

The Chinese Government Should be Held Accountable for the Persecution of Gao Zhisheng and his Family

ChinaAid Statement
Hearing of the Congressional-Executive Commission on China
February 14, 2012

Distinguished members of the CECC, Congressmen, government officials, and guests,

On the occasion of the visit to the United States of China's next premier and Chinese Communist Party chairman, Mr. Xi Jinping, we are grateful to the CECC for holding this hearing on Chinese human rights lawyer Gao Zhisheng, who has been the victim of sustained Chinese government persecution.

I. The suffering of Gao Zhisheng and his family

Gao Zhisheng, who was born on April 20, 1966, has been the target of intense government persecution following his sentencing in 2006 to three years' imprisonment for defending the rights of persecuted religious groups.

Gao is an award-winning lawyer who handled a number of high-profile human rights cases, including a well-known case in China in which the rights of private investors in Shaanxi province were ignored when the government seized their oil fields. He also defended persecuted Christians in Kashgar, in the far western region of Xinjiang, and Falungong practitioners (<http://www.nytimes.com/2005/12/13/international/asia/13lawyer.html?pagewanted=1&r=1&ei=5094&en=2603f28ce2c9c2c4&hp&ex=1134536400&partner=homepage>). In November 2005, the Beijing Judicial Bureau ordered his Shengzhi Law Office shut down. On Dec. 22, 2006, Gao was convicted of "inciting subversion of state power," sentenced to a three-year prison term, with five years' probation and one-year deprivation of political rights, and released home.

On Sept. 21, 2007, Gao was taken into official custody again. When he was released 50 days later, he wrote "Dark Night, Dark Hood, Kidnapping by Dark Mafia," (<http://www.freegao.com/2011/07/dark-night-dark-hood-and-kidnapping-by.html>) in which he recounted how he had been tortured, including having toothpicks inserted into his penis. On Jan. 9, 2009, his wife, daughter and son fled Beijing and have taken refuge in the United States. On Feb. 4, 2009, Gao was abducted by Chinese authorities and disappeared into official custody. He suddenly re-appeared on March 27, 2010, under the surveillance of Domestic Security Protection agents, then disappeared again on April 20.

On Jan. 10, 2011, Charles Hutzler of the Associated Press reported in a piece entitled "Missing Chinese lawyer told of abuse" that nearly a year earlier, on April 7, 2010, he had met Gao in a Beijing teahouse for an extended interview during which Gao revealed that during his disappearance he had been held variously in Beijing, Shaanxi province and the far western region of Xinjiang, and described in detail the brutal torture that had been inflicted on him (<http://www.chinaaid.org/2011/01/ap-exclusive-missing-chinese-lawyer.html>).

On Dec. 16, 2011, the official Xinhua News Agency reported in a short English-only dispatch that because Gao had violated the terms of his probation, he was being sent back to jail to serve his three-year prison term. He is currently incarcerated in a prison in remote Shaya county, in far western Xinjiang (<http://www.chinaaid.org/2012/01/disappeared-human-rights-lawyer-gao.html>). Last month, his relatives in China made the long and arduous trip to this remote prison in order to visit him, but they were refused permission to see him.

II. The significance of Gao's case to China's rule of law, human rights and religious freedom

Gao is a pioneer in China's rights defense movement. Like the Rev. Martin Luther King Jr. of the United States, Gao's Christian faith and his ethical values have been the great spiritual motivator spurring him to defend the legal rights of the persecuted and the marginalized, and that faith and those values have given him the courage to make great sacrifices, even to the point of giving up his life, for this civil rights movement. The emergence in China of a group of human rights lawyers—men of integrity and courage, who are fighting on the frontlines for human rights, rule of law, and religious freedom in China—is due entirely to the power of the example set by Martin Luther King Jr. and Gao Zhisheng.

In the same way in which Martin Luther King waged his struggle, Gao's approach is also one that rejects violence and uses the legal system to defend rights. What makes them different is that Martin Luther King, who was a pastor and a Christian theologian, was more apt to use a cultural weapon, that is, Christian ethics, whereas Gao as a lawyer has mainly used legal means. The former paid with his life for the civil rights of the black people, the latter has suffered long-term imprisonment and torture for the sake of China's rule of law, religious freedom and basic human rights, to the point where he's now paying with his life, and his family and relatives also are paying a heavy price. Neither of these two men are bombastic rhetoric-spouting theorists out for fame and glory. Rather, they are great warriors who willingly put their lives at risk on the most dangerous frontlines.

