

FALUN GONG AND CHINA'S CONTINUING WAR ON HUMAN RIGHTS

JOINT HEARING

BEFORE THE

SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN
RIGHTS AND INTERNATIONAL OPERATIONS

AND THE

SUBCOMMITTEE ON OVERSIGHT AND
INVESTIGATIONS

OF THE

COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

FIRST SESSION

—————
JULY 21, 2005
—————

Serial No. 109-62
—————

Printed for the use of the Committee on International Relations



Available via the World Wide Web: http://www.house.gov/international_relations

—————
U.S. GOVERNMENT PRINTING OFFICE

22-579PDF

WASHINGTON : 2005

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
Fax: (202) 512-2250 Mail: Stop SSOP, Washington, DC 20402-0001

COMMITTEE ON INTERNATIONAL RELATIONS

HENRY J. HYDE, Illinois, *Chairman*

JAMES A. LEACH, Iowa
CHRISTOPHER H. SMITH, New Jersey,
Vice Chairman
DAN BURTON, Indiana
ELTON GALLEGLEY, California
ILEANA ROS-LEHTINEN, Florida
DANA ROHRBACHER, California
EDWARD R. ROYCE, California
PETER T. KING, New York
STEVE CHABOT, Ohio
THOMAS G. TANCREDO, Colorado
RON PAUL, Texas
DARRELL ISSA, California
JEFF FLAKE, Arizona
JO ANN DAVIS, Virginia
MARK GREEN, Wisconsin
JERRY WELLER, Illinois
MIKE PENCE, Indiana
THADDEUS G. McCOTTER, Michigan
KATHERINE HARRIS, Florida
JOE WILSON, South Carolina
JOHN BOOZMAN, Arkansas
J. GRESHAM BARRETT, South Carolina
CONNIE MACK, Florida
JEFF FORTENBERRY, Nebraska
MICHAEL McCAUL, Texas
TED POE, Texas

TOM LANTOS, California
HOWARD L. BERMAN, California
GARY L. ACKERMAN, New York
ENI F.H. FALEOMAVAEGA, American
Samoa
DONALD M. PAYNE, New Jersey
ROBERT MENENDEZ, New Jersey
SHERROD BROWN, Ohio
BRAD SHERMAN, California
ROBERT WEXLER, Florida
ELIOT L. ENGEL, New York
WILLIAM D. DELAHUNT, Massachusetts
GREGORY W. MEEKS, New York
BARBARA LEE, California
JOSEPH CROWLEY, New York
EARL BLUMENAUER, Oregon
SHELLEY BERKLEY, Nevada
GRACE F. NAPOLITANO, California
ADAM B. SCHIFF, California
DIANE E. WATSON, California
ADAM SMITH, Washington
BETTY McCOLLUM, Minnesota
BEN CHANDLER, Kentucky
DENNIS A. CARDOZA, California

THOMAS E. MOONEY, SR., *Staff Director/General Counsel*
ROBERT R. KING, *Democratic Staff Director*

SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN RIGHTS AND INTERNATIONAL
OPERATIONS

CHRISTOPHER H. SMITH, New Jersey, *Chairman*

THOMAS G. TANCREDO, Colorado	DONALD M. PAYNE, New Jersey
JEFF FLAKE, Arizona	BARBARA LEE, California
MARK GREEN, Wisconsin	BETTY McCOLLUM, Minnesota
JOHN BOOZMAN, Arkansas	BRAD SHERMAN, California
JEFF FORTENBERRY, Nebraska	GREGORY W. MEEKS, New York
EDWARD R. ROYCE, California, <i>Vice Chairman</i>	DIANE E. WATSON, California

MARY M. NOONAN, *Subcommittee Staff Director*
GREG SIMPKINS, *Subcommittee Professional Staff Member*
NOELLE LUSANE, *Democratic Professional Staff Member*
LINDSEY M. PLUMLEY, *Staff Associate*

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

DANA ROHRABACHER, California, *Chairman*

EDWARD R. ROYCE, California	WILLIAM D. DELAHUNT, Massachusetts
JEFF FLAKE, Arizona, <i>Vice Chairman</i>	HOWARD L. BERMAN, California
MARK GREEN, Wisconsin	EARL BLUMENAUER, Oregon
MIKE PENCE, Indiana	ADAM B. SCHIFF, California
JOE WILSON, South Carolina	

GREGG RICKMAN, *Subcommittee Staff Director*
GREGORY MCCARTHY, *Professional Staff Member*
CLIFF STAMMERMAN, *Democratic Professional Staff Member*
EMILY ANDERSON, *Staff Associate*

CONTENTS

	Page
WITNESSES	
Ms. Gretchen Birkle, Acting Principal Deputy Assistant Secretary, Bureau for Democracy, Human Rights and Labor, U.S. Department of State	12
Mr. Yonglin Chen, First Secretary and Consul for Political Affairs, Former Chinese Consulate, Sydney, Australia	34
Mr. Shiyu Zhou, Vice President, New Tang Dynasty Television	44
Mr. Stephen Gregory, Chairman of the Board, English-language Division of <i>The Epoch Times</i>	57
Ms. Mickey Spiegel, China and Tibet Expert, Human Rights Watch	67
LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING	
The Honorable Christopher H. Smith, a Representative in Congress from the State of New Jersey, and Chairman, Subcommittee on Africa, Global Human Rights and International Operations:	
Letter to the U.S. Congress from Lebiya Kadeer, Human Rights Activist	3
FBI document confirming Chinese officials activities	5
Prepared statement	7
The Honorable William D. Delahunt, a Representative in Congress from the Commonwealth of Massachusetts	10
Ms. Gretchen Birkle: Prepared statement	16
Mr. Yonglin Chen: Prepared statement	35
Mr. Shiyu Zhou: Prepared statement	46
Mr. Stephen Gregory: Prepared statement	59
Ms. Mickey Spiegel: Prepared statement	69
APPENDIX	
Responses from Ms. Gretchen Birkle to questions submitted for the record by the Honorable Christopher H. Smith	81

FALUN GONG AND CHINA'S CONTINUING WAR ON HUMAN RIGHTS

THURSDAY, JULY 21, 2005

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN RIGHTS
AND INTERNATIONAL OPERATIONS, AND
SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittees met, pursuant to notice, at 2:03 p.m. in room 2172, Rayburn House Office Building, Hon. Christopher H. Smith (Chairman of the Subcommittee on Africa, Global Human Rights and International Operations) presiding.

Mr. SMITH. The Subcommittees may come to order. Good afternoon, everyone. Today's hearing is a joint hearing of the Subcommittee on Africa, Global Human Rights and International Operations, and we are joined by the Subcommittee on Oversight and Investigations.

Ladies and gentlemen, we need to again bring to the attention of the Members of Congress, the American people, and the world community, China's continuing refusal to adhere to the standards of the civilized world. The current Chinese regime is one of the worst violators of human rights in the world. Human rights and religious freedom are brutally suppressed by the People's Republic of China. Forced abortions and labor camps are current realities, not historical relics. Brave Chinese who dare to stand up for their faith or their political beliefs, or to defend their ethnic cultural heritage, are subject to imprisonment and sometimes even to execution.

Christians, Tibetans, Buddhists, and Muslim Uighurs are all being persecuted for their faith. The suffering of peaceful Falun Gong practitioners, however, has been especially intense. This July 20th marked the sixth anniversary of China's brutal campaign to completely eradicate Falun Gong through whatever means necessary. Falun Gong practitioners have begun to outnumber Communist Party members. Like all dictators and totalitarian terrorist systems, the PRC fears and hates what it cannot control, so it decided to destroy and intimidate those who practice Falun Gong.

Falun Gong is not a religion, per se, as we know. Rather, it is more like a philosophy. Based on the principles of truthfulness, compassion and tolerance, Falun Gong uses a series of five physical and mental exercises to assist its members in purifying themselves spiritually and peacefully to resolve conflicts. Whatever one may say about the merits of their beliefs, the evidence is very clear that

Falun Gong practitioners are peaceful individuals who want to be left alone to practice their beliefs as they see fit.

The State Department's *Human Rights Report* for 2004 documents at length the plight of the Falun Gong. We see before us a Stalinist nightmare revised for the 21st century: Hundreds, perhaps thousands are dead as a result of torture; tens of thousands are jailed without trial, held in labor camps, prisons and mental hospitals where they are forced to endure torture and brainwashing sessions. The report indicated that Falun Gong adherents and other political prisoners sent to mental health institutions have been administered psychiatric drugs and electric shock treatments by Chinese authorities.

Last March, the Premier of China emphasized that the government would "expand and deepen its battle against cults," including Falun Gong. All reports indicate that he has been true to his word and that China's human rights situation has markedly deteriorated and worsened.

However, Beijing is not confining its disgusting torture and brainwashing campaign to its own people. Chinese-American citizens and permanent residents are also victims. One American citizen, Dr. Charles Li, was arrested January 22, 2003 in China upon his arrival at an airport. A Falun Gong practitioner, the Chinese Government alleged that he attempted to sabotage television and radio equipment, even though he had just arrived in the country.

Dr. Li has gone on a continual hunger strike to protest his arrest, but has been subjected to forced feedings. There are reports that he is being subjected to brainwashing and anti-Falun Gong propaganda. He remains in forced labor. At least 37 other Falun Gong practitioners, who have family members that are residing in the United States, are also in prison in China. Authorities have also detained foreign Falun Gong practitioners from other countries.

Additionally, Beijing has not confined its campaign against Falun Gong and other human rights activists to its own shores. Large numbers of Falun Gong in the United States have reported harassment, including beatings and death threats, and we will hear about some of these at today's hearing. Falun Gong members in America report that their relatives who are still in China are harassed as a means of pressure against those living here in the United States. The FBI is currently investigating beatings of Falun Gong practitioners in Atlanta, as well as in Chicago. On June 23, 2003, Falun Gong practitioners in New York were harassed and physically violated by Chinese nationals associated with the consulate. Charges have been filed with the authorities in that case.

In March, Beijing finally released the renowned human rights activist, Rebiya Kadeer, from prison where she had been held for years on trumped-up charges for defending the rights of her fellow Uighur Muslims in the People's Republic of China. We would hope this would signal some sort of improvement in Beijing's treatment of individuals and human rights, but now we know better. Since she was released and is now living in America, she has continued to campaign for the recognition of legitimate rights of her fellow Uighurs. Her relatives and business associates still in China are being subjected to renewed harassment by the authorities.

Rebiya could not be here today, but without objection, I would like to submit for the record a letter that she wrote to the Congress of the United States.

[The information referred to follows:]

LETTER FROM REBIYA KADEER, HUMAN RIGHTS ACTIVIST, TO THE CONGRESS OF THE UNITED STATES

July 20, 2005

Honorable Congressmen/Congresswomen:

Uyghur people live in Central Asia. As one of the provinces of Central Asia, it is known as "Xinjiang Uyghur Autonomous Region," a name given by People's Republic of China. For past 55 years Chinese Government, the Communist Party has been suppressing the religious freedom of Uyghurs. As a result numerous religious institutes, schools, activity centers have been closed since 1950.

Chinese government tried to govern religion through communism policies and teachings by opening Political Education Centers, and sending instructors to these schools to educate students with atheism.

November 17th, 1988 Chinese government published "Temporary Governing Rule for Religious Activities" and sent 120 thousand people to political study in Kashgar city.

In July 1995, one year after publishing official "Governing Rules for Religious Activities," mass publicized following six principals through propaganda machines.

1. Religion will be governed by law
- 2) Protect those who obey the law
- 3) Stop unlawful religious activities
- 4) Persecute those who offend the law
- 5) Punish the criminals
- 6) Stop foreign religion incursion.

What kind of religious activities are considered Lawful and what are not? Chinese government has not been published any law about this issue and continuously using policies that denies religious freedom.

In 1995, government sent 8 groups of people 18 times to regions and cities like Kashgar, Hoten, Aksu, Kizilsu, Bayingholin, Kumul, Turpan, Sanji, Eli, Urumqi etc to record and inspect religious institutes. They organized so called "Patriotic Religious Scholars" movement and forcefully sent 13700 religious scholars to political study. They tried to alienate the scholars by rewarding those who supports communism as "Patriotic Religious Scholar."

In 1996, the government organized yet another propaganda movement to control religion. Yusup Eysa, then the deputy chairman of Xinjiang Uyghur Autonomous Region, threatened religious scholars and the public by giving infamous TV address titled "Rule the Religion by Law."

1999 was a tragic year for Uyghurs. Within a month of Kosovo war, Chinese government published a book called "KOSOVO WAR" in Uyghur language and spread anti US propaganda. The book claimed that Americans killed Muslims in Kosovo.

The truth is that the Chinese government was terrified with the fact that US saved Kosovo Muslims from Miloshevich's ethnic cleansing.

The government released an official statement saying "Enemy forces are using religion as weapon for separatism. Religious extremism is at its peak. Enemies are attacking the Communist Party by threatening the government using religious means.

Who are these enemy forces?

1999, in Kahilik City 28 Uyghur Chinese Communist Party members declared that they have resigned from the party and have gone back to their religious faith.

Chinese government started what they called the "Teblich" movement. This movement started in Eli, north of Kashgar, Payziwat, Karikas in the south. As a result Chinese government arrested 1600 religious scholars in 19 regions as a product of this movement.

In Tokkuzak town of Kashgar, over hundred students and teachers were arrested for performing collective prayer.

A teacher in Yarkent town school was arrested for writing a letter to government about opening a religious school.

