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Duty to Defend Universally Recognized Human Rights

*Excerpts of remarks by U.S. Rep. Chris Smith (NJ-04), Chairman
Congressional-Executive Commission on China
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I want to thank Chancellor Yu and Vice-Chancellor Lehman for the invitation to speak today at NYU-Shanghai on human rights and to answer any questions you might have.

There are so many impressive faculty and students here on campus committed to academic excellence, personal growth and making a positive difference in society.

As each of you know, higher education creates opportunities to realize dreams of achievement and self-sufficiency.

Higher education helps us acquire the tools and critical thinking skills to master complex challenges, build things and create wealth.

Higher education for me was also the time to begin to seriously ask hard questions and seek truth—a lifelong pursuit for all of us—about the meaning of life, the sacred duty to care for our neighbor and all things transcendent, especially God and His unsurpassable love for each and every one of us.

I am a Catholic—a Christian who doubted the existence of God during part of my early college years who only after a protracted search, embraced the Gospel message of faith, hope and charity and the promise of heaven.

As I Christian, I am ever aware that despite my many flaws, in Jesus I am welcomed and forgiven, filled to overflowing with meaning and purpose.

I regard elected political office—I've won 18 elections and represented my New Jersey constituents in Congress for 36 years—as an extraordinary opportunity to serve others. I spend countless hours promoting universally recognized human rights in the United States, China—and elsewhere—because of my faith.

In the Bible, Jesus said “whatsoever you do to the least of these, you do unto Me.” Of course in God's eyes we are all precious and of infinite value—the “least” means situational only.

Religious freedom—the universally recognized human right to peacefully exercise faith in God—needs to be robustly protected by all governments. Religious freedom applies to all.

In a small Beijing apartment in 1994 I met Bishop Su Zhimin—a Catholic Bishop who has spent some 40 years in prison for his faith. Bishop Su told my delegation after celebrating mass that he harbored absolutely no malice or animosity towards those who mistreated him. With bright clear eyes and a gentle smile, he said he prayed for his jailors. He forgave them. And it was clear that this bishop's heart broke for other incarcerated believers. Yet despite it all, he had what St. Paul said God promises to believers: “a peace that surpasses all understanding.” I was—and always will be—in awe of this courageous, faith-filled religious leader.

Tragically, for simply meeting with me, Bishop Su was rearrested and interrogated for nine days. A few years later he was arrested again on bogus charges and sent to prison. A new appeal from his family for his release—even information about his current whereabouts, is he still alive—was made on his behalf by his family just last month.

Throughout China, religious leaders and believers heroically live the tenants of their faith with integrity and passion no matter the negative consequences. An essential part of Christian teaching is to pray, like Bishop Su, even for those who despise and persecute you.

Several years ago during a visit to the United States, President Xi was interviewed by a Chinese student at a U.S. college. After the interview, President Xi asked his interviewer a single question— “Why do so many Chinese students studying in the United States become Christians?”

Why one of the world's most powerful political leaders asked this question might never be known. But religion was on his mind that day. Whatever was behind that question, religious freedom conditions in China have not yet improved and I join with many around the world and in China in an appeal to President Xi to safeguard this internationally recognized human right.

For over 44 years for me and my dear wife Marie, caring for the “least” of our brethren has meant seeking to protect innocent unborn children and mothers from the violence of abortion in the U.S. and elsewhere.

Since the early 1980s, I have authored legislation to encourage the Chinese government to end coercive population control under the one and now two child per couple policy. One law I wrote authorizes the U.S. state department to deny U.S. visas to government officials who are complicit

in forced abortion and involuntary sterilization. Another law denies funding to organizations that support or co-manage coercive population control programs.

Over the years, I have met many Chinese women who have been victimized by the policy. Their tears and the agony they have suffered motivates me and others to help.

At one congressional hearing I chaired in 2009 for example, a Chinese college student named Wujuan said that she was brought to a hospital against her will and testified that... “as soon as I was taken out of the van, I saw hundreds of pregnant moms there, all of them just like pigs in the slaughterhouse...the room was full of moms who had just gone through a forced abortion. Some moms were crying. Some moms were screaming, and one mom was rolling on the floor in unbearable pain...then it was my turn ...it was the end of the world for me...when the surgery was finished, the nurse showed me part of my baby’s bloody foot with her tweezers.”

The great human rights defender Chen Guangcheng defended women from coercive population control in a class action lawsuit in Linyi and received a harsh prison sentence followed by house arrest for his noble deeds. Chen’s daring escape to the U.S. embassy in Beijing is legendary. Today he and his equally courageous wife Weijing continue in the United States to push for reform in China.

The need to help post abortive women in the United States and China is extremely compelling. The physical and psychological damage suffered by women is real. Dr. Alveda King—niece of the great U.S. civil rights leader Dr. Martin Luther King—has had two abortions but is now pro-life and a leader of a healing ministry for post abortive women.

Two weeks ago, I chaired a hearing on gendercide—the extermination of the girl-child through sex selection abortion. One witness, Chai Ling, spoke eloquently about her organization called All Girls Allowed and the many Chinese mothers who have heeded the All Girls Allowed appeal and given birth to daughters who otherwise would have been aborted. Those stories of little girls being saved are breathtaking.

