensitive" by state censors.

During the last twelve years, the China Digital Times team has published over 2,600 such censorship directives, and using these directives has pieced together how the Chinese government restricts Internet freedom. Here are a few recent examples to illustrate these controls.

1. From September 8, 2015, on Tibet, issued by the Cyberspace Administration of China:

All websites may follow coverage of the 50th anniversary of the founding of the Tibet Autonomous Region. Please take care to tidy up negative and

harmful information related to the news. You may close the comments section on major stories.

2. On September 7, 2015, the Chinese Communist Party's Central Propaganda Department issued a classified document, marked as notice number 320 for the year 2015. This document instructs state media to report positively on the economy. Here is one excerpt from this document:

The focus for the month of September will be strengthening economic propaganda and guiding public opinion, as well as overall planning for domestic- and foreign-facing propaganda and Internet propaganda, in order to take the next step in promoting the discourse on China's bright economic future and the superiority of China's system, as well as stabilizing expectations and inspiring confidence.

In fact, both state and independent media have been pressured to keep economic reporting upbeat and to downplay the stock market crash last month as well as slumps earlier in the summer. A directive from August 25 requires that Chinese websites delete specific essays about the crash, while in June the State Administration of Press, Publication, Radio, Film, and Television instructed TV and radio stations to "rationally lead market expectations to prevent inappropriate reports from causing the market to spike or crash."

The central government did not stop at issuing internal censorship and propaganda instructions. In August, Caijing reporter Wang Xiaolu confessed on CCTV to "causing panic and disorder" with a negative story on the stock market slump.

3. From September 3, 2015, concerning the military parade in Beijing, issued by the Central Propaganda Department:

Do not hype or comment on those high leaders of major Western countries who are not attending the September 3 military parade commemorating the 70th anniversary of the victory in the war against Japan.

4. On August 12, 2015, a chemical explosion in the port city of Tianjin left at least 173 dead and nearly 800 injured. China Digital Times collected a number of censorship instructions issued to state media and Internet companies regarding the accident, including the following from the Cyberspace Administration of China:

Standard sources must be used regarding the explosions in Tianjin's Tanggu Open Economic Zone. Use only copy from Xinhua and authoritative departments and media. Websites cannot privately gather information on the accident, and when publishing news cannot add individual interpretation without authorization. Do not make live broadcasts.

5. In July, almost 200 lawyers and activists were questioned or taken into custody. The state media calls this an operation against "conspirators" who are "colluding with petitioners to disturb social order and to reach their goals with ulterior motives."

Here is one censorship directive issued by the Cyberspace Administration of China on July 14, 2015:

All websites must, without exception, use as the standard official and authoritative media reports with regards to the detention of trouble-making lawyers by the relevant departments. Personnel must take care to find and delete harmful information; do not repost news from non-standard sources.

In this case, the Chinese government is persecuting and prosecuting Chinese citizens, to quote H. R. 491, for "posting or transmitting peaceful political, religious, or ideological opinion or belief via the Internet."

Mr. Chairman, Members of the Commission, I also would like to recommend the remarkable report, "China's Great Cannon," published by Toronto University's Citizen Lab. The Great Cannon is an attack tool used to launch distributed denial-of-service attacks on websites by intercepting massive amounts of web traffic and redirecting it to targeted websites. That is to say, it "weaponizes" unwitting Internet users from around the world in order to overwhelm the servers of the targeted sites.

The first deployment of the Great Cannon was in late March 2015, targeting two specific users of the San Francisco-based code sharing site Github: the New York Times' Chinese mirror site, and the anti-censorship organisation GreatFire.org.

Based on this weapon's network position across different Chinese Internet service providers and on similarities in its source code to the Great Firewall, the researchers at Citizen Lab and the International Computer Science Institute "believe there is compelling evidence that the Chinese government operates the GC [Great Cannon]."

In other words, the Chinese government is not only deliberately blocking, filtering, and censoring online information based on the expression of political, reli-

gious, or ideological opinion or belief within China; it is also using technology to disrupt Internet traffic and commercial infrastructure beyond its borders.

Mr. Chairman, I want to thank the Commission for holding this important public hearing on human rights in China, days before the Chinese president Xi Jinping's first state visit to the United States.

I urge President Xi Jinping to stop his repressive policies and practices. The Chinese people want and deserve more access to information and the Internet, and greater freedom to express their views. Chinese people desire and demand greater protection of human rights in their political, social, economic, and cultural life.

I urge President Obama to engage President Xi on Internet freedom, press freedom, and freedom of expression in their meetings, not only raising concerns, but also insisting that future political and economic relationships be dependent on the Chinese government demonstrating improvements in upholding human rights.

PREPARED STATEMENT OF YANG JIANLI

SEPTEMBER 18, 2015

Part One. Engaging China with Moral and Strategic Clarity

Part Two. Xi Jinping's Foolish "Confidence" Leads to Unstoppable Decline

Part Three. 64 Questions for Xi Jinping

Part One—Engaging China with Moral and Strategic Clarity

26 years ago, after the bloody massacre in Beijing in 1989, we came to Washington DC to plea the U.S. government to impose an economic sanction against the China Communist regime, in particular, to link China's most favorite nation (MFN) status with human rights. We argued that continuing the normal trade with China would like a blood transfusion to the Communist regime, making it more aggressive and harming the interests of both American and Chinese people.

But our warning fell on deaf ears. After a lengthy debate, the U.S. government decided to continue its engagement policy, granting permanent MFN to China and contending economic growth would eventually bring democracy to the country.

Today, with money and technologies pouring in from the U.S. and other Western countries, with their free markets wide open for the Chinese-made goods, the Chinese Communist regime not only survived the 1989 crisis, it has catapulted into the 21st century. The country's explosive economic growth has brought it from near the bottom of the world in GDP per capita to become the number two economy in the world; but democracy remains yet a far-fetched dream.

The Chinese Communist regime has instead grown into a Frankenstein's monster, terrorizing peoples both domestically and internationally.

China uses its economic power gained with the help of the West to build a formidable, fully modernized military, that has reached every corner of the earth. With this unprecedented power, China is now forcefully demanding a re-write of international norms and rules. China wants to create a new international order with Beijing's dominance in the Asia-Pacific region as the centerpiece. This new order has threatened world peace and the current balance of power put into place since the World War II.

What went wrong with the America's engagement policy?

In our view, the failure lies primarily lacked any moral and strategic clarity in its design and implementation.

The origin of the error can trace back to the early 1970s when then Secretary of State Henry Kissinger claiming that by integrating Beijing into the international community economically and politically, China would behave responsibly, abiding by international norms and rules.

This amoral, geo-political and short-term pragmatic strategy fails to see the evil nature and hegemonic ambition of the communist regime as reiterated in President Xi Jinping's "China Dream" of a great red empire, to replace the western civilization with its socialist civilization.

Washington Policy makers also fail to understand that economic growth may be a necessary condition, but not a sufficient one, for cultivating democracy. Consequently, this policy has fundamentally undermined America's national interests and security.

The alternative is to engage China with a moral strategic compass: China under the Chinese Communist Party's rule cannot rise peacefully, and its transition to a democratic country that respects human rights, rule of law, freedom of speech and religion, is in everyone's best interest, including China's own. In other words, the U.S. must push for a peaceful regime change in China.

The reason for this is simple:

To support China's totalitarian regime, a regime that ruthlessly represses its own people, denies universal values to justify its dictatorship, and that challenges the existing international order to seek its dominance, is both morally corrupt and strategically stupid.

Like Frankenstein's monster, China is now seeking revenge against its creator—the West. It will destabilize and endanger the world, for the so-called China model, an amoral and monstrous political system and the corrupt way of life, like the black plague, has been spread and infected the international community, and will eventually ruin it, but most people in the world are not aware of it, and many even being fooled to believe it is the future.

China's communists has hijacked 1.3 billion Chinese people, imposing a political system on them by force and coercion, running the country like a slave-owner of the past, obliterating their self-governance, and controlling their life without their consent. To continue support of this anti-humanity regime runs contrary to universal values and international law to which America has long been committed.

While many policymakers in Washington have now realized that it is time to get tough on China, some still elude that the present and future conflicts between the US and China can be managed. Our view is, without China's democratization, the US and China will unavoidably collide, because the two countries' strategic goals are fundamentally different and core interests are uncompromisable.

The only way to prevent future wars with China is to pursue its democratic transformation now.

To start, the Congress should pass a China Democracy Act, directing the Federal government and all its agencies to make democracy and human rights advocacy as the core policy when engaging China, and requires the President to report to the Congress every year on the specific successes.

The engagement policy allowed and even encouraged too many government departments to assist China just for engagement sake, and with no regard to any effort to promote political reform and freedom. The act will serve as America's grand strategy on China, and the government will take coordinated actions to achieve the goal.

But is a peaceful regime change possible in China?

Absolutely. Despite restrictions, the Internet and free flow of information have changed China, particular the younger generations. Civic society is awakening; religions are flourishing, with rapidly increasing number of believers; the rising middle class, as well as disadvantaged groups, are longing for a political system that ensures equal opportunity and fairness for all. Even the upper class wants rule of law to protect their wealth, because without it no one is safe in China.

China's power elite knows this insecurity very well. The recent anti-corruption campaign under President Xi Jinping has turned into a life-or-death power struggle among the regime's power elites, which has split the regime. The power elite face the choice of either destroying each other or find a Godfather-type solution where they give up their gangster way of life and become legitimate via a constitutional democracy. With sufficient pressure from the international community and from within, such a transformation is not entirely unlikely.

