

The Hon. Frank R. Wolf
Testimony to the Congressional-Executive Commission on China
“The Broken Promises of China’s WTO Accession: Reprioritizing Human Rights”
March 1, 2017

I would like to begin by thanking Chairman Rubio, Chairman Smith and the Members of the Congressional-Executive Commission on China for convening this important hearing on the consequences of the accession of China to the World Trade Organization and its impact on human rights, religious freedom and our security.

This Commission plays a critical and unique role in conducting necessary oversight and promoting human rights, religious freedom and the rule of law in China. I know that I am not alone when I say that your work is invaluable.

I also want to recognize your outstanding staff, including Elyse Anderson, Paul Protic and Scott Flipse, who are some of the finest staff I have worked with during my time in Congress.

I also want to recognize the Democratic Leader, Nancy Pelosi, who I am pleased to join here today, for her long-standing support for Chinese dissidents and the people of Tibet and for her leadership during the annual debate surrounding Most Favored Nation trading status for China. We both vigorously opposed granting China Permanent Normal Trade Relations, absent preconditions. I wish our concerns had not been born out, but as today’s hearing will no doubt explore, the proponents of this approach can hardly claim that China today is more free and less repressive than it was 15 years ago.

This is not a partisan issue, as we demonstrated in our efforts in the late 1990s, and our country is stronger, and dissidents worldwide are bolstered, when both parties and their leadership take a principled stand for human rights and religious freedom.

This topic could not be more timely, as evidence continues to show that the government of China has leveraged the wealth and economic growth that accompanied WTO accession to become more corrupt, more repressive, and more dangerous than anytime in modern history.

China has also become increasingly belligerent and hostile in its actions in the Spratley islands to disrupt peaceful navigation of the seas, and has led a campaign of unprecedented cyberattacks against the U.S. government – including Members of Congress – and American companies.

In fact, it’s stunning how little we discuss the Chinese cyberattack against OPM just two years ago that led to the most sensitive information about millions of Americans and their families being compromised. Or their attacks on U.S. healthcare records and airline travel records. Or the theft of intellectual property that is literally bankrupting American companies and costing us jobs. The American people, and the U.S. government, should be more outraged by these actions.

Prior to the passage of PNTR in 2000, there was much debate in Congress and the media as to whether granting such status would help China become a more open and free society, leading to greater rights protections for its long-oppressed people and improvements in rule of law.

It's interesting, in retrospect, that just ten years after the world was shocked by the brutal crackdown against the Tiananmen protesters, a school of thought took root which argued for increased trade and economic ties – as opposed to sanctions and a tough line.

The push for PNTR was borne, I believe, of wishful thinking rather than evidence or a genuine understanding of the Chinese Communist Party's goals and objectives.

Rather than extend to the “Butchers of Beijing” the successful policies of the Reagan Administration that helped bring down the Soviet Union, a coalition from the business community, academia and others in government argued that the Chinese regime was different and could change, if only it was provided an opportunity to grow its middle class and wealth.

The state of freedoms in China today, after so many trillions of dollars in wealth have been transferred to the small ruling class that controls production, is well summarized in the most recent report by the United States Commission on International Religious Freedom (USCIRF), stating:

“During the past year, the [Chinese] government increased its targeting of human rights lawyers and dissidents, some of whom advocated for religious freedom or represented individuals of various beliefs...authorities across China undertook a sweeping dragnet rounding up lawyers and human rights defenders, including religious freedom advocates, with nearly 300 arrested, detained or disappeared. Many of these individuals came under government suspicion precisely because they chose to represent politically-undesirable religious groups, such as Uighur Muslims, unregistered Christian leaders and members, and Falun Gong practitioners.”

A cursory glance at headlines from the past few weeks provides another indication that the situation continues to deteriorate:

“Uyghurs Are Told to Confess Political ‘Mistakes’ in Mass Meetings,”

“Tibetan Pilgrims Barred From Kirti Monastery by Chinese Police,”

“Christian Rights Lawyers Tortured in China,”

“Chinese Christians Persecuted by Party Nationalism.”