In Kashgar, 24 college students were arrested, because they opened religious schools since the college did not offer religious teachings for basic knowledge of religion.

Same year the government organized "Rectifying Religious Schools" movement.

118 underground religious schools with 1356 students were closed. (How many were arrested was not disclosed in the official documents)

In 1999, when the number of underground religious schools in Kashgar reached 50, police raided these schools and dispersed over 600 teachers and students. (The number of detainees was unknown).

Religious freedom was being suppressed from every direction possible. Another example, a Chinese police had an argument with an Uighur merchant who was selling fruit at the time, he insulted the merchant. As a result more than 2000 Uighur civilians surrounded the local police station asking for justice. Chinese armed forces ended up attacking the public, and used the opportunity to crack down on members of "Kudayish," a religious organization. 300 Uighur civilians fought with the armed forces during this attack.

A recent Human Rights Watch report on Religious Freedom, said it all and the timing was perfect.

The lack of Religious freedom is one of the problems Uighurs face today among many others, but the largest threat to Uighurs sole existence is the Birth Control Policy. It has been a threat to our lives since it was enforced in 1988. 1994, in one year 500,000 men were sterilized.

The damages of this so called Birth Control Policy to our lives are out in the public. Xinjiang Autonomous Region Statistics Study released a document on Birth Control, in it they stated Uighur birth was at 48%, and Uighur abortion was at 58%.

Among Uighurs the Birth Control Policy is equal to "Ethnic Cleansing." As a result of this policy Uighurs are dying every day.

We ask the US Congress to take action and put pressure on China to stop the killing of innocent people.

Mr. SMITH. Chinese consular and other Chinese Government officials in the United States have pressured local American Government officials, local American businessmen, hotels and, perhaps worst of all, journalists and other media representatives, both of Chinese and non-Chinese origin, to cancel Falun Gong events or not advertise or do business with organizations linked to or supporting Falun Gong. The FBI has submitted a short document confirming that such activities by the Chinese officials have taken place. Without objection, that document will be submitted for the record as well.

[The information referred to follows:]



(U) PRC Activities Targeting Falun Gong in the United States

March 2005

(U) Background

Falun Gong (FLG) is a spiritual movement combining elements of Buddhism and Taoism that began in the People's Republic of China (PRC) in 1992. Most FLG practitioners view FLG as a lifestyle rather than a religion. (U)

On April 25, 1999 a group of FLG practitioners numbering between 10,000 and 30,000 converged upon the Chinese Communist Party leadership compound for a silent protest of the State's repression of spiritual movements. The size and organization of this large demonstration shocked PRC leadership and on July 22, 1999 FLG was officially outlawed in the PRC. Since then, participation in FLG has led to the arrest and torture of thousands of adherents in the PRC. (U)

Since its inception in 1992, FLG has become popular throughout the world, including the United States. Its growth has been especially strong within ethnic Chinese communities abroad since July 1999. Practitioners continue to respond to the persecution of FLG within the PRC by regularly demonstrating near PRC diplomatic establishments worldwide. (U)

(U) Summary

As FLG protests abroad become larger and more frequent, the PRC feels increasingly threatened by the international FLG movement. This insecurity resulted in a perceived need to silence FLG supporters worldwide – including in the US. To accomplish this, the PRC uses consular officials and the power inherent in their positions to pressure FLG supporters. (U)

A primary target of this pressure is US local government officials. PRC consular officials encourage members of US municipal and state governments who have supported FLG groups and practitioners in the past to withdraw their support. (U)

PRC consular officials also pressure individuals residing in the United States who support FLG or host FLG events and are not locally elected US officials. Hotels that host FLG meetings and journalists who openly support FLG are the most common targets. (U)

In areas where FLG is prominent, PRC officials will occasionally write letters to local newspapers. These letters are generally inflammatory, usually accuse FLG of being an “evil cult” and warn people about FLG’s intentions to disrupt social order. (U)

While the majority of PRC activity against FLG in the United States is non-violent, there are examples of PRC violence against FLG practitioners and their property. In September 2001, a Chinese-American man who associated with officials of the PRC Consulate in Chicago was arrested after assaulting several FLG practitioners outside the consulate. The FLG protesters were peacefully demonstrating against PRC treatment of FLG practitioners inside the PRC. In an alleged incident, a number of Chinese-American men assaulted FLG practitioners outside a Chinese restaurant in New York in June 2003. (U)

PRC officials have also allegedly carried out attacks against the property of FLG practitioners in the US. Most notably, the PRC is accused of breaking into the apartment of the US FLG spokeswoman 5 times since 1999. (U)

In response to these attacks and PRC persecution of FLG within the PRC, FLG practitioners have filed lawsuits across the world against PRC leadership and consular officials. Lawsuits have been filed against individuals as powerful as former president Jiang Zemin. In Canada, a FLG follower won a libel lawsuit filed against a PRC official after that official wrote to a Toronto newspaper and called FLG an “evil cult”. (U)

Mr. SMITH. They appear to be especially active in pressuring local Chinese-American organizations to freeze out any organization, such as Falun Gong, that they consider hostile to Chinese Government interests. They have also undertaken parallel activities in other countries such as Australia.

The only parallel that I can make to these activities is to those of the infamous Nazi Bund in the 1930s, where a hostile totalitarian police state, the Nazis, tried to export its tactics to a free society and manipulate, terrorize and mislead an immigrant community to do its bidding. What is at stake here is not only the rights and the dignity of Falun Gong practitioners and the Chinese people, but our own deeply-cherished freedoms as well.

Before introducing our distinguished first witness and then our second panelists, I would like to yield to my good friend and colleague, Mr. Payne, the Ranking Member of our Subcommittee, for any opening comments he might have.

[The prepared statement of Mr. Smith follows:]

PREPARED STATEMENT OF THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY AND CHAIRMAN, SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN RIGHTS AND INTERNATIONAL OPERATIONS

The Subcommittee will come to order, and good morning to everyone.

Today's hearing is a joint hearing of the Subcommittee on Africa, Global Human Rights and International Operations, and the Subcommittee on Investigations and Oversight.

Yet again, we need to bring to the attention of Members of Congress, of the American people, and the world community, China's continuing refusal to adhere to the standards of the civilized world. The current Chinese regime is one of the worst violators of human rights in the world. Human rights and religious freedom are brutally suppressed by the People's Republic of China. Forced abortions and labor camps are current realities, not historical relics. Brave Chinese who dare to stand up for their faith or political beliefs, or to defend their ethnic and cultural heritage, are subject to imprisonment and sometimes even to execution.

Christians, Tibetan Buddhists, and Muslim Uighurs are all being persecuted for their faith. The suffering of peaceful Falun Gong practitioners, however, has been especially intense. This July 20 marked the sixth anniversary of China's brutal campaign to completely eradicate Falun Gong through whatever means necessary. Falun Gong practitioners had begun to outnumber Communist Party members. Like all dictators and totalitarian terror systems, the PRC fears and hates what it cannot control. So it decided to destroy and intimidate those who practice Falun Gong.

Falun Gong is not a religion, per se, but rather more like a philosophy. Based on the principles of Truthfulness, Compassion, and Tolerance, Falun Gong uses a series of five physical and mental exercises to assist its members purify themselves spiritually and peacefully resolve conflicts. Whatever one may say about the merits of their beliefs, the evidence is very clear that Falun Gong practitioners are peaceful individuals who want to be left alone to practice their beliefs as they see fit.

The State Department Human Rights Report for 2004 documents at length the plight of the Falun Gong. We see before us a Stalinist nightmare revived for the 21st Century—hundreds, perhaps thousands, dead as a result of torture; tens of thousands jailed without trial, held in labor camps, prisons, and mental hospitals, where they are forced to endure torture brainwashing sessions. The Report indicated that Falun Gong adherents and other political prisoners sent to mental health institutions have been administered psychiatric drugs and electric shock treatments by Chinese authorities.

Last March, Premier Wen Jiabao emphasized that the Government would "expand and deepen its battle against cults," including Falun Gong. All reports indicate that he has been true to his word, and that China's Human Rights situation has worsened.

But Beijing is not confining its disgusting torture and brainwashing campaign to its own people. Chinese-American citizens and permanent residents are also victims. One American citizen, Dr. Charles Li, was arrested January 22, 2003 in China upon his arrival at an airport. A Falun Gong practitioner, the Chinese government alleges he attempted to sabotage television and radio equipment, even though he had just

arrived in the country. Dr. Li has gone on continual hunger strikes to protest his arrest but been subject to forced feedings. There are reports that he is being subjected to brainwashing and anti-Falun Gong propaganda. He remains in forced labor. At least 37 other Falun Gong practitioners who have family members that are residing in the U.S. are also in prison in China. Authorities have also detained foreign Falun Gong practitioners from other countries.

Nor has Beijing confined its campaign against Falun Gong and other human rights activists to its own shores. Large numbers of Falun Gong in the United States have reported have reported harassment, including beatings and death threats, and we will hear about some of these today. Falun Gong members in America report that their relatives still in China are harassed as a means of pressure against those in America. The FBI is currently investigating beatings of Falun Gong practitioners in Atlanta and Chicago. On June 23, 2003, Falun Gong practitioners in New York were harassed and physically violated by Chinese nationals associated with the consulate. Charges have been filed with the authorities.

In March Beijing finally released the renowned human rights activist, Rebiya Kadeer, from prison, where she had been held for years on trumped up charges for defending the rights of her fellow Uighur Muslims in China. We had hoped this signaled some sort of genuine improvement in Beijing's treatment of human rights, but now we know better: since Rebiya, who is now living in America, has continued to campaign for the recognition of the legitimate rights of her fellow Uighurs, her relatives and business associates still in China are being subjected to renewed harassment by the authorities. Rebiya could not be here today, but without objection I would like to submit for the record a letter she wrote to Congress.

Chinese consular and other government officials in the United States have pressured local American government officials, local American businessman, hotels, and perhaps worst of all, journalists and other media representatives, both of Chinese and non-Chinese origin, to cancel Falun Gong events, or not advertise in or do business with organizations allegedly linked to or supporting Falun Gong. The FBI has submitted a short document confirming that such activities by Chinese officials have taken place, and without objection, the following document will be submitted for the record. They appear to be especially active in pressuring local Chinese-American organizations to freeze out any organization, such as Falun Gong, they consider hostile to Chinese government interests. They have undertaken parallel activities in other countries, such as Australia, as well.

The only parallel I can make to these activities is to those of the infamous Nazi *Bund* in the 1930's, where a hostile, totalitarian police state tried to export its tactics to a free society and manipulate, terrorize and mislead an immigrant community to do its bidding. What is at stake here is not only the rights and dignity of Falun Gong practitioners and the Chinese people, but our own deeply cherished freedoms.

Our Administration witness today will be Ms. Gretchen Birkle, Acting Principal Deputy Assistant Secretary of the State Department's Bureau of Democracy, Human Rights and Labor, which has been in the forefront of keeping world attention focused on China's miserable human rights record. Our second panel will include Mr. Chen Yonglin, a former Chinese diplomat; Mr. Shiyu Zhou, Vice President, New Tang Dynasty Television; Mr. Stephen Gregory, Chairman of the Board, English-Language Division of *The Epoch Times*, Chicago, Illinois; and Ms. Mickey Spiegel, China and Tibet Expert, Human Rights Watch.

Mr. PAYNE. Thank you. Thank you, Mr. Chairman, for calling this important hearing on Falun Gong and China's continuing war on human rights. This is an issue that has gained increasing attention, particularly since China joined the WTO in 2001, as it continues to expand its sphere of influence around the world. In fact, next Thursday, we will be holding a hearing on China's growing influence in Africa.

The Subcommittee on Western Hemisphere, of which I am also a Member, a month or so ago held a hearing on China's growing influence in Latin America, in particular its relationship with Venezuela and the agreements with oil and its building of plants in Brazil in the timberlands where paper is being converted from lumber and being shipped to the PRC.

We should also take note of the statements made several days ago that one of the rising stars in the military of the PRC said that

we have—we will be developing nuclear strength and that, if Taiwan becomes a real issue, that we may have to point our missiles to the U.S.A. So I think that is perhaps the statement of a general—of course, he is a general who has moved up in the last 2 years rapidly and is not a general who is just out there on the fringe. But I think that we need to take statements made seriously so that we are up to date with what is going on in the PRC.

Anyone who knows anything about Falun Gong knows that its practitioners are peaceful, spiritual people who use their experience to gain balance and focus in the hectic world we live in. Despite this, the People's Republic of China has systematically persecuted Falun Gong practitioners and affiliates in somewhat very brutal ways since 2001. Pictures and reports documenting these abuses by the PRC have been sent to my office. I am sure they have been sent around to many of the Members' offices here. It is a growing concern to all of us. We should never forget what happened in Tiananmen Square where their own students were used and treated as enemies by the military might of the government.

While Falun Gong has been severely oppressed in China, it has been growing outside of China. At the same time, the PRC has stepped up its repression and even began harassing practitioners here in the United States of America, as has been mentioned by the Chairman, and abroad through its Embassies and people associated with the PRC Government. This is simply wrong and will not be tolerated, not here in this country.

As you know, H. Con. Res. 304 passed last October. This resolution calls for China to stop interfering in the exercise of religious and political freedoms such as Falun Gong in the United States of America. Like I said, we are not going to tolerate it. It also calls for the PRC to cease using its diplomatic offices abroad to harass Falun Gong followers; to release prisoners of conscience; and to end all human rights abuses, particularly those targeting Falun Gong practitioners and others.