Immanuel Kant and modern-day social science has shown that democracies are less disposed to go to war with each other. Long-lasting peace and friendship between the U.S. and China means that China must transition to a democracy.

If the U.S. takes no action, we worry that China will continue down the perilous path of achieving its world dominance through militarism and aggression, which easily lead to another war that the world can not afford.

Part Two—Xi Jinping's Foolish "Confidence" Leads to Unstoppable Decline

Prelude/Introduction

China's disastrous stock storm and unprecedented crackdown on defenders of human rights have been well recorded during my three-year observations of the Xi Jinping Administration.

Since taking over top leadership in China, Xi Jinping has become a crusader in both political and economic arenas with aims to consolidate personal power and create a personal cult. From within the Party to his broad social life, inside officialdom and in the market, from the Mainland to the Hong Kong Island - what Xi has achieved are four "triumphs": power overwhelming anticorruption, political power overwhelming market forces, "One nation" state overwhelming the "two systems," and party's will overwhelming the rule of law. With these milestones, Xi Jinping has thus become an icon of "Red Guards Ruling China."

Over the last three years, particularly this past year, Xi Jinping has exposed clearly the spare ribs of his administration whenever he lifted his fist to show off his power, with his reputation on the decline, time and again. China's public secu-

rity forces stormed the markets under his orders in a bid to save the crashing stocks. Naturally, people wonder—how can anyone stop the decline of the reputation of the regime? Despite the superficial power of Xi's four "triumphs" and his willfulness, people are spotting cracks of the iron curtain and sensing the fear of losing power on the part of the top leadership under pseudo self-confidence.

Looking back at the economic and political conditions when Xi took power, and comparing them to those under his predecessor Hu Jintao, we did not notice many fundamental differences, with only one worthy note—people overwhelmingly felt across all walks of life in the country, including those insiders, that Xi Jinping might be the last emperor of the Communist dynasty. Thus, a dying regime's destiny is in his hands. With this sense spreading, Xi Jinping had an apparently strong sense of mission of saving the Party and Communist Dynasty, and even tried to restore its vigorous authority before drifting away, leaving a legacy of being a savior. Under such a political tone, the fear of losing personal power, its legitimacy, and eroding base have been among his constant and main themes and its variations, unless Xi wants to change fundamental political system.

During the tenure of Hu Jintao and his premier Wen Jiabao, China experienced the climax of what "power leads to corruption" means during the last decade, with many extreme cases on record. The past three years indicates that Xi Jinping administration has, and shall continue to show why fear of losing power not only leads to corruption but makes those in power mad and insanely ferocious. No matter how reluctant Xi Jinping is, being the last emperor of the Communist regime may well be his destiny. All extreme syndromes of a dying regime make China the spectacular stage of extravagance and brutality.

To date, many political analysts are still wondering about Xi's political logic and motivations, and they debate about them. However, based on my observation of Xi's three-year performance since his taking power, I have come to conclude that his bare bones nature was exposed despite layers of disguise. With my glimpse into the so-called mystery of the administration formulating his personal cult for two years, I can say Xi presented himself before civil society a cult propaganda. Now we, the opposition, and the rest of the world, shall not be puzzled about his agenda, and need to exam Xi Jinping from a different perspective.

1.

Xi Jinping seems destined to experience a turbulent tenure, unlike that of his predecessor Hu Jintao, due to the strings of a political dramas abruptly unveiled on the eve of his taking power. Yet, I believe it is just a heavy punch that brought good luck for Xi Jinping during his first two years. And that punch on the face of Wang Lijun, municipal security chief in Chong Qing was like a gift of blessing from Bo Xilai, then Party chief of Chong Qing, in southwestern China, who was believed to be fighting for his spot on the all-powerful Politburo Standing Committee. Then Xi Jinping adopted a strategy to retreat for a better bargaining position in power struggle just before the 18th Party Congress—and it worked like magic. Xi's acts skillfully held the critical "private part" of the power structure of the Communist regime hostage to bargain with an upper hand, as if the whole system dysfunctional and failed to respond appropriately to the unexpected incident, particularly, during this non-emergency state of power struggle. It was just this incident that helped Xi Jinping consolidated all the power much faster than his two predecessors during his first few years. After such a round of struggle, a minimal worthy fight, Xi has got rid of all potential direct rivals within the Party.

So far, Xi has successfully avoided the awkward and weak position his predecessor Hu Jintao found himself in, in terms of power consolidation. This proves one of my views on Communist senior officialdom—that anyone, given the position and opportunity, can become a high-caliber handler in power struggle, just because, they have all been engaged and practicing the power struggle, trial and error, all their life, accumulating extraordinary wealth of experiences. And in addition, China's rich history of emperor politics in the past several thousand years provides historical examples from which power grabbers can borrow. In a closed power structure, anyone on a vantage position may not need to be particularly bright or clever to succeed.

Chinese politics by nature has been long filled with risks. And complicated power manipulation in China makes outsiders unable to comprehend these risks. In the very beginning of his tenure, Xi Jinping had actually experienced a quite comfortable period given the mixed and often negative social reactions to Bo Xilai's notorious performance. He appealed the "glory" of Mao era in the form of chanting the oldies and (illegally) cracking down the "underground gangs." This provided perfect timing for Xi Jinping to restart the long-due political reforms for a new round of vital social development, if Xi intended to curb the coming back of the extreme left-wing. But the fact of the matter was, Xi took over the banner of the disgraced Bo

Xilai, in disguise of swinging between the left and right, and ended up embracing dictatorship in alignment with the left-wing, and with omnipotence.

It is critical for us to understand that Xi Jinping is the party chief, not a democratically elected head of state. Xi, being not only the son (literally) of Xi Zhongxun (one of the revolutionary elders, famous for his open mindedness), but the captain of the Communist cruise (pirate) ship, and therefore, Xi had, to begin with, to keep balance of power among those surrounding him, consolidating power within the party to maintain his stable leadership position. From this position, and his logic, Xi must take the path of “political correctness” to minimize potential risks. Xi’s “red gene” confines his moves. The so-called “Red gene” still exists in the once-marginalized groups of Party apparatchiks and group of bootlickers during the market-oriented reform era, who obviously survived and now being revived by Xi Jinping, who has become their master and great leader. Naturally, when Xi Jinping has gradually become a de facto descendent of the disgraced Bo Xilai’s left-wing, these bootlickers are responsible to their masters and upper social elites, and they test the psychological tolerance of the general public by offering flattery remarks and praise hymns to Xi Jinping, while at the same time, state machinery increasingly tightened control of expression, and in curbing thought, politicizing almost everything in China.

Since taking office, Xi Jinping has intensified crackdown on opinion leaders of civil society, in the name of curbing “gossip mongering,” and the regime shamelessly utilized paid online bloggers, party-anointed writers in huge amounts to monitor domestic web-sphere, overwhelmed by brainwashing campaigns, highlighting Zhou Xiaoping-style official gossipers, just for the purpose of misleading the general public, to align with Party lines and catchy phrases.

Now the general public has become coldly silent. Their silence is much quieter than that of the silence of Hu Jintao era. Now we also know the reasons – suppression of Qing Huohuo, Xue Manzi, among others, arrests being made to crack down Xu Zhiyong, Guo Yushan, Gao Yu, Pu Zhiqiang, Guo Feixiong, Wu Gan, Wan Yu, etc. and even worse, the gun-down of innocent people like Xu Chunhe ...

2.

The era under Hu Jintao, along with his premier Wen Jiabao, experienced all-around social, economic and political crisis in China, and saw no progressive moves to address the issues. It was labeled “muddling along with a bomb on a timer.” When in power, Hu Jintao and Wen Jiabao were eager to pass such a bomb onto the next successor, and retreat peacefully in retirement. Xi Jinping, on the other hand, exposed a strong intention even in the very beginning of his term. Xi seems not to getting the “bomb” onto his successor, nor did he ever try to defuse such a bomb. Instead, Xi Jinping wanted to make an even more powerful bomb, the Xi-style one, to destroy the inherited bombs, all in one.

The bomb in the hands of Hu-Wen Administration then was made within the Party itself – amid unprecedented epidemic corruption of government officials and party apparatchiks, and the social crisis caused by crony capitalism with Chinese characteristics in which the government officials and business elites have joined hand in hand in shameless and cruel exploitation of the voiceless public. Such a horrific matter of fact has been universally acknowledged including Xi Jinping himself, who must be more alert to the urgency than anyone else because of his self-claimed destiny to save the Party and the Communist regime from the unstoppable collapse. Naturally, overwhelming anti-corruption has been a main driving force of his administration since its start. For a newly installed ruler like Xi Jinping, who has embodied aggressive agendas, to consolidate personal power dominates his operations. His other goal is to disable potential rivals who tried in vain to steal power away from him, in the name of anti-corruption. With power grabbing being a constant struggle for Xi Jinping, social crisis caused by corruption receive relatively less attention as it is less of a headache for him.

What’s more, the Communist Party, as a whole system, is totally corrupted, anti-corruption is a de facto anti-Party itself. Xi Jinping certainly would not act like conducting suicide bombing against his own Party. Xi never intends to push his Party for a fundamental change of system. Then anti-corruption features selective targets from the very start, serving his purpose to consolidate his personal power. Now that power struggle and anti-corruption have jointly moved his agenda into a “be or not to be” situation in which the Party and the regime need to answer. It is an integral part of political power struggle to have anti-corruption move forward just for his own political interests.

