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Human Rights in China: the 2015 Annual Report of the Congressional-Executive Commission on China

*Subcommittee on Asia and the Pacific
House Foreign Affairs Committee*

*Testimony of U.S. Representative Christopher H. Smith
Chair, Congressional Executive Commission on China
January 12, 2016*

I want to thank the Subcommittee, Chairman Salmon and Congressman Sherman, for holding this hearing and inviting us to testify about the 2015 Annual Report of the Congressional-Executive Commission on China.

In October of last year, the Commission issued its fourteenth Annual Report. The 2015 report is a comprehensive and heavily documented review and analysis of human rights and the rule of law conditions in China. It is an impressive undertaking that is the work of an equally impressive and dedicated staff.

The Commission's 2015 report comes to the troubling conclusion that the Chinese government's efforts to "silence dissent, suppress human rights advocacy, and control civil society are broader in scope than any other period documented since the Commission started issuing Annual Reports in 2002."

President Xi, and the current cohort of China's leaders, tolerate even less dissent than previous administrations. In the past year, China's leaders expanded the use of legal statutes and a pervasive security apparatus to maintain the Communist Party's leading role and power over the country.

Torture and arbitrary detention remain grave problems, employed with impunity by security forces to silence dissent and discourage religious groups and ethnic minorities from seeking greater freedoms.

In its Political Prisoner Database, the Commission has carefully compiled information on over 1,300 currently detained prisoners of conscience. Among the list are a Nobel Prize laureate; journalists; human rights lawyers; labor activists; advocates of democracy, free speech and ethnic minority rights; as well as Tibetans, Uyghurs, Falun Gong practitioners, and Christian and Buddhist religious leaders whose peaceful religious activities are somehow viewed as threatening to China's social order or national security.

The 2015 report also documents China's coercive and intrusive population control policies. In the past year, government officials enforced policies that are nothing less than state-sponsored violence against women and girls.

The report includes details on the methods used to enforced birth restrictions including heavy fines, the withholding of social benefits, the loss of jobs, forced sterilization, and even arbitrary detention if couples have a child without government permission.

Despite the platitudes given China for the recently announced "Two Child Policy"—the pernicious structure of population control remains. Chinese families are not free to determine the size of their own families or the number of children they will have. It remains illegal for single women to have a child. There will still be pressure to forcibly abort a child if the pregnancy is not approved by the state.

In addition, the new "Two-Child Policy will do little to stem the massive problem of human trafficking in China. We have seen increases in forced marriages and sexual slavery in China. Trafficking from Vietnam, Cambodia, and Burma have increased in recent years—in part, because there are an estimated 30 million young men who are unable to find wives or start families because of China's dramatically skewed sex ratios.

There is so much detail and information included in this year's Annual Report that we do not have time to summarize it all. I would like to highlight a few conclusions from this year's report:

- China issued a series of new national security laws last year that give unprecedented powers to domestic security forces and that seek to limit the exchange of people and ideas between China and the international community.
- Despite President Xi's public commitment to implement the "rule of law," the law is too often a cover for lawlessness, as the pervasiveness of torture in detention and the coordinated campaign to silence human rights lawyers last year demonstrate.
- Chinese authorities continue to rein in the media, opinion-makers, the Internet, and social media users critical of government policies.
- China continues to rank with Iran, Vietnam, and Saudi Arabia in terms of the misery it inflicts on religious believers. The government continued sometimes pervasive efforts to manage, control, co-opt, or crush China's diverse religious communities.

- The report shows little progress in China's compliance with its WTO obligations, as record trade deficits continued and U.S. businesses faced significant difficulties in the past year due to lack of government transparency and preferential treatment for state-owned enterprises.
- The actions of the Chinese and Hong Kong governments during the past year raise serious concerns about the future of Hong Kong's autonomy, press freedoms, and the rule of law.

The Cost of Ignoring Human Rights in China

We are living in a time where the comfortable assumptions that undergirded U.S. policy toward China are unravelling. Trade, investment, and people-to-people exchanges have not brought about fundamental political change or improved human rights in China.

China's domestic human rights problems adversely affect U.S. foreign policy priorities. The U.S. cannot afford to separate human rights from our other interests in China.

U.S. officials must not shy away from meeting with the Dalai Lama or other dissidents. The State Department must use selective visa bans on Chinese officials who violate human rights. U.S. trade representatives must connect Internet and press freedoms as both economic and human rights priorities. And we must demand, repeatedly and clearly, that the unconditional release of political prisoners is in the interest of better U.S.-China relations.

The future health of the U.S. economy and environment, the safety of our food and drugs, the security of our investments and personal information in cyberspace, and the stability of the Pacific region will depend on China complying with international law, allowing the free flow of news and information, and protecting the basic rights of China's citizens, including the fundamental freedoms of religion, expression, assembly, and association.