We are pleased in Congress with the release of the businesswoman, Rebiya Kadeer, as has been mentioned. She should have never been detained in the first place. So our joy is for something that should not have occurred. But I would like to see China held responsible for its human rights abuses. China has been a negative force, not only in its own country, but has been an extremely negative force with the brutal Government of Sudan. The Governments of Khartoum and China has indirectly aided this brutal regime in its repression of southerners for many years through Petro-China's oil development.

There were also reports of Chinese soldiers, especially in the pipeline building and in the past, that Chinese soldiers participate with the military of Sudan. This is absolutely and total unacceptable.

Now Petro-China's oil activities are helping President Bashir's Government in its genocide against the Black Muslims in the Darfur region of Sudan. As a matter of fact, just yesterday, our Secretary of State and her press corps were physically abused—not the Secretary of State—but the press corps pushed around, moved out by officials of—by persons associated with the Government of Khartoum to prevent newspeople from going in. They said that free

press is in the United States; we don't have it here in Khartoum, as our Secretary of State was there and had to protest the pushing and shoving and throwing back in front of our Secretary of State.

They did the same thing in Khartoum when Kofi Annan visited. As a matter of fact, some students were actually shot and killed during the time that Kofi Annan visited there.

When Secretary of State Powell went to visit one of the camps in Darfur, the Government of Sudan used whips to whip people away to keep people from coming toward Secretary of State Colin Powell at the time, right out in front. There is no respect for authority by the Government of Sudan. And PRC is assisting that evil government.

So we need to start taking a look at the behavior of PRC. Why should people have favored trade relations—or as we tried to downgrade it so it didn't look bad—normal trade relations with the United States and treat its people the way it wants to? Perhaps some of these things need to be revisited. Perhaps China does not deserve to have favored nation status and so-called normal trade relations. Any treaty that is made can certainly be abandoned.

So I look forward to hearing our witnesses. Unfortunately, this is a—as we come to the end of our session before we have our home work period where we spend a month with our district and the people in our district, much is being done because we have to finish up a lot of unfinished business. Therefore, many Members are unable to be here.

I, too, have to go back to a markup of the Higher Education Act, the first time in 7 years, and it impacts on all of our higher education in the United States. So I have to dash across the hall again to that important markup. Mr. Delahunt of Massachusetts, who is the Ranking Member of the Oversight and Investigations Subcommittee, would like to have unanimous consent, Mr. Chairman, to have his statement entered into the record. He is on the Floor now debating the PATRIOT Act.

Mr. SMITH. Without objection, so ordered.

[The prepared statement of Mr. Delahunt follows:]

PREPARED STATEMENT OF THE HONORABLE WILLIAM D. DELAHUNT, A
REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF MASSACHUSETTS

Mr. Chairman,

In his second Inaugural Address, President Bush said the United States “will persistently clarify the choice before every ruler and every nation: The moral choice between oppression, which is always wrong, and freedom, which is eternally right. America will not pretend . . . that any human being aspires to live at the mercy of bullies. We will encourage reform in other governments by making clear that success in our relations will require the decent treatment of their own people.” Those are noble words. And it's in light of those noble words that I'm glad we are having this hearing today.

Simply put, what the Chinese government is doing to Falun Gong practitioners in China is horrible. And I'm especially concerned about reports that Chinese government officials have harassed Falun Gong practitioners in the US. Particularly when companies affiliated with the Chinese government are becoming more and more influential in the US.

I recognize that we cannot judge an entire nation by the actions of its government—especially when that government was not democratically elected. That is why I generally oppose full-scale embargoes, such as the one on Cuba. But I have to note that the lack of outcry by this Administration about the attacks on Falun Gong disturbs me. When coupled with our outright support for brutal dictators elsewhere, such as the regime of Islam Karimov in Uzbekistan, it gets even worse.

Because it sends a message to the world that the President's noble words are simply that—words. When words are not backed up with action, it opens us up to charges of hypocrisy. And fuels anti-Americanism. A recent GAO report found that “polling data show that anti-Americanism is spreading and deepening around the world . . . Such anti-American sentiments can increase foreign public support for terrorism directed against Americans, impact the cost and effectiveness of military operations, weaken the United States' ability to align with other nations in pursuit of common policy objectives, and dampen foreign publics' enthusiasm for US business services and products.”

That's dangerous, Mr. Chairman. It's bad for the American people. So this must change. We have to start making those noble words a reality.

That's why it's good we are having this hearing today. It demonstrates that at least one branch of our government is concerned about what is happening in China. And I look forward to hearing from our witnesses.

Mr. PAYNE. Once again, Mr. Chairman, thank you for this hearing.

Mr. SMITH. Thank you.

Mr. Fortenberry.

Mr. FORTENBERRY. I thank the Chairman for holding this important hearing today. I think it should begin with a statement of intention. That is this: The United States engaged in a constructive arrangement with China, and we look forward to fostering a bilateral dialogue as well as a working relationship in the multilateral fora in which China and the United States participate.

We have seen how China's adoption of market-oriented reforms has led to economic progress, but it must be noted that economic process is only one measure of societal well-being. As a practical matter, history has shown that the prosperity of nations ultimately depends on the ability of individual citizens to achieve their full human potential.

It is my hope that China's progress toward economic reform will become fully grounded in a commitment to respect the inherent dignity and rights of every human person. Some of our witnesses today have raised, once again, grave concerns about China's human rights record. Mr. Chairman, you have been a tireless advocate of human rights around the world.

In our quest to pursue good relations with the Government of China, diffuse tensions and create hope for our lasting peace, we must not leave behind those who have not been accorded their most fundamental human rights.

Thank you.

Mr. SMITH. Thank you very much.

Mr. Wilson.

Mr. WILSON. No statement.

Mr. SMITH. Thank you.

I would like to now introduce our very distinguished witness who is with us today, the Acting Principal Deputy Assistant Secretary in the Bureau of Democracy, Human Rights and Labor (DRL), Gretchen Birkle.

Ms. Birkle began her duties with the Bureau as Senior Coordinator in June 2004. In DRL, Gretchen works primarily with the Country Reports and Asylum Office and the Office for Promotion of Human Rights and Democracy. She has recently also taken the lead for DRL on issues related to human rights violations in Darfur, Sudan.

Prior to joining DRL, Gretchen worked for more than 5 years at the International Republican Institute. As Deputy Director for the Eurasia division, Gretchen managed the organization's activities in nine countries of the former Soviet Union.

Gretchen was a Legislative Assistant to Senator Arlen Specter from 1997 to 1999. While working on Capitol Hill, she covered defense, foreign affairs and energy issues for the Senator and handled the staff duties for the Senator on the Foreign Operations Subcommittee of the Appropriations Committee.

Gretchen began her work in international affairs as an Assistant Editor at a regional business magazine in 1992 where she wrote extensively on investment risks and opportunities in the former Soviet Union.

The floor is yours.

STATEMENT OF MS. GRETCHEN BIRKLE, ACTING PRINCIPAL DEPUTY ASSISTANT SECRETARY, BUREAU FOR DEMOCRACY, HUMAN RIGHTS AND LABOR, U.S. DEPARTMENT OF STATE

Ms. BIRKLE. Thank you.

Mr. Chairman, Congressman Payne, Members of the Committee, thank you for continuing to focus the spotlight of international attention on China's human rights record by holding this important hearing on the human rights situation in China and the continued persecution of the Falun Gong.

I am very pleased to have this opportunity to provide you with the Department's assessment of China's record on human rights and religious freedom. I would also like to briefly discuss some of the steps the Department is taking to promote increased respect for international human rights, standards and democratic principles.

We seek to encourage China ultimately to travel the path to freedom, democracy and free enterprise. Although enormous economic and social progress has taken place in China over the past 20 years, political reform has lagged far behind, and repression of citizens seeking to exercise their internationally-recognized fundamental freedoms continues to be a systemic program.

Hopes that the pace of political reform would quicken and opportunities for public discourse would expand when the fourth generation of leaders led by President Hu came into power, to date, have not been realized. Although the leadership has generated concern for the rapidly-growing economic inequalities between China's urban and rural areas, the need for social safety networks and somewhat greater transparency and accountability in its actions, often those citizens who call attention to systemic problems become the very targets of government repression.

In our 2004 *Country Reports on Human Rights Practices*, released this past February, we once again concluded that China's human rights record remained poor, and the government continued to commit numerous and serious human rights abuses, including torture, mistreatment of prisoners and incommunicado detention and denial of due process. We know that Chinese authorities remained quick to suppress religious, political and social groups that they perceive as threatening to government authority or national stability, and that the space for public discourse has contracted.

Leaders continued to resist opening up the political system, a step that would expose problems wrought by the party's policies. They proclaim stability and social order as a top priority, often at the expense of basic human rights and freedom, as a means to perpetuate the rule of the Chinese Communist Party.

Laws and regulations remained overly broad and arbitrarily enforced, and it is difficult for every citizen seeking to express peacefully their political or religious views to ascertain the line between the permissible and the illegal. Throughout the year, the government prosecuted individuals who miscalculated and went over the line, as defined by the government, charging them with subversion, loosely defined state secret crimes and other crimes.

The government also severely restricted freedom of assembly and association and increased the repression of members of unregistered religious groups in some parts of the country. Some religious groups, which have not registered, have been labeled cults and banned by the government.

The government continued to deny internationally-recognized worker rights, and forced labor and prison facilities remained a serious problem. Violence against women continued to be a problem, including the imposition of a coercive birth limitation policy that resulted in some instances of forced abortion and forced sterilization in parts of China.

The government also has at times used the global war on terror as a pretext for cracking down on Uighur Muslims who peacefully expressed dissent or sought to practice their faith, and on independent Muslim leaders. Where there are genuine terrorist activity, the U.S. certainly supports measures to address them. But where the evidence is lacking, the United States calls on China to not equate disagreement with terror. China must draw a bright line between legitimate nonviolent dissent and terrorism.

In Tibet, the authorities permit many traditional public practices and manifestations of public belief. However, activities perceived by the government to be vehicles for political dissent, such as religious activities considered to be advocating Tibetan independence or any form of separation, were not tolerated by authorities. Restrictions on religious practice and places of worship continued, and the level of repression in Tibet remained high.

Some of the harshest treatment meted out by China's criminal and administrative justice system has been directed against practitioners of the Falun Gong, who have been the target of a harsh government-wide crackdown since the spiritual movement was banned in China in July 1999 as an "evil cult."

Under article 300 of the criminal law, cult members who disrupt public disorder or distribute publications may be sentenced to 3 to 7 years in prison, while cult leaders and recruiters may be sentenced to 7 or more years in prison. What is and is not a cult is determined by government authorities, based on no discernible criteria other than the government's desire to maintain control.

At the National People's Congress session in March 2004, Premier Wen Jiabao's Government Work Report emphasized that the government would expand and deepen its battle against cults, including the Falun Gong. During the past year, thousands of indi-

viduals continued to be subjected to arrest or detention, and some were incarcerated in psychiatric facilities.

Over all, more than 100,000 practitioners have been detained since 1999, not only for engaging in Falun Gong practices, but also for merely admitting that they adhere to the teaching of Falun Gong or refusing to criticize the organizer and founder, Li Hongzhi.

Mere belief in the practices of Falun Gong, even without public expression of its tenets, is sufficient grounds for practitioners to receive punishments, ranging from loss of employment, mandatory anti-Falun Gong study sessions designed to force practitioners to renounce the Falun Gong, to imprisonment. The reeducation-through-labor system is regularly used to incarcerate Falun Gong practitioners. Some national observers believe that at least half of the 250,000 officially recorded inmates administratively sentenced to the country's reeducation-through-labor camps are Falun Gong adherents.

After the release from these camps, hundreds of Falun Gong adherents who have refused to recant their beliefs continue to be held in legal education centers, another form of administrative detention. Falun Gong cases are often handled outside of normal legal procedures by a special ministry of justice office, known as the 610 Office.

During the past year, the 610 Office was implicated in many allegations of abuse. As a result of the government's campaign against the group during the past year, very few Falun Gong activities were conducted publicly within the country. But Falun Gong practitioners outside of China continue their efforts to focus international attention on the plight of fellow practitioners in China.

Clearly, these human rights abuses, which are spelled out in much greater detail in our *Human Rights Report* and our *International Religious Freedom Report*, are systemic. Although a genuine transformation of China and its political system can only be realized by the Chinese themselves, it is in the interest of the United States and the international community to continue to encourage China to reform its system and to increase its respect for human rights.

The State Department's approach is based on two basic principles: That international pressure can, over time, encourage China to take steps to bring its human rights practices into compliance with international standards and that there are opportunities to support those within China who see structural reform in China's best interests.

While it is not enough, we have seen some movement, which we are watching closely. Using the prospect of introducing a China resolution at this year's session of the U.N. Commission on Human Rights, we were able to secure the release of Rebiya Kadeer and gain China's agreement to take several positive steps, including: Giving prisoners convicted of political crimes the same right to sentence reductions and paroles that are available to other prisoners; agreeing to host a visit by the Special Rapporteur on Torture; issuing a public statement that clarifies that religious education of minors is consistent with Chinese law and policy; agreeing to open an office of the International Committee of the Red Cross by the end of July 2005; issuing an invitation to the Special Rapporteur

on Religious Intolerance; and agreeing to host a visit by the U.S. Commission on International Religious Freedom.