Lack of legitimacy has been raised when the ongoing anticorruption campaigns target certain selected groups, because none of the elements inside the Party are intrinsically clean. “Why me, not him?” they ask. Therefore, its legitimacy has been

challenged after the New York Times reporter Michael Forsythe reported on the family wealth of Xi Jinping. As anti-corruption has been utilized for power struggle, those party factions and individuals under investigation or fallen officials of this struggle shall not lay down their arms. Strings of events highlight this ongoing internal struggle, such as the New York Times stories (there must be internal “Deep Throat” within the Party feeding information to the media), war of words between politically well-connected wealthy businessman Guo Wengui (who fled China) and his rivals on mainland China, to the mystery of the missing (believed to have fled to U.S., in hiding, perhaps in process of seeking political asylum) Ling Wancheng who is believed to have possession of lots of top classified information about the Communist regime (this wealthy businessman is a brother of Ling Jihua, then top aid to Hu Jintao), among some of the high-profile cases. All these dramas reveal that rivals within the top tier of the Communist Party hold in possession of vital, classified top security information as powerful as a nuclear device to destroy any other internal competitors. Therefore, for Xi Jinping, the ideal mode would be to maintain a kind of power balance, like “nuclear deterrent” for his anti-corruption campaigns, drifting away from his “nuclear war” style against his rivals in the first few years.

On the economy, which has been experiencing slowdown since last year, the communist regime realizes its potential social crisis looming overhead because it is believe that legitimacy only depends on high growth of the economy, as it was in the past decades. Under current political environment, Xi Jinping’s anti-corruption could face overwhelming challenges from his rivals, given any crisis arising soon. In the power struggle of the Communist Party of China, fabricating crimes is a well-known game serving for any power players. Xi Jinping’s crimes are prominent, readily available to the advantage of his rivals. As Xi himself knows this much better than any layman on the street, he has switched his anti-corruption back to the mode of “old norm” under the “new norm” economic situations.

To address a more fundamental issue regarding its legitimacy of the ruling Communist Party, Xi Jinping tried to bet his hope on the success of his anti-corruption campaign, which, on the contrary, has drifted away in the opposite direction, for its own inherent logic. Such a high-profile show earned him nothing more than some scattered hurrahs from the disengaged, innocent grassroots. In other words, Xi Jinping is facing his own Catch-22, because anti-corruption means anti-Party itself. What’s next, will Xi have to reheat his cold, half-cooked rice meal?

3.

It may be too early to conclude that Xi Jinping will be a flash in a pan, just like then the “great leader” Hua Guofeng (who helped topple the Mao’s wife and her “Gang of Four”). Xi’s power struggle and his temporary triumphs over his rivals so far reminds people of those television episodes adapted from a historical novel authored by Er Yuehe. As Xi has delivered too many awe-inspiring performances, for example, Xi recently cited “house rule” in place of rule of law, depending on informers and his own imperial-appointed special envoys, usually undercover, to carry out his anti-corruption campaigns. All these dirty games are just like the same old, already disappeared Chinese dynasties. The very nature of his imperial-style actions indicates Xi Jinping’s political thinking and mindset which are so backward as imperial palace coup of the old days. It must be acknowledged that politics is never merely about power or power struggle. More essential contents do exist beyond rim of power struggle in politics. What can be said about Xi is that he is a doomed politician based on his performances up to date, which clearly bears the symptom of a dying political system.

It is as easy as ABC to list challenges facing the Xi Administration: ethnic issues in Tibet and Xin Jiang Autonomous Regions, universal ballot in Hong Kong, maritime disputes in East and South China Seas, housing bubble, stock market turbulence, overwhelming debts, increasing pressure on currency exchange rate, rising unemployment, difficult job market facing graduating college students, rights abuses, massive rights self-defenders, and huge number of mass-incidents involving protesters and demonstrators, all across the country, etc., and etc.

Ironically, we see a “self-confident” Xi Jinping wearing on the track of a superficially robust Communist Party with its so-called “three confidences” theory. Xi seems to have good reasons to have such “confidence,” just from the perspective of a inflated powerful political party. Therefore, he has been aggressive on all sides.

On Hong Kong, the Communist Cabinet, through its State Council Information Office, issued a white paper on The Practice of the “One Country, Two Systems” Policy in the Hong Kong Special Administrative Region, in June of 2014, stating that “As a unitary state, China’s central government has comprehensive jurisdiction over all local administrative regions, including the HKSAR. The high degree of autonomy

of HKSAR is not an inherent power, but one that comes solely from the authorization by the central leadership.” Furthermore, “(it is necessary to stay alert to) prevent and repel the attempt made by a very small number of people who act in collusion with outside forces to interfere with the implementation of “one country, two systems” in Hong Kong.” Such aggressive rhetoric pronounced just before the schedule referendum in the middle of June initiated by grassroots “Occupy Central” movement was indeed intended to suppress the growing popular demand for a “universal suffrage” in Hong Kong. As a result, local populace was thus angered and mobilized to support “Occupy Central.” This foolish communist move further led to the fiasco at the Hong Kong Legislature ballot on June 18, defeating the central government proposal for a fake democracy in selecting its Chief Executive in Hong Kong by a stunning 28 to 8, to the surprise of many observers.

Xi Jinping has been so aggressive to take actions suppressing civil society in China. Xi’s predecessors normally were defensive in dealing with domestic dissidents over the past two decades since Tiananmen Massacre in 1989. The Communist regime realized its disillusion of the Communist ideology that has been put aside by the general populace, as well as its own ruling class. However, all Communist rulers, such as Deng Xiaoping, Jiang Zemin and Hu Jintao, has been rights abusers when they had to deal with and eventually cracked down dissidents, including the underground Library Democratic Party (1992), open fight for registration of a newly established Democratic Party (1998), Falungong activists (1999), Charter ’08 signatory movement (2008). These ferocious crackdowns severely violated the legitimate rights of the Chinese citizens. Such suppression reflects an overwhelming fear of the Communist regime for losing its control of power, and would definitely show no mercy or any hesitation to take immediate action to curb any dissidents. A recent example was the crackdown on “Jasmine Movement” in 2011, which was seen as instinct of any authoritarian regime, and perhaps under the directive of then Vice President Xi Jinping. After Xi became the top leader, he has conducted series of suppression, much more severe than ever, leading to large-scale arrests of rights defense lawyers before the 25th commemoration of Tiananmen Massacre (1989), and hundreds of cases of detention and arrests of human rights lawyer (2014).

From these campaigns, we can see the difference between the Xi regime and his predecessors in dealing with dissidents. Xi has been more aggressive in demonizing grassroots opinion leaders. This backward step was the result of directives from Xi Jinping regime under the self-blown “Three Confidences” in defiance of historic current. It is a worthy note that Xi Jinping has been more relentless to suppress relatives and family members of those involved dissidents, even after he took down his political rival Zhou Yongkang whose suppression machinery had earned him not only the title “Szar,” but also billions of dollars in personal and family wealth.

With more than 200 human rights activists and defense lawyers under attack, the “Great Leader” Xi Jinping anchored as a high tightrope walker amid skyrocketing stock markets that crashed his reputation, perhaps his self-confidence. The Chinese stock market itself is a government-run scam, with little real link to China’s real economy. When it rose so dramatically by the end of 2014, that Chinese official media admitted that such a stock phenomenon was propped up by government policy ONLY. So many naïve, often first-time stock buyers believed that this was the high time for Xi Jinping regime to start distributing “bonuses.” In May 2015 the official Party mouthpiece, the People’s Daily and the state news agency Xinhua jointly bragged “New Beginning of a Bull Market.” What a beautiful sovereign scam! Soon after the holy hymn came the crash of 1700 points on Shanghai Index, as flashy as it was rising. Now the Big Brother again confidently heavy handed the markets, with a string of confidence-building measures, like freezing IPOs, handing over tons of cash for mandatory purchase of stocks by large brokers, even worse, dispatching security agents to “investigate” any short-selling manipulation, in collaboration with “foreign forces.” All these efforts failed to drive any rebounding effect, thus prompting financial crisis and regime crisis in the face of the Xi regime. Now his image of omnipotence is in crisis again, following his humiliating defeat of Hong Kong ballot plan at local legislature on June 18.

In the meantime, we now see the spectacular omnipotence of the Communist regime’s power organs—this time, on stock market, the security agents are performing a role in full swing to save the stock market, again under the directive of Xi Jinping, demanding that “No sale but purchase only” in plain language exposed on official websites. Xi’s omnipotent measures cost dearly, not only in term of money, more importantly, the confidence in the Chinese stock markets, because people now see clearly what is left out is nothing about market forces but market of power games, the white-knuckled political power intervention in market. What is left in the market is billions of dollars sovereign fund, drifting along, with no sense of destination,

while millions of tiny ordinary stock buyers are left holding the bag. It is the government who has successfully turned a “Reform Bull” into a monster sucker of ordinary people’s lifelines. This intervention has one more byproduct, that is, the Xi regime has been under great restraint in dealing with other urgent economic and social issues after its billions of dollars fund being held like a hostage on the dysfunctional Chinese stock market.

From my observations in the course of nearly three years, I see a very clear choice made by Xi Jinping who prioritizes stabilizing his regime, and takes decisive measures to achieve his political goals. His overall strategy is to demand obedience, curbing limited freedom, avoiding discussing any inherent flaws in its fundamental system, and strengthening control of thoughts and expressions. In addition, he brags of ethics and morality.