Martin Luther King's fight changed America. Justice was served because the government he confronted was one that adheres to the rule of law and was elected by the people. Gao Zhisheng's fight has not changed China because the government he is confronting is a totalitarian one that uses the law to punish the people. Nonetheless, we ought not underestimate the significance of the positive impact Gao's fight has had on China and the rest of the world: he has inspired the emergence of many more Chinese Martin Luther Kings, and they together are amassing sufficient strength and paying the price necessary to change China.

III. ChinaAid's efforts and hopes

As the CECC knows, ChinaAid's mission is to promote the establishment of a loving and just civil society in China that abides by the rule of law. In pursuit of this mission and out of profound respect for Gao Zhisheng and to support his work, ChinaAid has spared no effort in launching a worldwide campaign aimed at winning Gao's release. Over the past five years, we have expended huge manpower and financial resources in ceaselessly mobilizing efforts in this regard. As a very small non-government organization, we are limited in what we can do. But we know that our efforts have some value, in the

same way that those faint voices against slavery before the American Civil War eventually led to the full awakening of the forces of justice.

Three years ago, we set up the “Free Gao Zhisheng” website to draw the attention to Gao’s plight and to launch a worldwide petition on his behalf. So far, we have collected more than 150,000 real name signatures from 196 countries: from Sudan to Afghanistan, from South Africa to Norway, more than 150,000 people of conscience coming from various faith backgrounds, political systems, and family backgrounds, of different occupations and of all ages have signed this petition. For more than three years, we have been looking night and day for Gao Zhisheng. We have never stopped asking, “Where is Gao Zhisheng? How is he doing?” I myself have traveled all over the United States and to Europe many times calling for Gao’s release. On Dec. 10, 2010, I travelled to Oslo, Norway, to attend the Nobel Peace Prize award ceremony. While there, I went to the Chinese Embassy in Norway to submit the “Free Gao Zhisheng” petition with its 150,000-plus signatures. The same day, ChinaAid also coordinated submission of the petition to 14 Chinese embassies and consulates around the world.

ChinaAid has also been providing long-term, consistent support to Gao’s wife and two children who have taken refuge in the United States, and we stay in close contact with his wife, Geng He.

We also maintain close contact and cooperation with the U.S. government, Congress, the European Union and the European Parliament as well as many NGOs, working together for the release of Gao Zhisheng.

Unfortunately, the situation is getting worse. We don’t even have a way of confirming that Gao Zhisheng is still alive today. Our fears grow with each passing day, so we earnestly hope that the free Western world will abandon its “quiet diplomacy” and speak up and urge China, a country that is a signatory to both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, to abide by both its own domestic law as well as international laws, to abolish the use of torture, and to immediately release Gao Zhisheng and stop persecuting his family because of him. China should be held accountable for Gao’s case.

On the occasion of the visit to the United States by Xi Jinping, the next leader of China and the Chinese Communist Party, we are filled once more with hope, hoping that these meeting between America’s top leaders and Xi Jinping can facilitate Gao Zhisheng’s release.

Conclusion: “No one is free, until everyone is free.” —Martin Luther King

We do not forget that without the countless Americans who, under the leadership of President Abraham Lincoln, died to free the black slaves, and without the price paid by Martin Luther King and his supporters, the first African-American President in U.S. history would not be sitting in the White House today. This glorious history reminds us that those who have been freed must not forget the virtue of those who fought for freedom. Furthermore, they have the obligation to carry on this tradition and to show compassion and support for those around the world who are still being oppressed. This is the spirit of Martin Luther King and Gao Zhisheng, and it is the noble reason that should compel us to continue to fight for their cause.

Let us today, as ordinary American citizens, as the Obama administration, as the Congress, and as civil organizations, let us all stand up and speak up. On behalf of free people and governments, let us say “No” to a government that oppresses its people. Let us urge them to release Gao Zhisheng, release Liu Xiaobo, and release all the other illegally detained prisoners of conscience.

Let me conclude with the words of Martin Luther King himself: “And if America is to be a great nation this must become true.”

Respectfully submitted by Rev. “Bob” Xiqiu Fu, president, China Aid Association