The report, *Supporting Human Rights and Democracy: The U.S. Record 2004–2005*, released earlier this year by my office, highlights some of our bilateral diplomatic efforts, our multilateral actions and rule of law programs.

The report notes that President Bush and Secretary Rice raised human rights issues in individual cases in public remarks and in private meetings with senior-level Chinese officials. Most recently, Secretary Rice raised human rights issues, including the need for prisoner releases and religious freedom, in Beijing during her July 10th trip.

Other United States officials in Washington and at our mission in China also consistently highlight publicly and privately the need for systemic reforms and improvements in human rights conditions as well as the need for the release of prisoners of conscience.

We call on China to honor its international commitments and its own Constitution in respecting religious freedom and, again, designated China as a Country of Particular Concern (CPC) for particularly severe violations of religious freedom. We continued to urge that Falun Gong practitioners be accorded their basic rights to freedom of conscience and assembly.

In fiscal year 2004, my Bureau spent \$13.5 million to support programs in-country. In 2005, we will program an additional \$19 million. Last year, we funded 18 Human Rights and Democracy Fund projects in China, including training for criminal defense and labor lawyers and strengthening public hearings and other mechanisms to encourage public participation.

This coming year, we will place priority on funding capacity building projects for NGOs, rights awareness for rural residents, labor rights protection for migrant workers and training to strengthen public participation in governance, to name just a few. We are also promoting China's compliance with international labor standards.

It is our conviction, as President Bush has repeatedly said, that the calling of our country is to advance freedom, support the allies of liberty everywhere and help others create the kind of society that protects the rights of the individual and thus promotes the common good. China is no exception to these goals.

Supporting freedom and democracy is a cornerstone of U.S. foreign policy and indispensable to our hopes of creating a more secure and peaceful world.

Thank you very much for holding this hearing and calling attention to continuing human rights abuses in China, particularly the repression and imprisonment of those courageous citizens who seek only to freely manifest their beliefs peacefully. The Administration wants to work closely with Congress to advance human rights and religious freedom in China.

Thank you.

[The prepared statement of Ms. Birkle follows:]

PREPARED STATEMENT OF MS. GRETCHEN BIRKLE, ACTING PRINCIPAL DEPUTY ASSISTANT SECRETARY, BUREAU FOR DEMOCRACY, HUMAN RIGHTS AND LABOR, U.S. DEPARTMENT OF STATE

Mr. Chairman, Members of the Committee, thank you for continuing to focus the spotlight of international attention on China's poor human rights record by holding this important hearing on the human rights situation in China, and the continued persecution of the Falun Gong. I am very pleased to have this opportunity to provide you with the Department's assessment of China's record on human rights and religious freedom. I would also like to briefly discuss some of the steps the Department is taking to promote increased respect in China for international human rights standards and democratic principles. We seek to encourage China ultimately to travel the path to freedom, democracy, and free enterprise.

Although enormous economic and social progress has taken place in China over the past 20 years, political reform has lagged far behind and the repression of citizens seeking to exercise their internationally-recognized fundamental freedoms continues to be a systemic problem. Hopes that the pace of political reform would quicken and opportunities for public discourse would expand when the fourth generation of leaders, led by President Hu Jintao, came into power to date have not been realized. Although the leadership has demonstrated concern for the rapidly growing economic inequalities between China's urban and rural areas, the need for social safety networks, and somewhat greater transparency and accountability in its actions, often those citizens who call attention to systemic problems become targets of government repression.

In our 2004 Country Reports on Human Rights Practices, released in February, we once again concluded that China's human rights record remained poor and the Government continued to commit numerous and serious human rights abuses, including torture, mistreatment of prisoners, incommunicado detention, and denial of due process. We noted Chinese authorities remained quick to suppress religious, political and social groups that they perceived as threatening to government authority or national stability, and that the space for public discourse contracted. Leaders, continued to resist opening up the political system, a step that would expose problems wrought by the Party's policies. They proclaim "stability and social order" as a top priority, often at the expense of basic human rights and freedom, as a means to perpetuate the rule of the Chinese Communist Party.

Laws and regulations remain overly broad and arbitrarily enforced and it is difficult for citizens seeking to express peacefully their political or religious views to ascertain the line between the permissible and the illegal. Throughout the year, the Government prosecuted individuals who miscalculated and went over the line as defined by the Government, charging them with subversion, loosely defined "state secrets" crimes, and other crimes.

The Government also severely restricted freedom of assembly and association and increased the repression of members of unregistered religious groups in some parts of the country. Some religious groups, which have not registered, have been labeled cults and banned by the Government. The Government continued to deny internationally-recognized worker rights; forced labor in prison facilities remained a serious problem. And violence against women continued to be a problem, including the imposition of a coercive birth limitation policy that resulted in some instances of forced abortion and forced sterilization in parts of China.

The Government also has at times used the global war on terror as a pretext for cracking down on Uighur Muslims, who peacefully expressed dissent or sought to practice their faith, and on independent Muslim religious leaders. Where there are genuine terrorist activities, the U.S. certainly supports measures to address them, but where the evidence is lacking, the U.S. calls on China to not equate disagreement with terror. China must draw a bright line between legitimate non-violent dissent and terrorism.

In Tibet, the authorities permit many traditional religious practices and public manifestations of belief; however, activities perceived by the Government to be vehicles for political dissent, such as religious activities considered to be advocating Tibetan independence or any form of separatism, were not tolerated by authorities. Restrictions on religious practice and places of worship continued and the level of repression in Tibet remained high.

Many citizens who openly expressed dissenting political views were harassed, detained or imprisoned, and, in a particularly discouraging development in late 2004, Chinese authorities, at the direction of the top leadership, launched a campaign that targeted writers, religious activists, political dissidents, and petitioners to the Central Government. Many of those who paid a high price in this campaign were those

who sought to publish information or express their political views in the media or on the Internet.

Some of the harshest treatment meted out by China's criminal and administrative justice system has been directed against practitioners of the Falun Gong, who have been the target of a harsh government-wide crackdown since the spiritual movement was banned in China in July 1999 as an "evil cult." Under Article 300 of the Criminal Law, "cult" members who "disrupt public order" or distribute publications may be sentenced to 3–7 years in prison, while "cult" leaders and recruiters may be sentenced to 7 or more years in prison. What is and is not a cult is determined by Government authorities, based on no discernible criteria other than the Government's desire to maintain control.

At the National People's Congress session in March 2004, Premier Wen Jiabao's (WHEN JA BOW's) Government Work Report emphasized that the Government would "expand and deepen its battle against cults" including the Falun Gong. During the past year, thousands of individuals continued to be subjected to arrest or detention and some were incarcerated in psychiatric facilities. Overall, more than 100,000 practitioners have been detained since 1999 not only for engaging in Falun Gong practices but also for merely admitting that they adhere to the teaching of Falun Gong or refusing to criticize the organizer and founder, Li Hongzhi (LEE HONG JER).

Mere belief in the practices of Falun Gong, even without public expression of its tenets, is sufficient grounds for practitioners to receive punishments ranging from loss of employment, mandatory anti-Falun Gong study sessions designed to force practitioners to renounce the Falun Gong, to imprisonment. The reeducation-through-labor (RTL) system is regularly used to incarcerate Falun Gong practitioners. Some international observers believe that at least half of the 250,000 officially recorded inmates administratively sentenced to the country's reeducation-through-labor camps are Falun Gong adherents. After release from RTL camps, hundreds of Falun Gong adherents who have refused to recant their beliefs continue to be held in legal education centers, another form of administrative detention. Falun Gong cases are often handled outside normal legal procedures by a special Ministry of Justice office, known as the 610 office. During the past year the 610 office was implicated in many allegations of abuse.

As a result of the Government's campaign against the group, during the past year very few Falun Gong activities were conducted publicly within the country. But Falun Gong practitioners outside of China continued their efforts to focus international attention on the plight of fellow practitioners in China.

Clearly, these human rights abuses, which are spelled out in much greater detail in the annual *Country Report on Human Rights Practices* and the *International Religious Freedom Report* are systematic. Although a genuine transformation of China and its political system can only be realized by the Chinese themselves, it is in the interest of the United States, and the international community, to continue to encourage China to reform its system and to increase its respect for human rights.

The State Department's approach is based on two basic principles: that international pressure can over time encourage China to take steps to bring its human rights practices into compliance with international standards and that there are opportunities to support those within China who see structural reform in China's best interests.

While it is not enough, we have seen some movement, which we are watching closely. Using the prospect of introducing a China resolution at this year's session of the UN Commission on Human Rights, we were able to secure the release of Rebiya Kadeer and gain China's agreement to take several positive steps including: giving prisoners convicted of political crimes the same right to sentence reductions and paroles that are available to other prisoners, agreeing to host a visit by the Special Rapporteur on Torture, issuing a public statement that clarifies that religious education of minors is consistent with Chinese law and policy, agreeing to open an ICRC office by the end of July 2005, issuing an invitation to the Special Rapporteur on Religious Intolerance and agreeing to host a visit by the US Commission on International Religious Freedom.

The Report, *Supporting Human Rights and Democracy: The U.S. Record 2004–2005*, released earlier this year, highlights some of our bilateral diplomatic efforts, multilateral actions, and rule of law programs. The report notes that President Bush and Secretary of State Rice raise human rights issues and individual cases in public remarks and in private meetings with senior-level Chinese officials. Most recently, Secretary Rice raised human rights issues, including the need for prisoner releases, in Beijing during her July 10 trip.

Other U.S. officials—in Washington and at our missions in China—also consistently highlight, publicly and privately, the need for systemic reforms and improve-

ments in human rights conditions as well as the need for the release of prisoners of conscience.

We call on China to honor its international commitments and its own constitution in respecting religious freedom and again designated China as a Country of Particular Concern for particularly severe violations of religious freedom. We continued to urge that Falun Gong practitioners be accorded their basic rights to freedom of conscience and assembly.

We are expanding our coordination with our allies who are engaging China on human rights issues through our participation in the Bern Process meetings of China's Human Rights Dialogue partners.

And we are supporting activities in China to address some of its systemic problems, including forming the judicial system, improving public participation, and strengthening civil society.

In FY 2004, the Bureau of Democracy, Human Rights and Labor spent \$13.5 million to support these programs. In 2005, we will program an additional \$19 million. Last year we funded 18 Human Rights and Democracy Fund projects for China, including training for criminal defense and labor lawyers, and strengthening public hearings and other mechanisms to encourage public participation. The U.S. Embassy also awards small grants to members of China's NGO movement in support of democratic values.

This coming year, we will place priority on funding capacity building projects for NGOs, rights awareness for rural residents, labor rights protection for migrant workers and training to strengthen public participation in governance, to name just a few. We are also promoting China's compliance with international labor standards.

It is our conviction, as President Bush has repeatedly said, that the calling of our country is to advance freedom, support the allies of liberty everywhere, and help others create the kind of society that protects the rights of the individual and thus promotes the common good. China is no exception to these goals. Supporting freedom and democracy is a cornerstone of U.S. foreign policy, and indispensable to our hopes of creating a more secure and peaceful world.

Thank you very much for holding this hearing and calling attention to continuing human rights abuses in China, particularly the repression and imprisonment of those courageous citizens who only seek to freely manifest their beliefs peacefully. The Administration wants to work closely with Congress to advance human rights and religious freedom in China.

Mr. SMITH. Thank you very much, Secretary Birkle.

Let me ask you a couple of opening questions and then, because he has a time restraint, yield to my friend, Mr. Payne.

When Secretary Rice visited China on July 10th, she raised the plight of the Falun Gong by name, as well as the plight of the underground Catholic Church, the Uighurs and the underground Buddhist church, which is suffering so horrifically.

Ms. BIRKLE. I know she raised the category of religious freedom. I don't have the specific groups that she named.

Mr. SMITH. Could you provide that for the record, if you would?

Ms. BIRKLE. Yes.

[The information referred to can be found in the Appendix.]

Mr. SMITH. Could you also provide what the response was? It has been my experience over the last 20 years—through three fact-finding trips to China itself—that the Chinese Government very often will listen politely and absolutely ignore what is said.

In one case, Congressman Frank Wolf and I met with Li Peng for about an hour. We had a list of religious prisoners, including bishops, priests, Buddhist monks and others. He wouldn't even take the list. He would not put out his hand to take the list, so we had to give it to one of his functionaries. It just said in spades the disdain for which he and his like-minded leaders in China have for religious adherence.

I would also note that one of the bishops that I met with, Bishop Chu of Guangdong Province, was let out briefly but re-arrested right after meeting with me. He was spotted last year—and it

looked as if his face was badly bruised from a beating—in a hospital, and his whereabouts continues to be unknown.

This is a bishop who, when I met with him, had the most clear eyes you could have possibly imagined. He had malice toward none, including those who had tortured him, spoke lovingly in terms of Christian compassion toward those who had persecuted him, and said he praised the government. He didn't call for the government to be overthrown. He called for peace and reconciliation. This man has spent approximately 27 years in the Laogai and in torture camps in China and still, if he has not passed away or been killed, remains there.

I am wondering if she raised his case, because we sent over a note asking that Bishop Chu be raised.

Ms. BIRKLE. Okay, I will find out for you.

Mr. SMITH. We would appreciate that. We would certainly hope that the Committee will continue following the bishop. This hearing, by the way, is the first of a series of hearings on Chinese human rights abuses. It will not be the last this year on Chinese human rights abuses as they relate to religious freedom. We are really going to accelerate our efforts to try to help the persecuted believers of all persuasions and belief systems.