Let’s examine several cases in hand, such as corruption, crashing stock markets, among others, which are organically produced by the Communist regime itself, and as a inevitable results of its political and economic systems. Xi’s answers are far from addressing these fundamental issues, rather trying to seek answers from the same old stuffs, like a late Party apparatchik named Jiao Yulu, and even worse, Xi resorted to ridiculous intervention demanding certain social groups to buy-into the stocks, which naturally worsened the disastrous situation. With no clue in dealing with the complicated market economic function, like stocks, Xi believes in his only magician recipe, or wrong description, i.e., too much power, omnipotent power of an authoritarian regime, to make him look like omnipotent. His nonsense running a government with lack of transparency has already driven people of conscience to adopt “non-cooperation” strategy to engage in a underground movement, even among his officialdom, not to mention, the general populace. Similarly, in Hong Kong, those pro-Beijing legislators achieved their unwanted results on the local Legislature floor this past June, when a bunch of the robot members failed to cast their ballots due to what was later nicknamed awaiting “Uncle (Liu Huang) Fa” who failed to show up on the floor because of illness on June 18, thus dooming their attempted fake democracy scheme.

I must point out that I particularly chose the special incidents like Hong Kong’s failed ballot, suppression of rights defenders, and government intervention in stock markets, just for the pure sake of Xi Jinping’s mindset and his regime after successfully consolidating his power. In other words, we can see clearly that Xi Jinping has successfully destroyed the limited elements of democracy, rule of law and free market in China, in a systematic, aggressive way. Xi pushed his “One Country” regime to abuse the “Two Systems” in Hong Kong. Xi applied his Party will to replace rule of law, and infringed the principles of market with his state power. All these episodes present clear images of Xi’s historic backward step in China.

4.

For a while, Xi Jinping seems to have won support from the general populace, for two reasons, one is the anti-corruption campaigns, and the other propping-up stock prices. Now you see his once bubbling stock market has become a hot potato, bearing his infamous trademark of “Uncle/Papa Xi.” Regarding his anti-corruption, ordinary people have gradually changed their minds, a subtle process though. Anti-corruption has brought no tangible benefits to the mass, who, on the contrary, have to bear rising costs of gas, highway tolls, and rising retirement age, etc., and etc. When Xi positions himself against democracy, free market, and rule of law, he would never have the real courage to take on corruption. And now we are perhaps on the brink of experiencing a backward step, after his short-lived anti-corruption show. This will also lead to huge increase of dissatisfaction of the discontent public who was once pumped with high-hope for a somehow clean government that serves the interests of the people.

In today’s China, economic problems looming large before our eyes include increasing gap between the rich and the poor, and the systematic bottleneck in dealing with these problems. Now is the high time for Xi to make choices. What Xi has been pushing so far is to pouring funds to feed the state-owned enterprises (“SOEs”), strengthened by the paramount presence of the Party in these SOEs. Xi also has taken steps to pressure NGOs, from virtual space to real life, demanding real name registration as a new norm. We can predict that the above development and Xi’s follow-up measures, such as anti-corruption which has brought nothing tangible for the general populace, but tax collection outpaced GDP growth rate. To share minimal benefit with ordinary people out of the pockets of elites has tuned out to be unbearably painful.

Regarding wealth (re)distribution in China, power has the final say, and ordinary people have always been ignored, powerless. When economic slowdown gets worse, so does widening gap between the rich and the poor. It is just the people on the

bottom of the social ladder that suffers most in hard times. Social unrest shall flourish. For those elites who have insiders' economic intelligence understand where the future troubles will be arising. Therefore, we believe that Xi Jinping's reckless performance so far has been a warming-up for the future disasters, in case he loses control. This can be demonstrated by his policy making, i.e. he has been utilizing all available resources to further control all social sectors. Does he know by doing so he has presented himself and his regime as the enemy of the people? Surely, he does, and he does not have the power or political will to reverse the course.

We noticed that Xi Jinping has utilized the similar tactics against civil society as he did to his rivals and corrupted officials. Technically, this works well to a certain degree, which in turn poses the serious problems. Few of these suppressed civil leaders never surrender, nor are they lonely in fighting against injustices in China. They are never like those lonely corrupted officials who have been isolated from the Chinese society, politically and psychologically, indulged in abusing their positions. Economy works on its own, following its own rules. Now we have a rather clear idea of how Xi Jinping has been haunted by nightmares when he tried to trap pocket money from the general populace to pump into the low-efficient, often scandal-ridden, scam-filled companies listed on the stock markets, and more importantly, Xi tried to release huge amounts of local government debts with stolen money through their stock scams.

Crackdown on rights defenders has not produced any effective intimidation among dissidents, nor has it silenced them. Hong Kong ballot issues shall continue haunting the Communist regime in the years to come. Paid gossip-mongers and other propaganda machinery have failed to achieve their goals, prompting civil society to adopt more subtle measures to counter the regime, in more coordinated ways. Power, no matter how powerful, cannot overpower the human spirit, despite ups and downs, when huge numbers of the voiceless in desperate situation, begin forming invisible power, and they shall be prevail in the end. This is what I believe in. And that is also my prediction for the future.

Part Three—64 Questions for Xi Jinping

I.

1. Mr. Xi Jinping, as chief of Party, State and the Military, from where do you get your paycheck? From the Party, or government, or military? Are all the budgets for the Party, Government and the military collected from taxpayers?

2. You have consistently emphasized that the PLA cannot be nationalized, because it belongs to the Party. If so, then why is the army paid by government budget, which come from taxpayers?

3. Why is the Communist Party and its organs at all levels, which are said to be social groups, then still paid by the taxpayers?

4. As a whole, how much does the Communist Party cost to taxpayers?

5. How much of the taxpayers' money did you spend on the 9/3 military parade? How much will the 2022 Winter Olympics cost taxpayers?

6. DO you believe that the Chinese taxpayers (citizens) have the right to know where their tax money has gone or will be spent? Do you think Chinese taxpayers are entitled to get involved in the decision-making process regarding their tax money?

II.

7. With great stride, you even risk losing life in a potential coup to carry out anti-corruption campaigns. Why then do you order your subordinates of the Communist Party to make public their private family wealth? As world history proves that officials' announcement of their private wealth is one of the most effective mechanisms to curb corruption, why have you punished citizens demanding such announcement?

8. In addition, freedom of expression, press freedom, and open competition among different political parties for public offices are effective mechanisms in fighting against corruption. So if you are genuine about concerns of anti-corruption, why don't you let these freedoms flourish?

9. Why don't you let citizens get involved in your anti-corruption campaigns? Some people comment that in today's China, anti-corruption is tantamount to anti-the Party (CPC). Is that true?

10. Do you believe that epidemic corruption of the Communist Party comes as a result of individual members' corruption and degeneration? Do you think their corruption correlates to the authoritarian system? After your taking down an impressive number of "Tigers," how can you assure that your newly appointed officials will not follow suit and also become corrupted? Do you think you have more orders than your predecessors such as Jiang Zemin and Hu Jintao to restrain subordinates

themselves from corruption? Except for this, are you any different from those two predecessors?

11. Do you think that such a large-scale number of Communist members of your party are influenced by Western bourgeoisie ideology? How do you explain that in Western governmental systems where they receive total Western education their level of corruption is much less?

12. Can the Chinese taxpayers/citizens learn the facts about your family wealth? Is it true information revealed in the report by the New York Times report about your family wealth? Are you planning to take legal actions against the NYT?

III.

13. Do you still believe in the validity of the “Resolution on Certain Questions in the History of Our Party since the Founding of the People’s Republic of China” on June 27, 1981, in which the Great Cultural Revolution was totally negated and labeled as “A Decade of Turmoil.” Your statement suggests that the first thirty years of history (1949–1979) cannot be used to negate the subsequent thirty years (1979–2009). Does this statement apply to the Cultural Revolution? What’s your view about the Cultural Revolution?

14. After the Communist Party seized power in China, it saw the great famine, great turmoil, and horrific massacre. Do you know the number of abnormal and unexpected deaths that happened in China over the period of 66 years (since 1949)? What do you think are the causes of these tragedies? Over a half century since its occurrence, is it possible to announce the archived data of those deaths during the great famine in early 1960’s?

15. As your family, including your father and yourself, experienced suppression and injustices and persecution both during and before the Cultural Revolution, what kind of lessons have been learned from your experiences?

16. After Bo Xilai was arrested, there were people who believed that you do not agree to his Chongqing Path in the name of Chanting Red Old Melodies and Oppressing the gangsters. But it turned out to be otherwise. Is it only corruption that led Bo Xilai to a disgraceful fall? What is your view on Bo Xilai’s practice of “Chanting and Oppressing”?

17. Since your taking power, China’s central television has aired a series of public confession of the “crimes” by suspects (before they were justifiably defended in court. Is this practice a kind of renaissance of the Cultural Revolution?

18. After taking power, you have established and led a number of so-called “small groups.” Are you worried about making “mistakes” like what Mao Zedong did after consolidating overwhelming power? Do you think your personal power needs some checks? Are there any effective checks in place?

19. After you came to power, there were people who proposed eliminating the influence of Western Culture, particularly the foundation and principles of Western social sciences and humanities. Now if without any importing Western concepts, does China ever produce its own political science, sociology, economics, among other fundamental social sciences? Does Marxism and Leninism belong to Western thoughts and ideology? If you cancel or stop these western social sciences, what kind of new ones do you have to replace them? Are you going to switch back to the Mao-Mode of “high institutions of science and engineering” as Mao himself did?

IV.

20. Now we see that you depend on the so-called social stability maintaining a system inherited from Hu Jintao and Zhou Yongkang and suppressing human rights lawyers and other dissidents. Do you believe that Zhou Yongkang has made great contributions to maintaining the Communist system?

