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Human Rights in China Still Matter
Release of the 2011 Annual Report

*Congressman Chris Smith, Chairman
Congressional-Executive Commission on China
Excerpts of Remarks
October 12, 2011*

Good afternoon. Thank you for coming. Senator Jeff Merkley and I are pleased to be here to discuss the release of the 2011 Congressional-Executive Annual Report.

Eleven years ago, the U.S. Congress passed legislation, Public Law 106-286, granting permanent normal trade relations (PNTR) with China. I was among the vocal opponents of this legislation, citing concerns about China's egregious human rights record and the risks to U.S. businesses when trading with a country that plays by its own rules, instead of abiding by rule of law.

As Chairman of the Congressional-Executive Commission on China, a bipartisan body established to monitor and address the human rights concerns raised during the debates on PNTR, I know these concerns remain as relevant today as ever. Tragically, in the years since the granting of PNTR, China has continued to abuse the fundamental human rights of its citizens while failing to establish a fair and transparent legal system. Indeed, as we meet here today, a Nobel Laureate, Liu Xiaobo, languishes in a Chinese prison for promoting peaceful democratic reforms, but he is just one of 1.3 billion Chinese who live under the Chinese state's repression.

The 2011 report notes that China's leaders have tightened their grip on Chinese society and grown more aggressive in disregarding the very laws and international standards that they claim to uphold. The government's campaign to "disappear" numerous lawyers and activists

following pro-democracy protests elsewhere in the world—one of China’s harshest crackdowns in recent memory—is but one example.

The Commission’s 2011 report also documents ongoing abuses in the areas of religious freedom. Protestant house church members, “underground” Catholics, and Falun Gong members continue to risk detention and abuse for attempting to worship freely. Tibetans and Uyghurs face harsh curbs on their cultures and languages in addition to religious repression.

China’s implementation of their one-child per couple policy remains one of the most brutal and barbaric attacks against women and children—ever. Through coercion, financial penalties and the use of forced abortion and sterilization, the Chinese government continues its population control program and limits the number of children women may bear. It is no coincidence that according to the World Bank and the World Health Organization, that approximately 500 women committed suicide a day in China in 2009. The Nuremberg Nazi war crimes tribunal properly construed forced abortion as a crime against humanity—nothing in human history compares to the magnitude of China’s 31 year assault on women and children.

Women bare the major brunt of the one child policy not only as mothers. Due to the male preference in China’s society and the limitation of the family size to one child, the policy has directly contributed to what is accurately described as gendercide—the deliberate extermination of a girl—born or unborn—simply because she happens to be female.

It has been noted that the three most dangerous words in China today are: —it’s a girl!

China’s workers lack freedom of association and the right to form independent unions, while poor working conditions and low wages remain rampant. The report also documents incidences of forced and child labor. And ten years since China joined the World Trade Organization, China’s disregard for the rule of law and unfair trade practices also brings harm to U.S. companies. Tragically, cases of political imprisonment abound in the report. “Disappeared” lawyer Gao Zhisheng, Catholic bishop Su Zhimin, and Mongol activist Hada are but a few of the prisoners mentioned.

The report draws on the work of the Commission’s Political Prisoner Database, a publicly available resource that documents over 6,600 cases of political imprisonment in China. Given China’s controls over the free flow of information and lack of transparency, the true number of political prisoners in China is certain to be much higher. But our database is not simply about numbers. Each record tells the story of a person targeted by authorities for daring to exercise her or his rights—from lawyers, activists, and religious leaders to farmers, parents, teachers, and factory workers.

The Chinese government has long claimed that our report amounts to anti-China rhetoric and interference in its internal affairs. We are not, however, holding China to a unique measure but simply monitoring its compliance with the same universal human rights standards that apply to all countries. And, as China adopts a new rhetorical strategy of claiming it abides by international law, we also hold China to its stated acceptance of international norms. That China's actions have global consequences in areas such as basic human rights and freedoms, product safety, environmental disasters, and infectious disease only further underscores the importance of keeping a spotlight on the country.

Moreover, the point of our report is not simply to single out problems, but to extend a hand to the Chinese people in their efforts to seek reform and defend their rights. To that end, each report includes recommendations for advancing the rule of law and human rights in China. They include support for legal cooperation, training for advocates to promote religious freedom, and dialogue on advancing commercial rule of law. In addition, where we see areas of potential progress—including recent reforms in the areas of criminal law and legal aid—our report notes them.

In the end, however, the good news is far outweighed by the bad, reminding us of the importance of sustained monitoring of China's human rights record. As a nation committed to freedom and democracy, and the rule of law, the U.S. must redouble our efforts, work harder to hold China accountable for its actions and ensure that any push for enhanced economic ties with China does not come at the expense of our own economy, national security and our commitment to help the Chinese people secure human rights protections from their own government.

Senator Merkley will now make a few remarks before we take your questions. Thank you.