The CPC designation, the International Religious Freedom Act, prescribes a number of tools that the Administration can use against offending countries. Again, as you pointed out so well, this year, China has been designated as a CPC country. I know there are several actions that can be taken; probably the most mild is a private *de marche*, but public condemnations, delay or cancellation of working groups, and suspension of the United States development assistance can also be used.

There are a number directing the Export and Import Bank to not extend credit to the U.S. and a number of other countries. I wonder if any of these tools in our tool box have been used against China, which continues its egregious violations of religious liberties?

Ms. BIRKLE. I am sorry, actually, on specifics on religious freedom I would have to refer those questions to our Office of International Religious Freedom, Ambassador John Hanford who deals with that issue specifically.

Mr. SMITH. Could you get back to us?

Ms. BIRKLE. Absolutely.

Mr. SMITH. As you know, this is not the first year that China has been designated a Country of Particular Concern because of its religious intolerance.

Ms. BIRKLE. Certainly, Chairman Smith, on your comments also about the series of hearings, we welcome the opportunity to share with you at all times what we are working on. It is a great thing to hear that there will be forthcoming hearings on these issues. We welcome that kind of oversight.

Mr. SMITH. We appreciate that, Madam Secretary. We would welcome your input and thoughts.

Let me ask you just a few other questions. I had a resolution that passed in this Committee and never made it to the Floor because a decision was made not to table a resolution at the U.N. Human Rights Commission in Geneva. I did go to that meeting. As you know, it is a very disappointing process to see rogue nations

run into interference on religious issues and on other human rights abuses.

Hopefully, if we do get the U.N. reform we are hoping for, all those that sit in judgment on human rights issues will have to at least have achieved a threshold, a minimum observance of fundamental human rights and not be violators themselves. That would immediately exclude the People's Republic of China and Cuba and some other nations.

But you did point out that there are a number of conditions that we had laid down as to why we would not table a resolution. Of course, the release of the very famous Rebiya Kadeer, I think, was a very positive sign.

But you also noted that there are others—and I knew that at the time—giving prisoners accused of political crimes the same right to sentence reductions and paroles that are available to others. Did that happen? Do you know the status of China's agreement to host the Special Rapporteur on Torture? What about the Special Rapporteur on Religious Freedom? Also, do you know the status of the visit by the U.S. Commission on International Religious Freedom?

I would just note, parenthetically, that I met with the rapporteur, Manfred Nowak, while I was in Geneva, and found his reputation preceded him as a very honorable and effective rapporteur with distinguished credentials in the area of human rights.

My concern is that, as in previous years, the Chinese Government will make great pretext of saying, "We invite the rapporteur to come and visit, go where you like." As soon as the rapporteur sets down his terms of reference, which are that he has unfettered access and that there is no retaliation against people with whom he has conversations, all of a sudden all bets are off when the rapporteur makes his way to China.

It is a very duplicitous and disingenuous game that is played by the dictatorship in China. My sense is that Nowak will never get there. He himself had grave misgivings about whether or not the Chinese Government was sincere and would allow him to go there. My question is: Do you know if he is on his way? Is there anything planned? The same goes for the Rapporteur on Religious Freedom.

Ms. BIRKLE. He has scheduled his trip now for November. So that is the plan now. We will obviously be monitoring that very closely. You mentioned a few of the other benchmarks, the planning for the visit of the International Commission on International Religious Freedom is on track for next month. We are monitoring these issues very closely. As you know, we have not made a standing commitment to the Chinese to never run a resolution again. So we will be watching this as we get ready for next year.

Mr. SMITH. I asked Nowak if he would be open to it. He says that for anyone who wants to make a recommendation, his door is always open. I would hope that the Department would weigh in, especially on the persecuted believers. As we all know, you mentioned 100,000 Falun Gong who have been detained. It is my understanding that most or probably all of them have suffered some level of torture as part of their incarceration. Certainly, the

Rapporteur for Torture should make a point of visiting tortured Falun Gong. My hope is that he would do so.

Ms. BIRKLE. I will put that message forward.

Mr. SMITH. Since torture is something that this Committee takes so seriously, could you give us any insights as to your or the Department's understanding of what happens to a Falun Gong adherent when he or she is arrested, regarding the types of torture they might have to endure?

I note that here in the room today is Harry Wu, the great Laogai survivor who brought to the world the cruelty of the Chinese dictatorship. He sat right where you sit and brought in five other Laogai survivors, including Catherine Ho and Palden Gyatso, a Buddhist monk.

Palden Gyatso brought in one of the instruments of torture, a cattle-prod type instrument and had trouble getting through security downstairs. He held that up and said, this is what is used routinely to torture people in China. If you are arrested, particularly for a "political crime or religious crime," you can also guarantee that you are going to suffer in that way.

What do they do? Let's say I am a Falun Gong. I get arrested tomorrow in Beijing or in Shanghai or in some other area of China. What will happen to me?

Ms. BIRKLE. Well, you are likely to be sent to a reeducation-through-labor camp, which remains pretty much of a mystery to the outside world. We don't have a number of how many people are in these camps. They are closed to the outside world. Your family will not know your whereabouts or be able to have communication with you. Often whole families are taken together.

What happens inside those camps is hard to describe. It is—the pictures that I have seen are just horrific. There is a picture I saw recently of a woman who was starved to 45 pounds. They actually said they were going to cremate her alive. It is absolutely horrifying what they do to people.

So I think pictures speak a thousand words. You, I am sure, are all familiar with what has transpired in these camps. It is absolutely essential that we continue to get a spotlight on what is happening.

Mr. SMITH. Thank you. Let me ask you, if I could, about the children of the Falun Gong; the orphans who have lost one or both of their parents. There is, as you know, a group called the Global Mission to Rescue Persecuted Falun Gong Practitioners to the Bureau—your Bureau—to the PRN.

During the persecution of Falun Gong, this organization has confirmed that 5 children have been killed; 18 children lost both parents; 102 children lost one parent; 43 children that they know of were subject to direct persecution, and 39 children were forced to separate from their parents because their parents are detained.

Does the Department have any ideas on what we could do vis-a-vis our diplomatic relationship with the leaders in Beijing? Is there anything that might be contemplated, like Operation Peter Pan which assisted Cuban children, or the Baby Lift in Vietnam, to help these orphaned children? I think we need to make an issue of this. They are so cruelly hurting those children; they are de-

stroying their parents physically and then leaving their children in such desperate straits. What can be done for those kids?

Ms. BIRKLE. More needs to be done. I need to explore that further with my office to see what else we can do with that. So let me get a concrete answer for you on something we can do on that issue.

Mr. SMITH. I appreciate that.

Mr. Payne.

Mr. PAYNE. Thank you very much for your testimony, and I certainly know that you take this job very seriously, not that isn't more than a job. I think it certainly shows that you have a concern and a compassion for your work and these people who are being treated so unfairly. So I really commend you as a government official. We don't often find that.

Let me ask a question about the—is it the Uighur Muslims who were apprehended in an attack in Afghanistan and were brought to Guantanamo base, and sometime thereafter a year or so, it was indicated that these 22 Uighur Muslims were really of no intelligence value?

The question is now, if they are going to be returned back to the PRC, there is a question of it being inconsistent with the Geneva Convention, because the possibility of execution or life imprisonment for these Chinese nationalists, it seems to be a possibility.

I wondered if you have followed that, those detainees, and what is the status of them?

Ms. BIRKLE. Yes, I have followed that. We have no intention of returning them to China. We are in the process now of trying to find a third country to locate them to.

Mr. PAYNE. Great. That is good. I also have a question—I don't know whether you were in your position in 2002, but on August 26th of 2002, the United States Government announced that it was placing one small group in China, the East Turkistan Islamic Movement, on the United States list of terrorist groups. I wonder if you know any detail or rationale for the U.S. Government's decision and how the U.S. Government differentiates between a legitimate expression of the Uighur pride and the persecution of them by the Beijing Government that had been really abusing them and their attempt to protect themselves or at least even to fight back. They get on a terrorist list; that is almost like double jeopardy.

Do you have any idea what the rationale was for that and whether they remain on the U.S. Government's list of terrorist organizations?

Ms. BIRKLE. We support anyone who would practice their Muslim faith peacefully. That has always been the stance of the State Department. I don't know particularly about the situation from 2002, but all Uighurs who practice their Muslim faith in a peaceful manner are completely under the support of the U.S. Government.

Mr. PAYNE. Just finally, I wonder if you could provide any more detail about the U.S. Government's approach. We have heard the behavior of the government to the Chairman of the Committee and the refusal of an official to even extend his hand or take a document. I wonder, what is the United States' approach to political prisoners in China? What kind of human rights discussions are routine, if they are routine or if they are ever held between the

U.S. Government and the PRC, either at a lower level of government officials or even at a more senior level?

Ms. BIRKLE. There is actually a very comprehensive approach to our discussions with the Chinese on human rights issues. Our official dialogue is on hold right now, but we engage with the Chinese regularly. Our Embassy meets with them at least once a week at the working level. These issues are addressed on a regular ongoing basis.

The exact number of political prisoners in China is unknown. One political prisoner in China is one too many. Each day we learn about new prisoners; more and more names are added to the record that we are keeping. We are constantly raising the issue with the Chinese.

Mr. PAYNE. Thank you very much. I know that religious groups are coming under more scrutiny; what they call unauthorized religious groups and are restricting the freedom of some of the groups. I know that the State Association of Religious Affairs, the SARA group, had a national conference to deal with the question of religion.

I would just hope that we can keep an eye on this guise of cracking down on our religious freedom as their government says they are cracking down on the separatism and try to say that anyone who has an independent thought on religion is a person who wants to be annexed away from the PRC.

But, once again, let me thank you very much for your testimony. We look forward to continually working with you.

Ms. BIRKLE. You are welcome.

Mr. PAYNE. Thank you.

Mr. SMITH. Chairman Rohrabacher.

Mr. ROHRABACHER. Thank you very much. I apologize for being a little bit late today. I was involved in the Floor debate going on right now.

I just think that we need to send a message to the Administration, and, with all due respect, I don't know why there is just an Acting Deputy Director for Human Rights here—Acting Deputy Assistant Secretary. Lorne Craner did a very good job, was a very fine appointee as the Assistant Secretary for Human Rights. I understand that the seat has been vacant for how long now?

Ms. BIRKLE. About a year.

Mr. ROHRABACHER. About a year?

Ms. BIRKLE. Yes, sir.

Mr. ROHRABACHER. Let us just suggest, Mr. Chairman, that leaving this seat open, the Assistant Secretary seat open, or—filled by an active person, someone—

Ms. BIRKLE. We had three outstanding Acting in a row.

Mr. ROHRABACHER. It has been a temporary job, however.

Ms. BIRKLE. Yes.

Mr. ROHRABACHER. Leaving that job open for, without having any permanent appointee taking over for a year is not the right kind of message that this Administration should be sending to the world about its commitment to human rights at a time when our people are fighting in Iraq and losing their lives and fighting in Afghanistan in order to promote societies that respect human rights. That, after all, is our real reason for being in Iraq and Afghanistan.

Basically, human rights and democracy is what our country is all about.

Today, we are going to hear witnesses about—which is most troubling to me, that we have let this problem of repression in China go so long, and we have been sending such mixed signals to the regime in Beijing, that now not only is there repression of the Falun Gong and other religious groups in China, but that the leadership in Beijing feels that it can now even use its power and authority and project it to other countries to try to use their influence to try to actually suppress their dissenters overseas, and some of them are in the United States. This is outrageous. But it is predictable when tyrants do not receive the type of message that they need to receive.

The United States, we are made up of every race and religion, every ethnic group that there is, because it is not a religion or ethnic group or even a territory that basically holds us together as a people. It supposedly—our agreement among each other to live in harmony and to respect each other's rights and a belief that people do have fundamental human rights that were granted by God, or for atheists, they can just say a natural way of doing things. They have their right to have that point of view as well.

But the fact that we are not sending the right kind of message is, I think, going to come back and bite us, as we now see taking place, Mr. Chairman, with the fact that the leadership in Beijing feels so arrogant that they can even try to use repression against people who are now residing in the United States of America about the Falun Gong.

I have been here for 17 years, and it has been perhaps the most disturbing to me of all the things that I have come across, is that you just hear—witness after witness coming Administration after Administration, Republican and Democrat, coming to us from the State Department, telling us how things are actually getting better in China, that the people of China now are getting better, that things are getting better for them.

Let me just ask you outright. Obviously, there has been an economic upturn and some people are living better in China. When the things that are supposed to be our heart and soul in America, liberty and justice—are things getting better in terms of liberty and justice on the mainland of China?

Ms. BIRKLE. I would say, no. I would say that the Administration and the Department have quite objectively and openly categorized the situation as remaining poor. Liberty and justice and human rights are not getting better.

Mr. ROHRABACHER. Well, I would hope that the Administration—I am very happy that officially that is the position of the Administration. I just talked to one of the top executives of IBM earlier today, who saw no contradiction at all of sending over a huge amount of manufacturing capabilities to manufacture computers on the mainland of China, even though, as you say, the situation is not getting better in terms of freedom and justice and democratic rights.

Let me ask you this, in terms of the Administration, do we plan at all, is there any type of plan that you know of to make a stand with the leadership in Beijing over the issue of religious persecu-

tion of the Falun Gong and the Catholics and everyone else, actually? There are many examples outside of Falun Gong, people who are suffering, and is there going to be something, other than just classifying them as poor human rights, that this Administration is going to do?

