

**Statement of  
The Honorable Sander M. Levin  
February 7, 2002**

I am very glad to be here today as a member of this Commission and I am pleased that the Commission is becoming operational. It is vital that this Commission fulfill the function that Congress intended for it when we created it.

Two years ago, in deliberating Permanent Normal Trade Relations for China, we spelled out clear goals for the Commission as a critical part of the effort to both engage and confront China:

" The Congressional-Executive Commission will be an effective tool for pressing China to improve its record in the vital areas of human rights, adherence to core labor standards, rule of law and democracy building. Comprised of Members of Congress and senior Administration officials, the Commission will have unparalleled profile and credibility to call attention to its analysis and recommendations.

-- The Commission will place an ongoing, focused spotlight on human rights and other government practices in China. ...

-- The Commission will be a vast improvement over the annual review. That process concentrates congressional attention on China for only a few weeks each year. The Commission, by contrast, would have permanent, expert staff and resources devoted to monitoring China on a systematic, year-round basis.

-- The Commission will perform a unique role in the U.S. effort to press for reform in China.

-- The Commission will for the first time provide a mechanism focused solely on human rights, labor rights and religious freedom issues in the U.S. relationship with China. ...

-- Finally, by bringing together senior executive branch officials with Members of Congress on a bipartisan basis, the Commission will have a profile and level of credibility that existing congressional committees or executive branch agencies simply cannot match."

The events since the House vote have only confirmed the need for this Commission to play each of these vital roles. The State Department reports that China's human rights record has grown worse in the last two years. China continues to prevent its citizens from the free exercise of their religion and has continued and stepped up its campaign against members of the Falun Gong movement. China's repression of Tibet continues, as well as its repression of ethnic minorities such as the uighurs. China has detained a number of scholars and American citizens, as it continues to try to thwart free speech and freedom of ideas. An article in the January 21 edition of the Washington Post, detailing the use of police and the military to quell a strike in the Shuangfeng Textile Factory, illustrates the serious labor rights violations continuing in China.

At the same time, China's efforts to move away from a state-dominated to a free market economy have accelerated and the Chinese legal system is inching towards the rule of law. In both cases, however, there are still miles to go, validating the need for policies and programs that reinforce any positive impacts arising from the movement toward a market economy. China has formally become a member of the WTO, but it still has very far to go in implementing all of its commitments. Just in the past two weeks, businesses and the USTR have raised serious concerns about China's WTO implementation.

I am pleased that this inaugural hearing is focused on human rights issues. The Commission must help keep Congress informed and focused on human rights and political prisoners issues in China. It will not be an easy task, but this job is crucial to the Commission's success.

The Commission also has a key role to play in monitoring labor rights in China. Democratic staff from the Ways and Means Committee were recently in Cambodia examining the operation of the U.S.-Cambodia textiles and apparel agreement. This agreement addressed the labor rights issue in an innovative way - encouraging Cambodia to improve its labor rights through positive market access incentives. One of the issues that became clear on that trip was that China enjoyed an advantage because of its failure to respect labor rights: As one factory owner comparing his labor practices in his factory in Cambodia with his practices in his factory in China stated, "I can do whatever I want in China." As China's accession to the WTO takes hold, other countries, particularly neighbors of China, will find it difficult to compete with China in attracting labor-intensive industries if China continues to allow investors there to ignore labor rights. There will truly be pressure for a race to the bottom.

Separately, respect for labor rights will help further develop a middle class in China. Although some claim that more trade in and of itself will automatically lead to a middle class, I do not believe that is the case. When workers have the right to organize and bargain collectively, they can enjoy a larger share of the profits that they help create.

The Commission will provide a key tool to Congress and the Administration to help improve labor rights in China. It will provide a source of information and monitoring that both the Administration and Congress can trust. I hope the Commission will also make useful recommendations on ways to work with China to improve the respect for worker rights.

Finally, the rule of law is both a human rights issue and a commercial issue. China made a host of important commitments as part of its WTO accession. In order for the United States to obtain the full benefits of those commitments, China must implement them in its law and properly enforce the law. I think the Commission can play a ground-breaking role in helping the rule of law to flourish in China.

The Commission must pursue each of its roles aggressively. I would hope that by this time next year, the Commission will be seen as a fixture, having earned the respect of the human rights community, the business and labor community, Members of Congress, the Administration, as well as the Government of China.

Former President Clinton said in his January 27, 2000 State of the Union address: "[W]e need to know that we did everything we possibly could to maximize the chance that China will choose the right future." China is a dynamic, complex, and evolving country. The U.S. relationship with China reflects these facts and is itself dynamic, complex, and evolving. This Commission has important potential to shape the development of U.S. policy toward China, and even to impact constructively the evolution of China.