

**Statement of U.S. Senator Byron Dorgan
Co-Chairman, Congressional-Executive Commission on China**

**Hearing on "What Will Drive China's Future Legal Development?
Reports from the Field"**

June 18, 2008

The purpose of today's hearing is to examine China's legal development. For three decades now, China has engaged in legal reform. But it seems to be at a stand still, and it is unclear at this point whether that means it has stalled or is at a turning point.

Why does it appear to be at a stand still?

Well, first, the massive earthquake that tragically killed and injured tens of thousands of people, too many of them children. Second, the violent crackdown that began in March continues in Tibetan areas. Beijing has closed off most Tibetan areas, and detained or expelled journalists. Finally, the Summer Olympic Games are fast approaching. Hosting the Olympic Games has highlighted some of Beijing's achievements. We don't and shouldn't deny them that. But even more it has highlighted Beijing's terrible record on human rights and the environment. As the Olympic torch circled the globe, Beijing's Olympic dream became a public-relations nightmare.

These three events are having an enormous impact on many areas in China, including legal reform and human rights. And that is why we are here today.

At the Commission's February hearing on the Olympics, I submitted for the record a list of political prisoners. Here is an update on just one: Hu Jia, a courageous activist, was jailed last December by Chinese authorities for comments he made at a European Parliament hearing. His comments were critical of China's hosting the Olympics. At the time of the CECC hearing, his wife and 4 month old daughter had been under house arrest for several months. In April, he was sentenced to three and a half years in prison for "inciting subversion of state power." Hu has severe health problems. His request to be released on bail for medical treatment was denied in June. His wife and baby remain under constant surveillance, and face harassment.

Every country that has hosted the Olympics has had its critics - both at home and abroad. China has dissenting voices too on the Olympics -- like Hu Jia. But instead of being tolerant, it has hit back hard with a combo punch of intimidation and imprisonment.

The Commission is dedicated to understanding these events on a deep level. For that reason, we have called four prominent Tiananmen Square activists and now internationally renown figures in human rights and rule of law in China. We hope they will address two straightforward questions:

What factors are most likely to determine the course of China's legal development in the coming year and beyond?

What factors do Western analysts more frequently tend to overlook or misinterpret?

I would ask each of our witnesses to highlight for us the factors that, in each of your varied experiences, and unique perspectives this Commission should focus on in order to most effectively understand the course that China's legal development is taking and will take as events unfold.

It would be helpful if you would focus specifically on steps China has taken to: combat corruption and to maintain popular support for further reform, prospects for the enforcement of worker rights, collective bargaining, and labor unions.

I would also ask that you comment on the regulation of religious life and of minorities, and trends in pre-Olympic crackdown.

Finally, I would also ask each of our witnesses to make a point also of identifying for us the one or two factors that, in your experience, Western analysts most frequently overlook, misunderstand, or plainly misinterpret. Your complete candor will be most helpful and appreciated.