Ms. BIRKLE. We will continue to raise the dialogue at the highest levels, as I have mentioned, and as you are aware, Secretary Rice raised these issues when she met with President Hu on July 10th. It is a key component of our dialogue with China, one of the key factors on our human rights dialogue, and will continue to be so. It is addressed at the highest levels on a frequent, regular basis.

Mr. ROHRABACHER. I would just say this, we have heard that answer for 17 years as well, that when we continue to have that as one of the talking points for the dialogue between leaders, and then we have no follow up and there is no demand made, the leaders, the unelected leaders, the tyrants who are on the other side of the table are taking it for granted that that means that we really don't believe in that and that this is all for show. I don't think that—I think that we need to make clear today, in terms—in the hearts of the American people, this is not just for show.

We mean what we say, and that we do care about people who are suffering persecution as the Falun Gong is suffering and other religious believers are suffering. And I don't believe that the American people want us to have a relationship with people who are conducting these types of atrocities against their own people and treat them in the same way that we treat democratic leaders. I would hope there would be some type of strategy, Mr. Chairman, that we can work out that will not cause a major international crisis, but at least will ensure that when our leaders meet with those leaders of the Chinese regime in Beijing, that they know that we mean business because there is some substance to that discussion, which there isn't today.

So I would thank you very much for coming here and drawing our attention to it, and also to the fact verifying at least, if nothing else, verifying that there is a challenge for those of us who have these standards in terms of human rights and democracies. So thank you very much.

Mr. SMITH. Thank you very much, Chairman Rohrabacher. Ambassador Watson.

Ms. WATSON. Yes. Thank you so much, Mr. Chairman.

I kind of want to follow up on my colleague's inquiry, Mr. Rohrabacher's. I look, Ms. Birkle, and see that you are the Acting Principal Deputy Assistant Secretary for the Bureau of Democracy, Human Rights and Labor. We have had some discussion about China wanting to buy some of our major corporations and so on. And as I look at the whole Falun Gong issue based on principles of truthfulness, compassion, and tolerance, that probably is exactly the character traits that the Chinese Government want to sully.

And so if you can answer this, I would appreciate it. How much are we taking into consideration, as a government, policy or foreign affairs in dealing on the labor side? It seems like we have agreements to do more trade with China. They now want to buy up some of our major corporations. But they indeed are guilty of cutting off the rights of people who simply want to practice their own philos-

ophy in living. And so do we take that into consideration? It seems like we are opening the door wider, but we are not holding the country, as a whole, responsible for their human rights. Does that come up in discussions?

And since you are that person with all those assistant titles, I would hope you would have some influence, because I could feel your compassion and your emotional state over what is happening now to the people who are detained. How much do we take into consideration these violations of human rights as we deal with our commercial and our trade policies?

Ms. BIRKLE. We do take them into consideration. And, actually, that type of relationship, the economic relationship has somewhat opened up opportunities for us to engage on issues such as worker rights and conditions within workplaces. We have had a project on corporate social responsibility where we are dealing with some United States companies who are based in China, and it has really opened up for the Chinese and Chinese workers some new programs and some new approaches with management to think about improving conditions. So in that sense it has been beneficial.

Ms. WATSON. I would think—and this goes to my Committee and to the Chair—that we would want to see a policy—I see more and more companies going to China because they can use almost slave labor to produce their products, and I see us losing more and more jobs here in America. And these folks are violating every principle upon which our democracy stands as they deal with the freedom issue in our own civil rights. And I am quite disturbed about it. I mean, China owns most of our debt, and they are doing the kinds of things you described in your testimony and the kinds of things that our Chair articulated in his opening statement, and it really concerns me.

And I don't know if we are doing enough on the human rights side. I don't think we are doing as much as we are trying to open up more and more trade. I mean, I see so many of our companies going and giving our jobs to the Chinese. And their behavior has been despicable, I think, in the way they treat a lot of their citizens.

Ms. BIRKLE. I see the contradiction that you point out. And from my Bureau's perspective, from the human rights and international worker rights perspective, the most we can do—and what our goal is, is to take advantage of that situation when we can get into facilities and work with workers and management to—if we have to start at a small scale, which is what we are doing now, we will take advantage of that and try; and it will take time to grow those programs and hopefully have greater impact.

Ms. WATSON. You know, we have put sanctions on other countries and our business people are cautioned about going and doing business with these countries that we have embargoed, and sanctions, so on. But it seems that we are really opening the door for China.

Now, I know that we have another agenda for China, but I am really worried about the trade commerce side and the economic side of this with the way they treat their people and with their labor forces, and young people and women are forced to work

around the clock with very low wages, and we do more and more business with them.

So my concern, and this goes to the Chair as an oversight, that we might want to speak stronger to this issue to the Executive Branch and particularly to the Department of State, because I think we can't be that contradictory in our relationship. We have got to tie this all together if we want to make a change. Thank you very much, Mr. Chairman.

Mr. SMITH. Mr. Sherman.

Mr. SHERMAN. Thank you, Mr. Chairman.

I know it is well outside the scope of these hearings, but China today has taken some action with regard to its currency to further take jobs away from us in violation of all the principles of free trade, not to mention the fact that—so that is on top of the table; and underneath the table they do an awful lot as well. We have the most lopsided trade agreement, trade relationship, with China that any two countries have ever had in history. So even if China's human rights record was impeccable, we would still have some trade questions there.

As to these hearings, Mr. Chairman, thank you for holding them. I think they are very important. This Committee basically deals with the Bureau on Democracy, Human Rights and Labor, and the Administration has announced to the world that perhaps its most important foreign policy objective is to promote democracy around the world. And, of course, your Bureau is right on the cutting edge of that. You are the Democracy Bureau. How long has your Bureau been without an Assistant Secretary?

Ms. BIRKLE. If I may. We have had three excellent Acting Assistant Secretaries.

Mr. SHERMAN. And an excellent Acting Principal Assistant Secretary. So you have had three. So do you, like, play the music and then somebody sits down and then play the music again and somebody sits? So you have had three different temporary folks heading your Bureau over what length of time?

Ms. BIRKLE. It has been a year.

Mr. SHERMAN. So in the year in which we announced that democracy is the number one objective—

Ms. BIRKLE. Sir, I added one. Excuse me. It has been two.

Mr. SHERMAN. Only two. Okay. Are we going to get an announcement anytime soon as to when you folks actually get a permanent Assistant Secretary?

Ms. BIRKLE. I believe it is imminent. But in all seriousness, I do want to assure you that we have had excellent management. Nothing has fallen through the cracks. We have actually made some progress in planning for future discussions with the Chinese.

Mr. SHERMAN. On that basis, couldn't we save money by not having an Assistant Secretary at your Bureau, if you have done such an excellent job without one?

Ms. BIRKLE. Point taken.

Mr. SHERMAN. Let us hope it is imminent. And you obviously represent the Bureau very well and demonstrate that the Bureau has an excellent staff. Let us hope you get an Assistant Secretary and let us hope it is imminent.

And I yield back.

Mr. SMITH. Let me just conclude with a couple of follow-up questions and final questions. I mentioned the International Religious Freedom Act earlier and the fact that there are 15 specific potential actions that can be taken to try to curtail and change a government's ongoing violations on religious freedom. For years I have been asking that Vietnam be included on that list and, thankfully, this year CPC's designation and dubious distinction was imposed on Vietnam because of their egregious practices.

Very quickly, however, a so-called binding agreement, an MOU, was signed with Hanoi and Washington, dealing with some deliverables. These are things that the Vietnamese Government can do to hopefully mitigate their abuse, especially as it relates to the Montenyard. My question is: Since the first report in 1999 and right up to the most recent report in 2004, every year China is designated a Country of Particular Concern. And, to the best of my knowledge, regarding the ability of the President to enter into a binding agreement, I will just read you the words with which I am sure you are familiar:

“The President may negotiate and enter into a binding agreement with a foreign government that obligates such government to cease, or take substantial steps to address and phase out, the act, policy, or practice constituting the violation of religious freedom. The entry into force of a binding agreement for the cessation of the violations shall be a primary objective for the President in responding to a foreign government that has engaged in or tolerated particularly severe violations of religious freedom.”

Some of the tools in the President's toolbox include No. 14:

“Prohibiting any United States financial institution from making loans or providing credits totaling more than \$10,000,000 in any 12-month period to the specific foreign government, agency, instrumentality, or official found or determined by the President to be responsible for violations . . .”

of the IRFA, and No. 15:

“Prohibiting the United States Government from procuring, or entering into any contract for the procurement of, any goods or services from the foreign government, entities, or officials found or determined by the President to be responsible . . .”

and it goes on and on from there.

These are very significant, although they may not be MFN or PNTRs which should have been suspended or revoked because of these horrific abuses. However, it seems to me we have this toolbox here of actions that remains unopened and unused. There is no MOU as far as I know with China and the United States that is akin to what we have with Vietnam, and yet we have these horrible tortures occurring every day of the week. Also, as I and so many of my colleagues have pointed out, it follows Falun Gong, for example, to countries like the United States and elsewhere.

I wonder if you might respond to that. In addition to that, respond, if you would, to Dr. Charles Lee, the man who received 3 years in prison, a Falun Gong practitioner, an American citizen.

Has he been visited by our consular people? What is the status of his case?

Ms. BIRKLE. I will start with that. He has been visited and is frequently visited by our staff in China. And we, here in Washington, have met frequently with his family and will continue to do so. I believe his fiancée is here.

On the CPC designations, Vietnam was our first binding agreement under that law, that legislation, and we do intend to use it as a model for other countries.

Mr. SMITH. I strongly encourage you that China has to be, after all these years, on the list. This should be a very, very significant priority to say we mean business. This Committee is going to be very robust in promoting a number of other things that we will be looking to be doing. Frankly, in all candor, I don't think PNTR is at risk, so the Chinese will probably breathe easier for that. I wish it was, because of their ongoing egregious abuses. It is not just in this area, but in the ongoing forced abortion policy and the implementation of the one-child-per-couple policy, the only policy in the world where every woman in China has been malaffected with heavy fines and penalties to stay within the one child limit, when and if that one child is permitted. It is barbaric in the extreme. That is coupled with religious freedom and the political prisoner issue, the use of the prison-made goods that are then exported. That MOU has to come under more scrutiny as well, because it has not been implemented. This MOU, or compact with China, needs to be engaged. I would ask that the Administration do that as quickly as possible. Otherwise, China gets away with, as Mr. Rohrabacher said, impunity.

There is no penalty for any of these abuses they commit, so they will commit more. As the Premier said, they are going to crack down on these "cults," and sure enough, that is the one promise, regrettably, they are keeping.

Mr. Tancredo.

Mr. TANCREDO. Thank you, Mr. Chairman. And I unfortunately was unable to be here at the beginning, so I run the risk of being redundant and therefore will be very brief in my redundancy. And that is, that I can remember so distinctly during the debate on PNTR saying that, you know, I certainly did not believe that a result of passage would be a change in the behavior of the Government of China because, of course, they were lobbying heavily for it. And there is some strange logic that was used on the part of many of my colleagues saying that if we do this, it will essentially change China into this Jeffersonian-type democracy that will just spring up everywhere, and it will all be great and they will start treating their people better in human relations. And so you have got the Government of China in here lobbying for it, you know, something that would in fact throw them out of business.

I mean, it was just ridiculous. Of course it wouldn't. And it did just the opposite; it propped up the government. It now makes it more possible for them to do what they are doing because the economy is improving, it is true, and it is improving much as a result of PNTR.

So I just don't know what to do. And I really do look to you and the Chairman for his leadership in this issue, because once you

have done this—and if we are not going to retract and repeal PNTR, then I don't know what you really have left. A lot of words are used time and again, demonstrations out here in front of the Capitol. We have spoken, I have certainly spoken, introduced resolutions. We have tried so many things, but I don't know what you really can do, what this country can really do to effect the kind of domestic policy changes we want to see in a country like China, because they have become sort of immune to most of the things that we would have done and could have done, had they not become so powerful in terms of their economy. What can we do?

Ms. BIRKLE. At a minimum, I think what we cannot do is stop what we are doing currently. We have a host of tools that we are trying to use—and I think we have seen progress in some small areas—diplomatic tools, programmatic tools with our projects on the ground, multilateral efforts. If we can see some of these commitments, for example, through not running a resolution at the Commission on Human Rights in Geneva, we have to continue using what we have at our disposal. So what we can't do is to pull back now. We have got to keep trying to engage and move forward on these issues.

Mr. TANCREDO. I certainly do not want to encourage us to pull back on anything. I just am at a loss to know what levers can be pushed that are effective under these conditions.

But, anyway, thank you. Thank you, Mr. Chairman.

Mr. SMITH. Mr. Fortenberry.

Mr. FORTENBERRY. Thank you for your testimony today. I have visited with some constituents who had a particular concern about the children of followers, practitioners of Falun Gong, who have become orphans because of the persecutions against their parents who may have been exiled or killed. Do we have a mechanism in the government to potentially help with adoption and placement of these children and a way to petition the Chinese Government to let them come here?

Ms. BIRKLE. Thank you. Chairman Smith had mentioned that earlier, too.

Mr. FORTENBERRY. I am sorry. I didn't hear that earlier. Does it bear repeating?

Ms. BIRKLE. It does bear repeating. It is a vitally important issue. And I don't know that we have a mechanism in place specifically for children of Falun Gong members who have been imprisoned, so I need to get back to you on that. I think it is an issue that definitely warrants exploration.