21. Can you explain or elaborate on the So-called “7–NOs” that was said of originally your ideas. Were these approved by the Central Committee of the Communist Party? Can you explain reasons for pushing the “7–NOs” (including universal values, press freedom, civil society, civil rights, historical mistakes in Communist Party rein, crony capitalism, and judicial independence)?

22. What kind of “state secrets” were leaked in the article by Gao Yu, a famous journalist in her 70’s? What kind of harm did her writing cause to citizens? Or is it a crime if her writing helps Chinese citizens learn what they are entitled to know?

23. Liu Xiaobo has been sentenced to 11 years on the basis of his 6 pieces of writing. Do you think his sentence was based on his legitimate freedom of expression? Liu Xiaobo’s sentence terminates on June 22, 2020. If you are still in power, will you let him be freed then? In your opinion, what are the differences among the polit-

ical environment in which Liu Xiaobo, Nelson Mandela, Václav Havel, Mohandas Gandhi, and Martin Luther King Jr. experienced?

24. Since this past July 10, more than 100 human rights lawyers, and activists have been detained, arrested, disappeared, and harassed. Most were released later, with a small number still in custody. We know such a campaign is conducted under the unified order. Who is responsible for this campaign? What kind of orders have you issued?

25. Are you going to stop suppressing Falungong during your tenure? What is your view on the global movement by Falun Gong to persecute Jiang Zemin?

26. During the Hu Jintao-era, official data shows that China's expenditure for maintaining social stability surpassed that for national defense. Is it still the same under your administration? If not, have you decreased your expenditures for social maintaining projects or increased national defense budget?

V.

27. Do you think the June 4 movement was a violent anti-revolutionary turmoil? Or was it a civil disorder? Or just a political turmoil? Did you agree that it is acceptable to send tanks and machine guns to suppress peaceful students and civilians?

28. Do you support your father's position against suppressing students on Tiananmen Square?

29. If there were students coming to Tiananmen Square for peaceful demonstration and protest, are you going to adopt the same measures as the CPC did 26 years ago? If not, what are you going to do?

30. Why has the Communist regime been working hard to cover the truth of the Tiananmen Massacre in June 1989?

31. "Tankman" is well known throughout the world, and is said to be Wang Weilin. What is his real identity? What is his status now? Why has he simply disappeared?

32. Do you support or oppose the abrupt actions in 1987 to remove Hu Yaobang from his position of the Secretary-General of the so-called "Democratic Life Session"?

33. Before your taking over the position of Secretary-General of the Communist Party, rumors spread that you were to reverse the Party decision on 1989 student movement. What is the possibility of that happening?

VI.

34. Seventy years ago, both Japan and Germany pushed patriotism and nationalism. As you commemorated the victory of Anti-Japanese War and Anti-Fascism, you similarly emphasized both patriotism and nationalism, on the same platform as the Nazi-German military parade. Have you noticed the inherent identical problems?

35. In the Nazi-era, Hitler allowed his subjects on the street to watch from their balcony and even on roofs of buildings, why have you banned such viewer-rights in Beijing? None of the world leaders has banned everything else to serve their military parade, such as shutdown of stock markets, factories, hospitals, air flights, vehicles, schools, as well as no entertainment on TV, can you image anything more fascist than your behavior?

36. In your speech on September 3 military parade, you shrewdly avoided touching historical details of China's anti-Japanese war and anti-Fascism. We cannot forget the rivalry between the KMT and Communist party in China at the time, and that between freedom and democracy and authoritarian Communism. It was just these debates of the two ideologies that delayed the final triumph over Fascism. Following surrender of Germany, Italy and Japan, civil war in China broke out between KMT and the Communist party, followed by the Korea War, and Vietnam war. Apparently, you did not follow Mao's suit to express appreciation of Japanese aggression in China that helped bring the Communist Party to power. You did not define the historic issue of leadership of genuine resistance against Japanese aggression, either by KMT or the Communist Party. What's your view on the role of the Communist Party of China during the Cold War? Any reflections?

37. How come the KMT veterans who fought against Japanese aggression and Communist forces during the Civil War have never received any benefits to support their lives? Even following your rhetoric that these veterans were wrong in the civil war fighting by against Communist forces, they deserve amnesty based on their 30-year long humiliation, as victims of slaughter, forced labor camps, custody, and family members who suffered from the mistreatment. Given their role in anti-Japanese aggression, these veterans deserve some recognition from the regime, yet none has been offered. How can the regime present the most basic fairness and humanity?

38. What's your view on the fallout of Lien Chan (Taiwan's former vice president) when he returned from your military parade to Taiwan where even the pro-reunification allies showed no respect for him

39. How come most of the WWII anti-Fascism allies did not join you for the military parade on September 3?

40. Do you think patriotism and (communist)Party-love are of the same issue?

VII.

41. In dealing with maritime disputes with neighboring countries, the international community is concerned about your regime becoming more militaristic. What is your view on the role of armed forces when addressing the disputes?

42. China's propaganda insists on promoting China's soft power, however, when universal values, press freedom and civil society, among other principles that are universally acceptable, are prohibited from public discussion in China, then, what can you utilize to present your soft power if not for the opening wallets, and therefore, how can you persuade global community to learn from you, to give you a nod?

43. Ling Jihua, a former senior official and chief of staff in the Communist Party's headquarters, has been under custody, and his brother Ling Wancheng has fled China, now living in America. Your administration dispatched officers, as well as his daughter, to urge him to return, even coercing him to comply, which is illegal here in the United States. Without any legal agreement between the two governments, China sent its law enforcement officers to try to catch some one in the US. What are your comments

44. USA or Russia—which one is likely to be China's long-term ally, and why?

45. How many family members of your officials, including most senior-level (sitting and retired) have migrated to the USA, Canada, Australia, Japan, and European countries? And what about their ill-gotten wealth? Do you have accurate information about them? Do you think USA and other countries know this information? In other words, China's senior leadership and their subordinates and family members, along with their records of corruption, are all in the hand of these countries. How can you afford confrontation with them? Not to mention, in military conflicts. Can you bear the consequences? Your hard-line rhetoric seems to fool your domestic audience does it not?

46. China's leaders, including you, often meet with protests and demonstration by the Chinese citizens wherever such a visit happens. Why is that?

VIII.

47. You often emphasized the "new norm" for the Chinese business community and ordinary people when the economy slows down. Meanwhile, government forces helped prop up stock prices, and in cracking down on "short-selling" following the market plunge, which had been reported by commentators and journalists, these voices have been silenced with arrests and those investment institutions and individuals threatened against any possible short-selling. Do you think this kind of scheme would work and save the stock markets?

48. Your government have finally found CaiJing journalist Li Xiaolu as a scapegoat for the recent stock market crisis and forced him to confess on CCTV. If Li Xiaolu had the capacity to short-sell the Chinese stocks with his mere reporting, then he is supposed to replace Premier Li Keqiang, given such a potential. What do you think?

49. On the 3rd plenary session of the 18th Party Congress, you promised to let market forces play a leading, even decisive role, how do you explain the government's hand intervening in economic issues in a more aggressively manner?

50. China's state banks possess huge bad debts. Are they loans to the state-owned enterprises, local governments, or private businesses?

51. Is Household Registration Law a kind systematic discrimination? One "People's Deputy" in rural areas represents four times the number of a population than that of the urban areas, i.e., political rights of villagers equals a quarter of those in urban communities. Isn't that blatant political discrimination? Migrant workers in cities pay their taxes, then why can they be denied any public services, such as their children's rights to attend local public schools?

52. China's public services don't match its tax collection. Thus, its fragile, limited social security cannot support the general mass with affordable healthcare, basic schooling, aging care, yet ironically, your administration still call itself a socialist country. How can this be the case when the country's citizens cannot be provided these basic, necessary social services?

53. As the Secretary General of the Communist Party of China, do you mean to realize the communism in China when you talk about your "China Dream?"

IX.

54. While visiting Russia, you said that only felt tall if the shoes fit, as rhetoric to hinder international community “interference” in the political system on your side. Why didn’t you say this inside China? Does this mean you fear people’s choice of an appropriate system to fit their own needs?

55. Why don’t you let Tibetans, Urghurs, Mongolians, and Hong Kong residents to tell you if their shoes fit their feet, and in doing so, you know well in your heart that they will achieve genuine self-rule in their autonomous regions?

56. You must know that His Holiness the Dalai Lama deserves high regards in global community. Do you think those who respect the Dalai Lama intend to confront China? Will you invite the Dalai Lama to a pilgrimage to Mount Wutai (Wutaishan)?

57. Why can’t the Uyghurs keep their beards and whiskers? As you mentioned in your speech on military parade, the Communist ancestor was a man with great beard, so why do you comment on his spectacular beard?

58. In the past 5 years, more than 140 Tibetans have died of self-immolation. What do you know of the reasons? If you really believe in Marxism or Confucius, dare you engage in self-immolation if you are encouraged to do so?

59. The Communists of China claim to be atheists. Then why do you and your government insist in intervening in the reincarnation of a Living Buddha in Tibetan Buddhism?

60. Why has the Communist Party chief Xia Baolong of Zhejiang province ordered demolition of more than 1,500 churches and crosses in that province?

X.

