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Disappeared, Jailed, and Tortured in China: Wives Petition for Their Husbands' Freedom

*Subcommittee on Africa, Global Health,
Global Human Rights, and International Organizations
Excerpts of remarks by Rep. Chris Smith
May 18, 2017*

Lawyer Xie Yang was tortured for the better part of two years because he dared to represent China's poor and persecuted. The account of his detention is both harrowing and horrible.

Xie Yang was sleep deprived and kept in isolation. Squads of police punched and kicked him for hours at a time. He was forced to sit still for hours on a precarious stack of plastic chairs; his feet dangling painfully off the ground. Police made threats to his wife and children and said they would turn him into an "invalid" unless he confessed to political crimes.

Xie Yang and his fellow human rights lawyers wanted the best for China, but they got the very worst.

Since July 2015, almost 250 lawyers and legal assistants were detained sending a chilling message to those fighting for legal reforms and human rights.

We are here today to shine a light on the brutal, illegal and dehumanizing use of torture and forced disappearance of human rights lawyers and rights advocates in China.

We shine a light on dictatorships because nothing good happens in the dark. And, as we will learn today, there are some very dark places in China.

Chinese officials repeatedly tell me I should focus more on the positive aspects of China and not dwell so much on the negative.

That is a difficult task when you read Xie Yang's story, read Gao Zhisheng's account of his torture, or read the accounts of Yu Jie or Golog Jigme or Yin Liping.

It is a difficult task when you look at Li Chunfu and his brother Li Heping.

These are some of China's best and bravest—now with broken bodies, shattered minds and faces that have aged 20 years after two years of solitary confinement and torture.

It is shocking, offensive, immoral, and inhumane. It is also completely possible that Chinese officials believe the international community will not hold them accountable.

While President Xi Jinping is feted at Davos and lauded in foreign capitals for his public commitment to openness, his government is torturing and abusing those seeking rights guaranteed by China's own Constitution and its international obligations.

One Oxford university scholar has said that Xi has built the "perfect dictatorship"—an increasingly repressive garrison state that avoids any international censure.

Through the UN and the sanctions available in the Global Magnitsky Act, we should be seeking to hold accountable any Chinese officials complicit in torture and illegal detentions.

Xie Yang identified at least 10 police officers who tortured him. We are in the process of gathering names and identifying information. I will then send those names to President Trump, Secretary of State Tillerson, UN Ambassador Nikki Haley, and the Chairs and ranking members of the House Foreign Affairs Committee and the Senate Foreign Relations Committee.

We will seek UN investigations into the torture of China's human rights lawyers and human rights defenders because their treatment in detention violates China's obligations as signatory of the UN Torture Convention.

We will also seek investigations under the Global Magnitsky Act. I introduced the House version of that bill, which was signed into law last year.

That law says explicitly that any foreign government officials who engages in or is complicit in torture can be sanctioned—by denying entry visas into the United State or by imposing financial sanctions.

Those who tortured Xie Yang and Li Heping should never benefit from access to the United States or our financial system.

We will hear testimony today from the wives of detained human rights lawyers. We will also hear from Ms. Lee Chin-yu, the wife of detained Taiwanese democracy advocate Lee Ming-che.

After entering mainland China in March of this year for a personal trip, Mr. Lee went missing for 10 days before Chinese officials confirmed that he was being held on so-called “national security” grounds.

Many fear Mr. Lee is being detained under a harsh new Chinese law to monitor and control foreign-funded NGOs, enforced earlier this year as part of a crackdown on civil society. His detention fits the trend of the Chinese government targeting activists, dissidents, or even scholars based abroad.

The Taiwan government is working behind the scenes to resolve Lee Ming-che’s case, though I am sure such efforts are hindered by Taiwan’s lack of international clout and its complicated diplomatic ties with Beijing.

As I have said before, Taiwan is an important democratic ally and a beacon of peace and democracy in Asia. The U.S. should remain committed to the Taiwan Relations Act and the “Six Assurances” as cornerstones of U.S.-Taiwan relations.

Political issues between China and Taiwan should be resolved through appropriate mechanisms between the two sides. The Chinese government decision to detain Lee Ming-che signaled Chinese officials’ willingness to break its international human rights obligations for political gains, needlessly straining cross-strait relations.

We welcome Ms. Lee Chin-yu testimony today in order to increase the level of international interests and attention to her husband’s case.

We also warmly welcome the other witnesses here today.

The Chinese government is facing a new and unexpected phenomenon – effective advocacy campaigns waged by the wives of tortured and detained rights advocates. I truly admire the brave women who are challenging the Chinese government to live up to its highest ideals. They are an inspiration.

Through the testimony provided here today, this hearing will look at the almost two year effort by President Xi Jinping's government to eviscerate China's network of human rights lawyers and consider how the continued detention of Lee Ming-che has negatively impacted cross-strait relations between Beijing and Taipei.