Mr. FORTENBERRY. We would appreciate your help on that.

Thank you. Thank you, Mr. Chairman.

Mr. SMITH. Chairman Rohrabacher, do you have any follow-up questions or anything?

Mr. ROHRABACHER. I would just like to note that Mr. Tancredo was expressing the same frustration that I have experienced over these last 17 years where, again, people keep suggesting simply having an economic relationship with a dictatorship is going to, in some way, turn that dictatorship into a more democratic and caring society.

Let me note that under Ronald Reagan—and I worked in the White House with Ronald Reagan—we had just the opposite strat-

egy with the Soviet Union. Just the opposite; much less giving them credits, or Most Favored Nation status or providing, for example, export-import bank loans to them and such as that. We were trying to do our best to isolate the Soviet Union economically, and that is what brought down that Communist dictatorship.

And I might add, that had Ronald Reagan been President at the time of Tiananmen Square—the reason why we had a different strategy with China was that China was evolving in the right direction during Reagan’s Administration—and it wasn’t until Tiananmen Square that there was a reversal of that. And I believe that had Ronald Reagan been President at the time of Tiananmen Square, that the Chinese leadership would not have called out the troops and sent in the tanks and slaughtered the democracy movement, because there would have been a price to pay; and that price would have been major economic sanctions, pulling back from the credits and pulling back from the economic relationship. But instead there was zero price that the Communist leadership had to pay for mowing down those democracy advocates in Tiananmen Square.

And, of course, this was—George Bush’s father was President at the time. And within a very short period of time, it was not only business as usual; but it was now, if we do more business, you are actually going to become better. So—and that is part of the theory that I mentioned to Mr. Tancredo was called a “hug a Nazi, make a liberal” theory. And if you just hug these guys and treat them nicely, they are going to become liberals.

Well, that just isn’t the case. And I think that we have got to have some very tangible tough policies. That doesn’t mean warlike policies or belligerent policies, but at least we must have some economic standards that say we treat vicious dictators who oppress people like the Falun Gong and other religious believers differently than how we treat democratic countries like Italy or Belgium or any other country such as that, like Costa Rica or whatever.

So with that in mind, I thank you very much for holding this hearing. I am looking forward to the testimony of those people who will now tell us how this is affecting us domestically, the fact that it is coming back and actually involving the repression and touching people who live right here in our own country. Thank you very much.

Mr. SMITH. I thank my friend for his statement. When Chi Hao Tian, the operational officer at Tiananmen Square, made his infamous comments at the War College several years ago, that nobody died in Tiananmen Square, we put together a hearing within 2 days and heard from survivors of Tiananmen Square who obviously bore witness to the bold-faced lies that he had uttered while on our soil, including a *Time Magazine* and a *Peoples’s Daily* editor who has suffered in prison himself for writing factually about what had happened at Tiananmen Square.

It is worth noting that Mr. Tancredo yesterday, on H.R. 2601, the Foreign Relations Act of 2006–2007, had a very important amendment that called on another general who is threatening the United States with nuclear annihilation and the unleashing of nuclear weapons if we in any way think we are going to help Taiwan if

they are attacked. I think it was very important that the House went on record strongly on that.

So let me just conclude with a final question, if I could. This Committee has heard torture victims for years, and it almost becomes numbing to people to tell the horrific cruelty that they suffer all over the globe. China seems to excel when it comes to torture. They have honed their skills to extract pain and suffering from people who disagree with the dictatorship and with their policies. They also target those who don't, like the Falun Gong, who just want to practice their faith as they would like to see fit.

There is an urgency factor here—and this is what I hope and I know you feel it personally—when it comes to following up on trying to get China to ameliorate their behavior.

When the Department decided this past March not to table a resolution in Geneva, as you mentioned, some of those promises were made. My question is: How aggressively are we following up to ensure that things like torture are stopped? Surely if I lived in China and said anything like I am saying today, I would be hauled off to the laogi like Harry Wu and so many others were, and I would suffer the cruelty of torture.

So the question is: What are we going to do to follow up? I hope that the first thing would be we will look at an MOU there and do so tout suite, the third committee in the U.N. General Assembly this fall. Are we looking to table a resolution on China's ongoing abuses there? Also, does the Department, in your assessment—because it now has been several months—feel that it was worth not raising the issue in Geneva? Did we get what we thought we would get? Has there been any improvements that we can speak of with regard to their human rights record?

Ms. BIRKLE. Starting with the commission in Geneva, it is still an open book. I think, yes, we are optimistic that we will have some concrete results based on those benchmarks. In particular, one of the benchmarks was to publicly post that religious education of minors is allowed. The Chinese did do that. There is progress. It is imminent that they are going to open an office of the International Committee of the Red Cross. Those are important steps.

Mr. SMITH. Does that include the Falun Gong? Can an adult teach his or her child the ways of the Falun Gong?

Ms. BIRKLE. The directive from the government is that religious education of minors is allowed. So what that did was set a standard for us, so if there are cases when that does not happen, we can now go back to the Chinese and say this is the standard you yourself set. Your government has set this standard. We needed that benchmark; we did not have that before, and I think that is a very significant step.

As we discussed earlier, if the special rapporteur is allowed to visit, Mr. Nowak, that is a very significant factor if he can get into some prisons to catalog some of these issues. So in that sense I am optimistic.

As I said, and it is worth repeating, there was no guarantee that we would never run a resolution again. And our intent is to hold the Chinese accountable to their promises. There is not discussion right now, but I need to leave it to our experts at the Department

about anything in the General Assembly this fall. But others in the Department are better poised to answer that.

And, I am sorry; the first issue, there was another component to your question. Did that cover it for you?

Mr. SMITH. I think it covered it.

Ms. BIRKLE. And using the international—

Mr. SMITH. Which I raised several times.

Ms. BIRKLE. And we will certainly consider that. Yes.

Mr. SMITH. Thank you so much for your testimony. We look forward to working with you going forward.

I would now like to welcome to the witness table our second very distinguished panel.

We will begin with Yonglin Chen who was the first Secretary and Counsel for Political Affairs at the People's Republic of China's Consulate in Sydney, Australia from July 2004 to May 2005. From April 2001 to 2004, Mr. Chen served as Second Secretary at the Sydney Consulate. Prior to his work in Australia, he served as the Chinese Diplomat at the Department of North America in Oceania Affairs, Ministry of Foreign Affairs of the People's Republic of China from 1992 to 1994, and again from 1997 to 2001. He also served in the political section of the PRC's Embassy in Fiji.

We will then hear from Dr. Shiyu Zhou who is Vice President of Programming of New Tang Dynasty Television. Dr. Zhou was a Computer Scientist at the Mathematical Sciences Research at Bell Labs, and then joined the faculty at the Department of Computer and Information Science at the University of Pennsylvania where he received the National Science Foundation career award. Dr. Zhou is now an Adjunct Professor at the Department of Computer Science in my home State at Rutgers University. He has published several articles in prominent scientific journals. In addition, Dr. Zhou is co-founder of the Association for Asian Research.

We will then hear from Mr. Stephen Gregory, the global Board Chair for all English-language divisions of *The Epoch Times*. The Chinese-language *Times* started publishing in response to the growing need for uncensored coverage of events in China. The first newspaper was published in New York in May 2000 and the Web launched in August 2000. Local editions published by the regional bureaus soon followed, making it the largest of any Chinese-language newspaper outside of mainland China in Taiwan. He has held teaching and administrative positions in academia, including 12 years of managing grants from private foundations with budgets in excess of \$1 million.

Finally, we will hear from Ms. Mickey Spiegel, Senior Researcher at Human Rights Watch. Ms. Spiegel has been working on China for Human Rights Watch since 1990. Among her recent writings are a chapter, "Control and Containment in the Reform Area," and *God and Caesar in China: Policy Implications of Church-State Tensions*, 2004. She co-edited the March-April 2000 Documents on Religion in China 1980–1997, Central Government Policy No. 1, part of the Chinese Government and Law series. Ms. Spiegel has written many reports for Human Rights Watch and topics related to religion in China, including most recently "Trials of a Tibetan Monk: The Case of Tenzin Delek," as well as "Dangerous Meditation," a report on the repression of the Falun Gong.

Mr. Chen, if you could begin.

**STATEMENT OF MR. YONGLIN CHEN, FIRST SECRETARY AND
CONSUL FOR POLITICAL AFFAIRS, FORMER CHINESE CON-
SULATE, SYDNEY, AUSTRALIA**

Mr. CHEN. Thank you, Mr. Chairman, Members of the Committee. I am very honored to be here today. My name is Chen Yonglin. I was the former Consul for Political Affairs of the Chinese Consulate General in Sydney from April 2001 to May 2005. Prior to my job in Australia, I had worked in the Ministry of Foreign Affairs of China for 10 years. When I worked in the Chinese Consulate General in Sydney, I was in charge of the Falun Gong affairs. I have met two Deputy Director General of the Central 610 Office in Sydney when they toured Australia and New Zealand to inspect our job on persecuting the Falun Gong.

I would like to testify today about how the CCP, the Chinese Communist Party, has implemented its policy of persecuting Falun Gong practitioners in mainland China and overseas, specifically in Australia. The following is a summary of my testimony.

The CCP's persecution on the Falun Gong is a systematic campaign with all authorities in mainland China involved. On June 10th, 1999, the central office of handling the Falun Gong issue was established to command the campaign. That office was called the Central 610 Office. In each of all the government institutions and the state-run organizations and companies, there must be a 610 Office, though their name may be slightly different.

The Minister of Foreign Affairs set up the Office of the Falun Gong Issue, operating under the General Office of the Minister of Foreign Affairs as a part of 610 Office systems. In July 2004, it changed its name to the Department of External Security Affairs.

Massive and extremely harsh measures were taken against the Falun Gong practitioners. I was told by Mr. Xiaoxiang, Deputy Director of the Central 610 Office, after 6 years they must crack down. There are now only over 60,000 Falun Gong practitioners left in China. Half of them are still in prison in the labor camps, and the other half are under strict surveillance and control. Each year, the CCP must spend an average of 150,000 Chinese yen, which is approximately 18,300 United States dollars, in controlling each Falun Gong practitioner in China. Thousands of Falun Gong practitioners in China have died in prison because of inadequate management and police brutality. That is a small number compared with the 80 million innocent lives deprived by the CCP in the last 56 years.

The war on the Falun Gong has expanded to overseas in the year 2000. In each Chinese mission overseas, there must be at least one official in charge of the Falun Gong affairs. In February 2001, the Chinese Consulate General in Sydney set up the special group for struggling against the Falun Gong. This group is part of the 610 Office system, and its sole task is to monitor and persecute the Falun Gong. To my knowledge, similar groups have been established in the Chinese missions in the United States and other countries where the Falun Gong is active.

Besides the diplomatic system, there is an intelligence collection system working against the Falun Gong as well. I am aware there

are over 1,000 Chinese secret agents and informants in Australia, and the number in the United States should not be less. The CCP's foreign policy on the Falun Gong is to fight intensely and give no ground, to attack at will, and aggressively.

The United States and Australia are considered by the CCP as the base of the Falun Gong overseas. The foreign government officials are the main targets of CCP propaganda. The Chinese diplomats are required to denounce the Falun Gong and to distribute anti-Falun Gong materials whenever it is possible. Both means of economic benefit and strong political pressure are used to lobby the foreign officials.

Other targets of CCP propaganda include nongovernmental organizations, libraries, schools, visitors to the consulate, and the media. The local Chinese media are mostly controlled by the CCP on account that their existence relies on some large Chinese companies' advertisements and sponsorship. The situation here in the United States should be as similar as in Australia.

The New Tang Dynasty Television is a news-based media company which offers accounts of uncensored news over the skies of mainland China. It is labeled as Falun Gong television by the CCP. In April this year, the Chinese Consulate General in Sydney received a report from the Ministry of Foreign Affairs of China claiming a big victory has been achieved by our missions in Europe. A European company has announced that it will not renew its contract with the New Tang Dynasty Television, and other missions of the CCP are asked to obtain further progress in knocking down all the satellite service of the New Tang Dynasty Television. Strict surveillance and monitoring measures have been imposed upon the overseas Falun Gong as well. There is a broad blacklist of the Australian Falun Gong practitioners used for border checking, passport renewal, and surveillance in Australia.

The Chinese community, Chinese students, and the Chinese companies in Australia are mobilized to squeeze the Falun Gong's living space.

Ladies and gentlemen, communism is the real evil cult, and the CCP is a state terrorist group. The CCP should stop from continuing to persecute the Falun Gong practitioners. Thank you.

[The prepared statement of Mr. Chen follows:]

PREPARED STATEMENT OF MR. YONGLIN CHEN, FIRST SECRETARY AND CONSUL FOR POLITICAL AFFAIRS, FORMER CHINESE CONSULATE, SYDNEY, AUSTRALIA

Good afternoon, Mr. Chairman and members of the Committee. Thank you for this opportunity to testify. My name is CHEN Yonglin, former Consul for Political Affairs (First Secretary rank) of the Consulate-General of the P. R. China in Sydney. I worked in the Chinese Consulate-General in Sydney in the period from April 26, 2001 to May 26, 2005. Before I came to Sydney, I had worked in the Ministry of Foreign Affairs of China for about 10 years, and in the period from August 1994 to August 1998 I was posted in the Chinese Embassy in Fiji. I would like to testify how the Chinese Missions abroad and specifically in Australia implement a policy of persecuting Falun Gong practitioners.