61. In your first article published by the People’s Daily on December 7, 1984, entitled “Young and middle-aged cadres must respect the oldies” you said that the generational exchange of guards in power should be cooperation and replacement. “Respecting the old” is a prerequisite for cooperation, while the latter is the foundation for replacement. In contrast, the People’s Daily recently published a piece saying “cool off” like tea after guests leaving, referring that those officials after retirement should not interfere with the sitting leadership. What’s your current view on the old comrades? Do you think the elders like Jiang Zemin has become a hindrance on your path to power? The late Deng Xiaoping toppled the tenure of two chiefs of the Communist Party, committed the Tiananmen Massacre (the crime of slaughtering innocent people) in June 1989, followed by his “Southern Inspection Tour” in 1992. All these are perfect examples that demonstrate a consistent interference by the elders in China’s politics. Why didn’t you oppose him?

62. Are you willing to follow suit of Chiang Ching-kuo to end a ban of political parties, and open up to freedom of the press, embracing constitutional democracy and the rule of law? Or are you in tune with your wife’s famous song “Dynasty” which echoes the old regime that those founders pass on their dynasties to their offspring, i.e., in your case, RED Siblings like you and those offspring of the first Communist leadership taking control of China under communist rule. Some people say you worship Mao Zedong and Vladimir Putin. If so, do you want to become a lifetime leader

63. If drawing a comparison between Mao Zedong thought and those of your father, which influenced you the most

64. What is your ultimate goal? Multiple choice: A. To achieve ultimate personal power to make sure no obstacle or challenge exists while in power. B. To ride high, and maintain the Communist rule in the hands of red siblings. C. To seek appropriate opportunities to achieve a peaceful political evolution for China to look up to the most advanced countries for democracy. D. To restore the mental outlook of Mao-style leadership, and even surpass Mao himself and your predecessors.

Testimony at the CECC Hearing in the US Congress
about "Urging China's Xi Jinping to Stop State Sponsored Human Rights Abuses"
— Wei Jingsheng
Sept. 18, 2015

After Xi Jinping took over power, much illegal government behavior that existed in the past is even more widely used now and is becoming the norm. I am only going to talk about one example, that is the illegal detention in the name of "residential surveillance".

In early 1994, after I met with Rep. Chris Smith and then Senator John Kerry, and before my meeting with then Secretary of State Warren Christopher, the Chinese police illegally detained me for as long as eighteen months.

According to China's Criminal Procedure Law, subpoenas cannot exceed three times in a row. After I was detained for three days, I asked them: either come up with a legitimate arrest certificate or release me. They said: the Procuratorate would not give them the arrest warrant, while their superiors ordered them not to release me, so they would use "residential surveillance", which does not need the approval of the Procuratorate. Further, they did not have to notify the family in accordance with the law, with no time limit.

I said: This is illegal detention. They replied: the highest authorities in the government had approved this conduct and they were just executing it with no responsibilities. As far as I was not detained in the prisons and detention centers, that would be counted as "residential surveillance".

Nineteen months later, when they put me on trial, I requested them to count 18 months of "residential surveillance" as part of my sentences. However, the court answered explicitly that because there was no legal basis for this time period, the 18 months cannot be credited into my sentence. According to the clear statement in China's Criminal Procedure Law, that would be called "illegal detention", yet that illegal detention was a detention that was approved by the highest authorities in the Chinese government.

This kind of illegal detention is now being widely used as jurisprudence in China. It is not only being used against political dissidents, but also widely against any Chinese citizen which the officials are dissatisfied with. Any level of the government can take advantage of this form of detention to illegally hold citizens they dislike, and then implement torture for the deposition they want. This "residential surveillance" forms the legal base for Xi Jinping to maintain the one-party dictatorship, and then carry out his personal dictatorship.

On the basis of this illegal "residential surveillance", the Chinese Communist Party launched the so-called "Double Designated System." The purpose is to force illegal detention of certain Communist members with restricted personal freedom by the Central Commission for Discipline Inspection of the Communist Party of China. What this illegal detention covers include the top leadership of the Chinese government and the Communist Party, even the Politburo Standing Committee which only has 7 members. That is to say, except for Xi Jinping, all people have the possibility to be illegally detained, including American citizens in China. This is downright personal dictatorship.

I suggest that when President Obama meets with Chairman Xi Jinping, he should make "restoring the rule of law, abiding by the law, abolishing all forms of illegal detention and torture" one of the main themes of their negotiations, rather than perfunctory generalities of human rights. When Xi Jinping visits the US Congress, lawmakers should also apply pressure to Xi Jinping on this issue, in order to promote human rights in China, as well as to protect hundreds of thousands of US citizens in China, and their rights and interests.

魏京生在美国国会中国委员会听证会上的证词
2015/9/18

在习近平执政后，过去就存在的许多非法的政府行为，被更广泛地使用，并且逐渐成为常态。我只提出其中的一项，就是以监视居住名义进行的非法拘禁。

1994年初，在我与史密斯众议员、约翰·克里参议员见面之后，特别是在与当时的国务卿克里斯多夫会见之前，中国警方对我进行了非法拘禁，长达十八个月。

按中国的刑事诉讼法，传讯不能连续超过三次。在扣押我三天之后，我要求他们：要么拿出合法的拘捕证书，要么释放我。他们说：检察院不给他们逮捕证，可是上级不让释放我，于是他们就使用了不需要检察院批准的监视居住证。而且他们不必按照法律通知家属，也没有期限。

我说：这是非法拘禁。他们回答说：最高当局批准了，他们只管执行，不负责任。只要不是在监狱和拘留所，就算监视居住。

十九个月后，在审判我的时候，我要求将这十八个月记入刑期。法院明确回答：这段时间没有法律依据，不能记入刑期。按照中国的刑事诉讼法的明确表述，这就是非法拘禁，是最高当局批准的、依法应该判定的非法拘禁。

这个非法拘禁的判例，现在正在被广泛使用。它不仅使用在政治异议人士身上，而且被广泛使用在任何官方不满意的公民的身上。任何一级政府都可以利用这个案例，非法拘禁他们不喜欢的公民，进而实施刑讯逼供。这为习近平维持一党专政，进而实行个人独裁奠定了法律基础。

在监视居住这个非法拘禁的基础上，中国共产党又进一步推出了由非司法机构执行的所谓双规制度。也就是由共产党委派的纪律检查机构，对党员进行限制人身自由的非法拘禁。这一非法拘禁的范围已经包括了中国政府和共产党的最高领导层，即只有七个人的政治局常委。也就是说，习近平本人除外，全体中国人都有可能被非法拘禁，包括在美国的中国公民。这是彻头彻尾的个人独裁。

我建议，奥巴马总统在与习近平主席会谈时，应该把恢复法治、遵守法律、取消各种形式的非法拘禁和酷刑，作为谈判的主题之一，而不是敷衍了事地泛泛而谈人权。在习近平访问国会时，议员们也应该就此问题向习近平施加压力，以便促进中国的人权进步，同时也保护几十万在华的美国公民和他们的权益。

PREPARED STATEMENT OF SHOHRET HOSHUR

SEPTEMBER 18, 2015

Chairman Christopher Smith, Co-chairman Marco Rubio and Commission Members, thank you for inviting me to testify this afternoon at today's hearing, "Urging China's President Xi Jinping to Stop State-Sponsored Human Rights Abuses." I am a U.S. citizen, a resident of the Commonwealth of Virginia, and a journalist for Radio Free Asia, a private, nonprofit corporation that broadcasts news and information to listeners in Asian countries where full, accurate, and timely news reports are unavailable, including China.

I came to the United States in 1999, almost five years after leaving my homeland in China's far western Uyghur region in 1994. The journey that took me away from my family did not begin by choice. I left to escape the wrath of local Chinese authorities who deemed two of my writings for local Uyghur-language newspapers as subversive. I was a journalist for Qorghas Radio and Television, a local media outlet

in the Xinjiang Uyghur Autonomous Region, when I decided to write two pieces about Beijing's harsh oppression of Uyghurs.

The choice I made then, upon leaving China, as now, was to never give up being a reporter covering the XUAR. To give that up would mean that a remote part of the world and its people—the Uyghurs—would lose one of their only lifelines to reliable news and information about what's happening in their own neighborhoods and communities. When I began working for Radio Free Asia in 2007, it was a great opportunity to continue work that is badly needed. But it was also an opportunity seized by Chinese authorities as they began to harass my family. At first it was questions for my brothers, my sister, and my mother, asking them about my whereabouts after I left. But as my reports for RFA began to be heard by Uyghurs listening on shortwave radio and reading my stories on the web, authorities wasted little time in making it clear to my family—and to me—that they would one day pay a price for my journalism.

In September 2009, following the broadcast of my report on the death of a jailed Uyghur torture victim, local authorities from my native Qorghas County visited my family in person. They forced my brothers to call me and demand that I leave my job at RFA. They told them that if I continued my work, they were in danger. In 2009, authorities linked my report on a violent incident between migrant ethnic Uyghurs and Han Chinese at a factory in Shaoguan to the unrest that erupted in July in the XUAR capitol city of Urumqi, which became known as the Urumqi Uprising.

For the next several years, as China ramped up its security clampdown in Xinjiang, violence intensified and grew more frequent. But China's state-controlled media rarely reported on these deadly incidents. Radio Free Asia disclosed the majority, often through my reports.

The threats—against my family, and, by way of my family, me—became more frequent and grave during this period. They culminated last year when all three of my brothers were jailed. My younger brother Tudaxun was detained in April before being tried in court and sentenced to five years in prison. He was charged with “endangering state security.” My two other brothers, Rexim and Shawket, talked with me about Tudaxun's situation on the phone in June. I tried to comfort them when they grew understandably emotional. I told them that in time, the situation might improve. The next month, in July, a Chinese daily newspaper *The Global Times* ran a story attacking Radio Free Asia for its coverage of violence in Xinjiang. Though I wasn't named, the article cited my June phone call with my brothers, which had been intercepted by state surveillance.