Or there is the *Washington Post* piece from January 21st, about the Chinese lawyer, Li Chunfu, who was imprisoned in secret detention for 500 days and brutally tortured and drugged. Since his release he has been diagnosed with schizophrenia as a result of what he experienced while in prison.

The irony is that due to the great wealth, increased economic interconnectivity and international influence that China was able to achieve in the last 15 years, the U.S. has less leverage than it once did to push back against these abuses.

However, it doesn't mean that we can't – and shouldn't – use every lever we still have to address the egregious human rights violations of one of the most repressive regimes in the world.

I want to close with several recommendations, actions that the Congress and the Administration can take *this year* to improve this situation:

First, we need more clear and unambiguous resolutions and statements from this Congress and the Trump Administration about our unwavering commitment to human rights, religious freedom and rule of law in China.

For example, Congress should immediately take action to rename the plaza in front of the Chinese Embassy in honor of the imprisoned Nobel Peace Prize Winner, Liu Xiaobo. I originally offered this successful amendment on a House appropriations bill before leaving Congress, and the Senate passed a stand-alone resolution authored by Senator Cruz late last year. The effort needs to start anew in this Congress and hopefully the Trump Administration will be receptive unlike its predecessor. .

The Administration should also make full use of the new authorities granted under the Global Magnitsky Act to sanction and restrict the travel of Chinese government officials perpetrating these egregious human rights abuses. Given the immense demands on limited U.S. foreign assistance dollars, the Congress and the administration should ensure that any assets seized under this law involving Chinese authorities are spent on human rights and religious freedom promotion and advocacy in China.

Second, much more must be done to fight Chinese Internet censorship by putting pressure on agencies such as the BBG to increase the allocation of funds towards programs which prioritize the circumvention of the internet firewall. Over the last few years the budget for such programs has decreased, from \$25.5 million in FY 2014 to \$12.5 million in FY 2017. If we're serious about fighting Chinese censorship, our budget should reflect it. The Chinese government could not be more serious...they spend million annually on fortifying the Firewall

Finally, we must remain vigilant against efforts by the Chinese government and state-directed and owned companies to take advantage of the open nature of the U.S. system to inappropriately lobby and shape public opinion such that human rights violations, censorship and other troubling actions are effectively normalized, relativized or altogether glossed over. We have seen numerous examples of this, including a recent series of acquisitions of U.S. media companies that would effectively make them subject to state censorship rules in Beijing.

Last fall, I authored an op-ed in the *Washington Post* where I detailed these concerns and advocated for an update to the Committee on Foreign Investment in the United States (CFIUS), to better address the types of transactions that impact cybersecurity, sensitive financial services and soft power – such as Internet and media ownership in the U.S.

I have been encouraged by the great work done by Congressman Pittenger and his colleagues to have GAO review possible updates to CFIUS this year, and also support legislation that will soon be introduced by Senator Cornyn to advance some reforms.

We also need to bolster the Foreign Agents Registration Act (FARA), which I also addressed in the op-ed, to ensure that Chinese-funded public opinion and advocacy efforts in the United States are being appropriately monitored and reported.

The Justice Department's Inspector General released a very important report last Fall making recommendations on updates to this law, including closing a range of loopholes governments like China use to avoid disclosing their funding.

In closing, I appreciate the opportunity to testify today and this Commission's important work. While the U.S. government made a critical error in extending PNTR to China without real commitments – and enforcement mechanisms – on human rights and religious freedom, it's never too late for us to redouble our efforts. We can commit anew to using all of the economic, diplomatic and security tools at our disposal to send a clear signal that America remains committed to the fundamental principles laid out in our founding documents—documents which former President Reagan argued represented a “covenant with all of mankind” to include the imprisoned Tibetan nun, the harassed Christian house church pastor and the tortured Chinese rights lawyer.