The tens of millions of missing girls of China today, however, are in and of itself catastrophic yet preventable now and into the future. I believe that the equality of women and men can only be achieved when women and men are equally valued and that starts with the girl-child in the womb.

One of many devastating consequences of female gendercide is the historic, unprecedented skewed male/female ratio. Chinese demographers predict that tens of millions of men now and into the future will never find a wife to love and cherish and build a family—because tens of millions of women don’t exist. One world renowned American demographer Nicholas Eberstadt posed this provocative question at one of my congressional hearings: What are the consequences for a China that is increasingly male and increasingly gray—that is, elderly.

The missing girls have also incentivized an ever-expanding magnate for human sex-traffickers. Today, pimps are making fortunes selling women as commodities because of the missing girls. As the prime author of the Trafficking Victims Protection Act of 2000—and three other anti-

human trafficking laws—all of which established bold strategies that include sheltering, asylum and other protections for the victims, long jail sentences and asset confiscation for the traffickers, and tough sanctions for governments that fail to meet standards, I am deeply concerned that unless the Chinese government ends coercive abortion and gendercide, human sex trafficking will exponentially worsen in the foreseeable future.

In my position as Chairman of the bipartisan Congressional-Executive Commission on China as well as Chairman of the Human Right Committee in the US House of Representatives, I have the privilege to meet with many Chinese lawyers, activists, academics, and government officials. I always ask them to share with me their views on human rights in China.

Over the past several years, I hear the same thing—human rights conditions have gotten worse. Even those making modest calls for reforms, in areas prioritized by the government—anti-corruption, public health, legal reform, and environmental concerns—have faced increased harassment, detention and arrest.

Human rights lawyers are “disappeared” for simply trying to represent the poor and vulnerable. Labor rights advocates are targeted, academics and students muzzled, civil society and ethnic minorities increasingly are viewed as a security threat. The space for freedom and human rights advocates—already small—seems to be shrinking.

The Congressional-Executive Commission on China issues an Annual Report. Last year’s report sadly concluded that the Chinese government and Communist Party efforts to silence dissent, suppress human rights advocacy, and control civil society, religious groups, academic freedom, and the Internet were broader in scope than at any other period since the Commission started issuing Annual Reports in 2002.

I say “sadly concluded” because deteriorating human rights conditions not only hurt the Chinese people but are a barrier to closer U.S.-China relations.

As someone who deeply respects and admires the Chinese people and culture, recent efforts to silence dissent not only harm bilateral relations, but also are entirely counterproductive politically.

At the very moment of China’s emergence as a global leader, new security laws empower public security forces to drive a wedge between the Chinese people and the international community. Last summer China saw enormous pushback against a draft Overseas NGO Management law. As it is currently written, this law would harm both domestic and international NGOs in China, and it would dramatically curtail the international exchanges that have been the foundation of progress in US-China relations for decades.

The restrictions on activities and on receiving foreign funding will make the work of many of China’s organizations all but impossible—presumably, that was the main goal of the draft law. But the cumbersome registration processes will also make academic and civil society exchanges difficult to continue.

Moreover, by potentially placing control of overseas NGOs in the hands of public security, rather than the Ministry of Civil Affairs, the Chinese government is sending the message that foreign NGOs and international exchanges are a threat to be dealt with, rather than the building blocks of peaceful and sustainable relations between China and the rest of the world.

The sustained crackdown on human rights lawyers that began in July 2015 is among the most egregious examples of the Chinese government's disregard for the rule of law. The government has arrested, detained, disappeared, and intimidated hundreds of lawyers, legal assistants, and even family members of lawyers. These individuals are among China's best and brightest, individuals who advocated working within the existing system to spur incremental changes, reforms, and improvement.

Just last month, we learned that a number of these rights lawyers have been charged with "subversion of state power," a crime that could mean a life sentence.

Jailed 2010 Nobel Peace Prize winner Liu Xiaobo is a hero—and still in prison. As you know, he was selected for that prestigious award for "for his long and non-violent struggle for fundamental human rights in China." He tried to work within the system.

According to the Nobel Committee, "For over twenty years, Liu has fought for a more open and democratic China. He demands that the Chinese authorities comply with Article 35 of the Chinese Constitution, which lays down that the country's citizens enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration. In 2008, Liu was a co-author of Charter 08, a manifesto which advocates the gradual shifting of China's political and legal system in the direction of democracy. He was arrested in December 2008, and sentenced a year later to eleven years' imprisonment for undermining the state authorities. Liu has constantly denied the charges.

"Opposition is not the same as undermining," he points out.

I was among those from around the world who nominated Liu Xiaobo for the 2010 Nobel Peace Prize. I was in Stockholm for the awards ceremony. Powerful speeches were delivered. There was music and dance and a celebration of Chinese culture. However, neither imprisoned Liu Xiaobo nor his wife Liu Xia were permitted by the Chinese government to be there. Instead, all of the Nobel Peace Prize Committee members were on the big stage with an empty chair for Liu Xiaobo.

The chair representing human rights in China need not remain empty.