In August 2014, local authorities also detained Rexim and Shawket. Their families have not seen them since. They were later charged with “leaking state secrets”—I believe largely in connection with that phone call with me in June. They were also charged with “endangering state security.” When it became clear that the authorities were not going to release them, I reached out with the help of RFA to the Committee to Protect Journalists, which issued a press release about my brothers' situation in January 2015. The case received wide attention in global media and interest here from the U.S. government. Their families and my sister were informed of their cases being reopened by authorities—hopeful news in China where a prosecutorial office almost never calls for the re-opening of a case submitted by police.

But our hopes soon dimmed when it became obvious, despite this development, that my brothers were to remain behind bars. Eventually, after the postponing of several court dates that came after inquiries from the U.S. Department of State to Chinese officials in the embassy here in Washington and overseas in Beijing, their separate trials were finally held this past August at the Urumqi Intermediate Court. They now await their verdicts, which the judge told their lawyers would be issued by the Chinese Political and Law Council (“Zhengfawei”). These could come in two months, putting them after President Xi Jinping's state visit to Washington.

I am grateful for the attention and concern my family's case has received in the global press from fellow journalists—particularly from *The Washington Post* and *The New York Times* and among human rights groups, U.S. officials, and members of Congress. We have worked with Senator Rubio and Senator Warner to raise this issue with State Department. This week on Monday (Sept. 14, 2015) I met with U.S. Assistant Secretary of State for Democracy, Human Rights and Labor Tom Malinowski. He assured me that there is serious concern about my case throughout the department.

But despite these efforts—and despite the sincere concern, for which I feel fortunate—my brothers remain in jail. The suffering continues for my mother, my sister, and of course my brothers' families. Their families are fatherless and without their husbands, and now basically without income. My 76-year-old mother worries.

For me, one thing is certain, I cannot give up my work at Radio Free Asia. As tensions and violence have escalated in the XUAR, the Uyghur people yearn for trustworthy news.

Today, I am here to ask for officials in the U.S. government—my government—and the Administration to raise this case with President Xi next week. My family only wants to be left alone, free from persecution by local authorities. They want to live their lives as citizens of a country that respects their wish to be husbands and fathers, looking after their families. I know my case is not unique. Many of my colleagues at Radio Free Asia with relatives in China also have faced retribution and harassment. But I hope my testimony today helps to ensure that the United States will continue to stand up for people like me who came to this country in hope of having the freedom and rights we didn't have in our homelands.

PREPARED STATEMENT OF ETHAN GUTMANN

THE ANATOMY OF MASS MURDER: CHINA'S UNFINISHED HARVEST OF PRISONERS OF CONSCIENCE

SEPTEMBER 18, 2015

Thank you.

In order to piece together the story of how mass organ harvesting of prisoners of conscience evolved in China, I spoke with medical professionals, Chinese law enforcement, and over 100 refugees. My interviews began in 2006. My book, *The Slaughter*, was published last year.

I was not the first to examine this issue in depth. That distinction belongs to David Kilgour and David Matas, the authors of the seminal *Bloody Harvest* report of 2006.

Nor will I be the last. The World Organization to Investigate the Persecution of Falun Gong, a group of Chinese investigators scattered throughout the world, have just completed their own study.

Based on our collective evidence (and I have included three short excerpts from each of these reports that I request be entered into the record), here is a brief timeline of what we know:

In 1994, the first live organ harvests of death-row prisoners were performed on the execution grounds of Xinjiang in Northwest China.

In 1997, following the "Ghulja massacre," the first political prisoners, Uyghur activists, were harvested on behalf of high-ranking Chinese Communist Party cadres.

In 1999, Chinese State Security launched its largest action of scale since the Cultural Revolution: the eradication of Falun Gong.

In 2000, hospitals across China began ramping up their facilities for what would become an unprecedented explosion in China's transplant activity. And by the end of that year, well over one million Falun Gong practitioners were incarcerated in labor camps, detention centers, psychiatric facilities, and black jails.

By 2001, Chinese military hospitals were unambiguously targeting select Falun Gong prisoners for harvesting.

By 2003, the first Tibetans were being targeted as well.

By the end of 2005, China's transplant apparatus had increased so dramatically that a tissue-matched organ could be located within two weeks for any foreign organ tourist with cash. While the execution of death-row prisoners—hardened criminals—supplied some of the organs, the majority were extracted from Falun Gong practitioners—a fact that wasn't even being kept all that secret from the prisoner population, visiting foreign surgeons, or potential customers.

Kilgour and Matas estimate 41,500 transplants were sourced from Falun Gong from 2000 to 2005. I estimate 65,000 Falun Gong practitioners were murdered for their organs from 2000 to 2008. The World Organization to Investigate the Persecution of Falun Gong believes the numbers are more likely in the hundreds of thousands.

In early 2006, the *Epoch Times* revealed the first allegations of the organ harvesting of Falun Gong and was followed by the Kilgour-Matas report.

By 2008, many analysts—I was among them—assumed that the Chinese State would stop harvesting prisoners of conscience for fear of international condemnation during the Beijing Olympics. Yet the physical examination of Falun Gong prisoners for their retail organs actually showed a slight uptick.

In 2012, Wang Lijun, Bo Xilai's right-hand man, attempted to defect at the US Consulate in Chengdu. Two weeks later the World Organization to Investigate the Persecution of Falun Gong revealed that Wang had personally received a prestigious

award for overseeing thousands of organ extractions and transplants. Fatally exposed, Chinese medical authorities declared to the Western press that they would cease organ harvesting of death-row prisoners over the next five years. Yet no mention was made of prisoners of conscience and third-party verification was rejected.

It is during this period, from 2012 to the present day—even as Chinese medical authorities spoke publicly of shortages due to relying on voluntary organ donation—that a very strange anomaly occurs. While China’s hospitals have maintained strict Internet silence on their transplant activities since 2006, the hiring of transplant teams at many of the most notorious hospitals for harvesting prisoners of conscience is actually on the increase. In a handful of hospitals—for example, Beijing 309 military hospital—it’s practically exponential.

Witness accounts shed light on the mystery. One spoke to me about over 500 Falun Gong prisoners having been examined for their organs in a single day—the largest cattle call that I know of. A Western doctor was recently assured by a Chinese military hospital surgeon that prisoners are still being slaughtered for organs. And Falun Gong practitioners across China’s provinces have described police forcibly administering blood tests and DNA cheek swabs—not in prison, not in a detention center, but in their homes.

I can’t supply a death count for House Christians, Uyghurs and Tibetans. But if I had to make an estimate on Falun Gong, I would double my previous numbers. I’m sure the World Organization to Investigate the Persecution of Falun Gong would go much further. Either way, two points are clear:

- The official number of Chinese transplants per year—10,000—is a fiction. The real number is likely three times that.
- And the serial public declarations by the Chinese medical establishment of a new ethical environment for transplantation is simply a privacy shield to murder of prisoners of conscience.

What can we do? We are not the moral arbitrators of this tragedy. But neither is the World Health Organization or the Transplantation Society. The moral authority belongs to the families across China who have lost loved ones. Until we can hear their voices, we need, at a minimum, to follow our convictions.

I’m not a lawyer, but in my layman’s understanding, medical privacy ends when there is a gunshot involved. Why then do we adhere to strict medical privacy when there is an organ sourced in China? Why can’t we even make a proper estimate of how many Americans received transplants in China? Why do we have to make guesses based on a humorous, feel-good, account like *Larry’s Kidney*?

This is an obscenity; for an American to go to China for an organ in 2015 is to participate in an ongoing crime against humanity.

So I ask you to remove our privacy shield. And until the Chinese State offers the full and comprehensive accounting that the world demands, I ask you to follow the example of two very small but brave countries—Israel and now, just recently, Taiwan—and ban organ tourism to China.

Thank you.

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

SEPTEMBER 18, 2015

On July 10, police came for lawyer Wang Yu. Her arrest was the first in what became a massive crackdown on China’s human rights defenders. Wang Yu was one of China’s brightest and bravest lawyers. She chose to represent clients in “sensitive cases,” such as Uyghur professor Ilham Tohti and Falun Gong practitioners. Police later swept up her husband and others who worked at their Beijing law firm. What originally looked like a targeted attack on one law firm quickly became a coordinated hunt for human-rights lawyers and legal staff across 19 Chinese provinces. Over the next few weeks over 300 were detained. Of that number around 27 remain incarcerated and 10 face charges of committing national security crimes.

Li Heping and Zhang Kai, two lawyers well-known to the Congress and other Parliamentarians around the world—were “disappeared” in this crackdown. They remain missing and are reportedly denied access to family or legal counsel. Zhang Kai was arrested the night before a planned meeting with U.S. Ambassador at Large for Religious Freedom David Saperstein.

These detentions were lawless, brutal, and shocking. Sadly, they are not without precedent in China. President Xi comes to the U.S. next week at a time when his government is staging an extraordinary assault on the rule of law, human rights, and civil society. Under Xi’s leadership, the Chinese government has pushed

through new laws and draft legislation that would legitimize political, religious, and ethnic repression, further curtail civil liberties, and expand censorship of the Internet.

China also continues its coercive population control policies. The “One Child Policy” will mark its 35th anniversary next week. That’s 35 years of telling couples what their families must look like; thirty-five years of forced and coerced abortions and sterilizations; thirty-five years of children viewed by the state as “excess baggage” from the day they were conceived. This policy is unacceptable, it is hated, it is tragic, and it is wrong. We urge President Xi to do the right thing and end China’s horrific population control policies forever.

