

## Testimony for the Congressional Executive Commission on China

Chairman Smith and Co-Chairman Merkley,

I am a writer and human rights activist specialising in Asia, particularly China and Hong Kong as well as Burma/Myanmar and North Korea. I am a co-founder and trustee of Hong Kong Watch, an advisor to the Inter-Parliamentary Alliance on China (IPAC) and the Stop Uyghur Genocide Campaign, co-founder and Deputy Chair of the UK Conservative Party Human Rights Commission and author of many articles and reports on the human rights situation in China, and of a book, *The China Nexus: Thirty Years In and Around the Chinese Communist Party's Tyranny*, published in 2022.

I warmly welcome the hearing you are holding on Unjustly Detained Americans in China and thank you for doing so. In June 2023, the UK Conservative Party Human Rights Commission held a hearing which I helped to organise in the British Parliament, chaired by Tim Loughton MP, Chair of the Commission at the time, focused on foreign prisoners detained in China and the abuse, forced labour and denial of human rights which they face. The hearing drew on testimony from Mr Peter Humphrey, a British citizen detained in prison in the People's Republic of China (PRC) from 2013-2015, and Mr Marius Balot, a Romanian citizen imprisoned in the PRC from 2014-2022.

Rather than repeat or quote from the report published by the Conservative Party Human Rights Commission in July 2023, following the Commission's hearing, I would prefer to attach the report in full – available also on our website here:

<https://conservativepartyhumanrightscommission.co.uk/wp-content/uploads/2023/07/CPHRC-Foreign-Prisoners-in-China-briefingFINAL.pdf>

The report details the complete lack of justice in the PRC's legal, judicial and prison system, the complete absence of judicial independence or fair trial, the lack of fair or proper police investigations into alleged crimes, and the widespread use of prison labour, including by foreign prisoners, in the production lines of major international corporations. I hope that the Congressional Executive Commission on China (CECC) will study this report carefully as part of the hearing and inquiry being held, and that the full report by the Conservative Party Human Rights Commission may be entered into the Congressional record.

In conclusion, I respectfully urge the United States Congress and the CECC to call on the government of the United States of America to do more to seek the release of prisoners incarcerated in China who have not undergone fair and transparent trials, and especially to intervene more robustly to protect the human rights of US citizens and other foreign nationals detained in the PRC. In particular, I highlight the cases of three American citizens, David Lin, Kai Li and Mark Swidan serving long sentences in China.

The PRC's use of arbitrary detention is widespread and systematic, and much more needs to be done to call it out. I wholeheartedly support calls for the use of Magnitsky sanctions against those involved in arbitrarily detaining prisoners, including foreign nationals, and against those

within the PRC system involved in torture, mistreatment or other cruel or degrading treatment of prisoners and in the use of forced labour.

I thank you, Chairman Smith and Co-Chairman Merkeley, for your focus on this urgent and critical topic.

Benedict Rogers

Co-founder and Trustee of Hong Kong Watch; Deputy Chair of the UK Conservative Party Human Rights Commission; author of *The China Nexus: Thirty Years In and Around the Chinese Communist Party's Tyranny* (Optimum Publishing International, 2022).