The NGO Chinese Human Rights Defenders says President Xi has “overseen one of the most repressive periods in the post-Mao era.” The CECC, whose Annual Report will be officially released in three weeks, will conclude that the Chinese government’s efforts “to silence dissent, suppress human rights advocacy, and control civil society are broader in scope than any other period documented since the Commission started issuing Annual Reports in 2002.”

China is in a race to the bottom with North Korea for the title of world’s worst violators of human rights. The hope that President Xi would be a different type of Chinese leader has been completely destroyed.

Nonetheless, despite the torture and arrests, despite the harassment and censorship, despite the “black jails” and failed promises—rights advocates, civil society activists, and religious believers continue to grow in prestige and social influence in China. Persecution has not silenced them—at least not at this moment. It has not dimmed their hope for a different kind of “China Dream” that embraces human rights, freedom, and democracy.

U.S. policy must be geared to protect China’s rights defenders and religious communities, nurture China’s civil society, and work with those committed to the rule of law and fundamental freedoms.

The U.S. cannot be morally neutral in this regard. We cannot be silent in the face of the Chinese government’s repression. We must show leadership and resolve because only the U.S. has the power and prestige to stand up to China’s intransigence. U.S.-China relations would be stronger and more stable if people like Wang Yu, Li Heping and Zhang Kai were in positions of leadership in the Chinese government.

Washington is preparing to roll out the red carpet next week for President Xi and his delegation. Toasts will be made, statements will be exchanged, and the highly symbolic gesture of a state visit will give President Xi a much-needed boost of legitimacy at home.

If President Obama fails raise human rights prominently and publicly—it is a diplomatic win for Xi Jinping. If economic and security interests grab all the headlines, China’s freedom advocates will despair. If there is no price paid for China’s lawlessness and repression, it is a loss for everyone who is committed to freedom and rights.

We can no longer afford to separate human rights from our other interests in China. Human rights can’t be considered a separate track in negotiations, but integrated at all levels of engagement.

Surprisingly, former Secretary of the Treasury Henry Paulson agrees with this assessment. Mr. Paulson is not known as a passionate defender of human rights, but in his latest book “Dealing With China” he says that the U.S. must not shy away from “shining a light on human rights problems, because nothing good happens in the dark.” He says the U.S. must push for greater transparency, the free flow of information, and better adherence to universal standards in China—not only because they represent universal values but because they are critical parts of U.S. economic interests in China.

It is increasingly clear that there is direct link between China’s domestic human rights problems and the security and prosperity of the United States. The health of the U.S. economy and environment, the safety of our food and drug supplies, the security of our investments and personal information in cyberspace, and the stability of the Pacific region will depend on China complying with international law, allowing the free flow of news and information, complying with its WTO obligations, and protecting the basic rights of Chinese citizens, including the fundamental freedoms of religion, expression, assembly, and association.

President Obama must “shine a light” on China’s human rights abuses. He must make clear to President Xi that the suppression of rights defenders, ethnic minorities, and civil society will adversely affect U.S.-China relations. And, he must use all the diplomatic tools available, including sanctions if necessary, to demonstrate that human rights protections are a critical interest of the United States.

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

SEPTEMBER 18, 2015

Events in China have garnered significant media attention in recent months. From wildly fluctuating markets which have directly impacted American businesses and families, to unprecedented cyberattacks on government networks which compromised the personal data of millions of Americans—China is in the news.

These issues, along with China's continued aggression in the South China Sea will most assuredly be on the agenda during the upcoming State Visit of Chinese President and Communist Party General Secretary Xi Jinping next week. Whether the Obama administration will be able to secure meaningful progress on any of these fronts remains to be seen, although if previous rounds of cordial dialogue are any indication, the prospects are bleak.

In addition to these myriad issues is China's grave and deteriorating human rights landscape—a particularly intractable area in our bilateral relations, and one which has worsened significantly on this administration's watch.

The past year alone has been marked by further erosion of rule of law, tightening restrictions on civil society and outright attacks on human rights defenders and political dissidents. In its forthcoming annual report the Congressional-Executive Commission on China will document efforts to muzzle dissent and suppress human rights advocacy that are broader in scope than any other period since the Commission started issuing Annual Reports in 2002.

We've seen human rights lawyers disappeared, churches demolished and crosses torn down and Tibetan Buddhist monks setting themselves aflame in desperation at the oppression experienced by their people.

These are realities in Xi Jinping's China.

While President Xi is greeted with a 21-gun salute, a prominent human rights lawyer is unaccounted for, his whereabouts unknown after being taken into custody by the Public Security Bureau. While President Xi is wined and dined in the White House, a Nobel Peace Prize Laureate languishes in prison.

The CECC is featuring stories like these, and many others, through the "Free China's Heroes" initiative in the days leading up to Xi's visit. We are profiling the cases of individual prisoners of conscience in an effort to put a human face on the suffering that has accompanied Xi Jinping's ascent to power.

Too often the Obama administration wants credit for "raising human rights"—but passing mentions and diminished significance in the broader bilateral agenda provides little solace to the brave men and women who face unimaginable obstacles and hardship for daring to claim their most basic human rights.

At the very least President Obama should meet with U.S.-based Chinese dissidents and activists before the state visit—even invite several of them to attend the state dinner.

They represent the future of China. They are writers and lawyers. They are activists and students. They have democratic aspirations and dreams for their country that do not include harassment, abuse and imprisonment.

It's time for America to get back on the right side of history—to stand with the oppressed not the oppressor.

SUBMISSION FOR THE RECORD

URGING CHINA'S PRESIDENT XI JINPING TO STOP STATE-SPONSORED HUMAN RIGHTS ABUSES

SEPTEMBER 18, 2015

Witness Biographies

Teng Biao, Chinese human rights lawyer, a Harvard University Law School Visiting Fellow, and Co-founder, the Open Constitution Initiative

Teng Biao is a well-known human rights lawyer, Visiting Fellow at Harvard University Law School, and the Co-founder of the Open Constitution Initiatives. Dr. Teng Biao holds a Ph.D. from Peking University Law School and has been 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 China. 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.

Xiao Qiang, Founder and Editor-in-Chief, China Digital Times

Xiao Qiang is the Founder and Editor-in-Chief of China Digital Times, a bi-lingual China news website. He is an adjunct professor at the School of Information and the Graduate School of Journalism (2003 - 2011), at the University of California, Berkeley. He is also the Principal Investigator of the Counter-Power Lab, an interdisciplinary faculty-student research group focusing on technology and free flow of information in cyberspace, based in the School of Information, UC Berkeley. Xiao became a full-time human rights activist after the Tiananmen Massacre in 1989 and was the Executive Director of the NGO Human Rights in China from 1991 to 2002. Xiao is a recipient of the MacArthur Fellowship in 2001 and in January 2015, he was named to Foreign Policy magazine's Pacific Power Index, a list of "50 people shaping the future of the U.S.-China relationship."

Yang Jianli, President, Initiatives for China/Citizen Power for China

Yang Jianli is President of Initiatives for China/ Citizen Power for China. Dr. Yang 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. 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, he founded Initiatives for China, a non-governmental 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.

Wei Jingsheng, Chairman, Overseas Chinese Democracy Coalition

Wei Jingsheng is a long-time leader for the opposition against the Chinese Communist dictatorship. He was sentenced to jail twice for a total of more than 18 years due to his democracy activities, including a ground breaking and well publicized essay he wrote in 1978: "the Fifth Modernization—Democracy". He is a winner of numerous human rights awards and the author of the book "Courage to Stand Alone—letters from Prison and Other Writings". After his exile to the USA in 1997, he founded and has been the chairman of the Overseas Chinese Democracy Coalition (OCDC) which is an umbrella organization for many Chinese democracy groups, with members over dozens of countries. He is also the president for the Wei Jingsheng Foundation, and the president of the Asia Democracy Alliance.

Shohret Hoshur, Journalist reporting news in China's Xinjiang Uyghur Autonomous Region for Radio Free Asia

Shohret Hoshur is a journalist reporting on news in China's Xinjiang Uyghur Autonomous Region for Radio Free Asia, where he has worked since 2007. He began his career in 1989 in China's far west as a TV reporter. In 1994, Chinese authorities

condemned two of his editorials as subversive, forcing him to flee his homeland. As stated in a New York Times profile, “[h]is accounts of violence in his homeland are among the few reliable sources of information about incidents in a part of China that the government has sought to hide from international scrutiny.” He graduated from Xinjiang University in 1987 with a degree in Uyghur literature. Shohret is now a U.S. citizen residing in Alexandria, Virginia with his wife.

Ethan Gutmann, China analyst and author of “The Slaughter: Mass Killings, Organ Harvesting, and China’s Secret Solution to Its Dissident Problem

Ethan Gutmann is an award-winning China analyst and human-rights investigator and is the author of *The Slaughter: Mass Killings, Organ Harvesting, and China’s Secret Solution to its Dissident Problem* (Prometheus, 2014) and *Losing the New China: A Story of American Commerce, Desire and Betrayal* (Encounter Books, 2004). He has written widely on China issues for publications such as the *Asian Wall Street Journal*, *Investor’s Business Daily*, the *Weekly Standard*, *National Review*, and *World Affairs Journal*. Currently based in London, Gutmann has also been associated with several Washington think-tanks over the years, including the *Foundation for Defense of Democracies*, the *Free Congress Research and Education Foundation*, and the *Brookings Institution*.