According to my knowledge, the persecution on the Falun Gong by the Chinese Communist Party (CCP) is a systematic campaign. All the authorities especially of public security, state security and Foreign Affairs are involved in the persecution. Since the CCP declared a war against Falun Gong practitioners in June 1999, the Ministry of Foreign Affairs (MFA) of China set up an office called "The Office of the Falun Gong Issue" operating under the General Office of the MFA as a part of "The Central 610 Office" system. The Office of Falun Gong Issue of the MFA changed its name to "The Department of External Security Affairs" in July 2004 whose function

also includes dealing with the Eastern Turkistan groups and other “non-traditional security affairs.” Other ministries of the Central Government, Provincial and various levels of governments and state-run institutions and companies established their own 610 offices as well, though the office may be called a slightly different name. In each Chinese mission overseas, there must be at least one official in charge of the Falun Gong affairs, and the head and the deputy head of the mission will be responsible for the Falun Gong affairs. I am aware there are over 1000 Chinese secret agents and informants in Australia, who have played a role in persecuting the Falun Gong, and the number in the United States should be higher.

I. THE WAR ON THE FALUN GONG IN CHINA

I was told by Mr. WANG Xiaoxiang, Deputy Director of “The Central 610 Office” who visited Sydney on December 21 to 23, 2001: The CCP Central Office of Handling the Falun Gong Issue was established on June 10, 1999, which was later changed into “The Office of Preventing and Handling the Evil Cult Problem of the State Council,” and the insiders always used the name “The Central 610 Office.” Massive and extremely harsh measures have been taken against the Falun Gong since early 2001 on account that there are still a huge number of Falun Gong practitioners demonstrating at the Tiananmen Square and practicing the Falun Gong on the public place every day. Mr. WANG said, “Normally the practitioners number visiting the Tiananmen Square every day reaches several dozens, and sometimes over 1000. These people were very strange. The Security guards had to drag them into the coach waiting nearby. However, some of them were cooperative. The police just invited them to get on the coach. We sent them to the suburbs gathering centers or stadiums and asked the police of each relevant local government to escort them back to their homes. The village and street committee have the responsibility to strictly monitor them and control their movement. If they flee away again, all the officials in that province are held responsible.”

I was briefed about the recent development of the war against the Falun Gong by Mr. YUAN Yin, Deputy Director of “The Central 610 Office” who visited Sydney on December 16 to 18, 2003, accompanied by nine officials from both his office and the MFA Office of Falun Gong Issue: The war against the Falun Gong has achieved “momentous victory,” the number of the Falun Gong practitioners has dropped dramatically after “skillfully exposing some Falun Gong suicide cases.” The Falun Gong practitioners demonstrating at the Tiananmen Square have decreased because the majority of them have been controlled and are under strict surveillance. To control each Falun Gong practitioner, the Chinese Communist Government needs to spend an average of 150,000 Chinese Yuan (approximately US\$18,300) each year. There are now still over 60,000 Falun Gong practitioners in China, and half of them are in prisons and labour camps, and another half are under control. “The cost [on fighting against the Falun Gong] is very worthy. If we allow their existence without control, then our [Communist] Party will be facing a giant enemy, and our society will not be stable,” said Mr. YUAN.

When I was in the Chinese Consulate-General in Sydney, about one hundred delegations headed by senior officials, whose ranks are above vice minister, toured Sydney at the Chinese taxpayers’ expenses. I often looked after these corrupted officials, and had the chance to hear from them many inside stories about how they managed to catch the Falun Gong practitioners by resorting to all resources. While in the Consulate, I have read a lot of confidential background materials about the Falun Gong death cases, and these Falun Gong practitioners were always accused of “being uncooperative” or “committing suicide” but actually died of inadequate management or police brutality.

II. THE WAR ON THE FALUN GONG IN AUSTRALIA

The war against Falun Gong is one of the main tasks of the Chinese missions overseas. In February 2002, the Chinese Consulate-General in Sydney set up “The Special Group for Struggling against the Falun Gong” headed by the Consul-General and Deputy Consul-General, consisting of representative from all sections in the Consulate including Political Research Section, Culture Propaganda Section, Overseas Chinese Affairs Section, Trade and Commercial Office and Education Office. The Special Group held a meeting once every two weeks. In 2002, as I took over the responsibility as the coordinator, such a meeting was held once every two months, and in the next two and a half years once every quarter. The Falun Gong issue is the priority of the Consulate’s job, and it is a daily, long-term job. The Special Group is a part of the “610” office system of persecuting the Falun Gong.

The Australian model for “the war on the Falun Gong” is exactly the same in the United States and other countries where the Falun Gong is active. The Falun Gong

policy of the central CCP for the overseas missions is “To fight eyeball to eyeball, to attack voluntarily and aggressively”.

Some of the measures taken to squeeze the “living space” of the Falun Gong include:

1. Carrying on a large-scale anti-Falun Gong propaganda campaign in foreign countries including Australia and the United States. In the first half year of 2002, the missions in Australia successfully held an anti-Falun Gong Pictorial Exhibition respectively. The Chinese Consulate-General in Sydney held it in the name of “Promoting Chinese healthy Culture and Opposing the Cult.” The Consul-General preaches the CCP’s policy on the Falun Gong whenever he hosts or attends any functions. The Consulate staff frequently sends anti-Falun Gong letters, news bullets, notes and other printed materials to various governmental officials or do it through some “friends”, whenever it is considered necessary. Every year, the Consulate has distributed countless bundles of anti-Falun Gong materials to all levels of the NSW governments, non-governmental organizations, libraries, schools, and visitors to the Consulate. When the Consulate staff visits remote areas of New South Wales (NSW), anti-Falun Gong materials will be brought to distribute. The website of the University of Wollongong displayed a photo of the Falun Gong stall in 2004, however after a complaint from the Chinese Students Friendship Association controlled by the Consulate, the photo was eliminated in several hours.

The China Central Television (CCTV) paid the Sydney Chinese Television (service offered by Channel 31) for renting the prime time to broadcast a series of footages recorded from the CCTV “Focus Interview” on opposing the Falun Gong. Some local Chinese media in Sydney such as former 2AC Chinese Daily, Singtao Daily, Australian Express Daily and the website “Chinatown Online” are all pro-CCP on the news report with regard to the Falun Gong. Once, there is a Falun Gong practitioner who won a bidding for “Half-an-hour Interview at Your Will” by 2AC mandarin radio, and the Consulate official who attended the function immediately asked the radio to lay some restrictions on the interview and forced that Falun Gong practitioner to give up the interview.

2. Putting pressure on the officials of the various Australian governments and exchange for political benefits by economic means. These officials include the NSW state Government, the state Parliament, the City Councils, the state Labour Party and the Liberal Party. Facing huge pressure, Bankstown, Rockdale, Hurstville, Burwood and some other cities councils voted down the motions in support of the Falun Gong or took some actions in favour of the CCP policy on the Falun Gong. The Consulate’s work has been very successful, and as a result only a handful NSW Parliamentarians and councilors are willing to meet the Falun Gong practitioners or speak on their rally and no more city councils dare to issue any appreciation letter to the Falun Gong.

The economic means are quite successful. The CCP leaders decided to give the Guangdong LNG contract to North West Shelf in 2002 as a part of China’s “Grand Border Concept” strategy for obtaining both Australia’s natural resources and its political compromise. The Consulate in Sydney has cultivated intimate relations with a lot of federal and state officials by inviting them to visit China, promoting their individual business ties with China and hosting dinners for them.

Each year, there are numerous Chinese officials visiting Australia. They have the task to use all the official occasions to denounce the Falun Gong. Mr. Wu Bangguo, Chairman of the National People’s Congress of the Chinese Communist Party regime visited Sydney in May 2005 and did not forget to denounce the Falun Gong as an “evil cult” in his speech to some pro-CCP people of the Chinese community though there is no Falun Gong demonstration during his visit.

3. Carrying out the policy “To Fight eyeball to eyeball” with the Falun Gong. The Consulate has successfully defeated the attempt of the Falun Gong to participate in the Chinese Spring Festival parade. The Consulate has consecutively forced the NSW Railway Authority and Sydney International Airport Company to take down the large lamp billboard with the words “Truth, Forbearance and Tolerance.” In order to prevent Sydney Minhui School (whose principal is a Falun Gong practitioner) from being sponsored by the NSW Department of Education and Training, the Consulate has put enormous pressure on the Department of Education and Training, and the case is still there. After talking with the Fairfield City Council, the initial plan of establishing a “Truth, Forbearance and Tolerance” stele was forced to cancel. There is a broad “black list” of Australia Falun Gong practitioners used for border checking and surveillance in Australia.

However, not all complaints are successful. In May 2003, the Consulate’s representation to the NSW Government and the Sydney Council against a Chinese Cultural Performance Evening Party hosted by some Falun Gong practitioners resulted in vain. A lot of Chinese community organizations were mobilized to write letters

to or call the Mayor and councilors. The Consulate prepared the content of the letter and asked them to sign and deliver to the Council. The Council stated that it would not send any official to attend the Evening Party, but insisted that the Falun Gong practitioners had the right to rent the Sydney Town Hall under a commercial contract.

4. Mobilizing the force of the Chinese community, Chinese students and Chinese companies in NSW to squeeze the Falun Gong's living space. Each year the Consulate officials will attend hundreds of functions held by the local Chinese community, each time the Consulate shall demand the host to guarantee that no Falun Gong practitioners will be present. The Consulate has held a number of talks with the Chinese community on opposing the Falun Gong, and initiated a campaign of signing to complain about the Falun Gong. The Consulate paid certain Chinese scholars the fee for their trips to China to encourage them to speak against the Falun Gong on TV or write articles for the newspapers. Some visa applicants were asked to swear at the Falun Gong demonstrators in front of the Consulate.

5. Strictly controlling and monitoring the Falun Gong activities. The Consulate has informed the Russian Consulate-General in Sydney twice about the main list of the Falun Gong practitioners, and the latter helped to intercept a number of the Falun Gong practitioners who wanted to enter Russia in the period while Jiang Zemin were visiting Russia. All the Chinese language schools in NSW are allowed to use the textbook issued by the Overseas Chinese Affairs Office of the State Council except Sydney Minhui School with the Falun Gong background. Each year, there are over 20 Falun Gong practitioners intercepted by the Chinese Consulate, who want their visas or Chinese passports to be renewed. For those Chinese nationals who want to extend their passports, the Consulate normally confiscates their passports. There are some local Chinese and Chinese students encouraged to mix with the Falun Gong practitioners for the purpose of collecting information, and the award will be some cultural performance tickets, dinners, gifts and cash.

These are just a few examples of the persecution on the Falun Gong that the CCP organizes and engages in the state of NSW, Australia. Activities in the same nature are also carried out in other countries wherever the Falun Gong is active.

III. THE CHINESE PEOPLE NEED THE FREEDOM OF BELIEFS

There are 4.8 billion people having religious beliefs taking about 80 % of the world population. In China, under the persecution of the CCP, there are only 0.1 billion Chinese having certain beliefs taking less than 8 % of China's population. Obviously, there is no freedom of religion and beliefs under the dictatorship of the CCP. The CCP should be stopped from persecuting the Falun Gong and other religious groups.

Thank you.

- Appendix 1: The Profiles of the Members in the Special Group for Struggling against the Falun Gong (the Chinese Consulate-General in Sydney)
- Appendix 2: Reference Materials for Envoys Conference in Beijing: Overseas Battle on Falun Gong Issue (5)
- Appendix 3: A telegraphic fax from Embassy of the PRC in Australia which contains approximately 300 names of Falun Gong practitioners in Australia
- Appendix 4: The Australia Falun Gong Organization Chart given by an informant to the Chinese Consulate-General in Sydney

Appendix 1

The Profiles of the Members in the Special Group for Struggling against the Falun Gong (the Chinese Consulate-General in Sydney)

Section (person in charge)	Work Assignment
Political Research RUAN, Dewen	1. Relations with state and city governments and with major English media. This assignment should include drafting and distributing relevant letters, news bulletins and other writing for the Consulate-General. This assignment should also include lobbying government officials and parliament members to visit China. 2. Writing or compiling anti-Falun Gong materials in Chinese as well as in English. 3. Recommending to the Chinese-language media the anti-Falun Gong articles published by the People's Daily or by Xinhua News agency.

Appendix 1—Continued

The Profiles of the Members in the Special Group for Struggling against the Falun Gong (the Chinese Consulate-General in Sydney)

Section (person in charge)	Work Assignment
	<ol style="list-style-type: none"> 4. For the special circumstance in Sydney, writing or rewriting some articles to criticize Falun Gong, and publishing them on the local Chinese-language media in the name of spokesperson for the Consulate-General. 5. Briefing the reporters our media agencies in Sydney of news-worthy information and big cases (about the Falun Gong). 6. Coordinating with all the sections in the Consulate in collecting all the materials that Falun Gong is distributing. 7. Analyzing and reporting in summary to Beijing about the work done by each section and the information collected.
Culture and Propaganda LONG, Yanping	<ol style="list-style-type: none"> 1. In charge of the propaganda bulletin board set up in the yard of the Consulate. 2. Distributing to the state and city governments, and to the media, the anti-Falun Gong materials that are sent to us from Beijing. 3. Expanding positive propaganda by strengthening cultural exchange activities in Sydney and the nearby area and by using the opportunities of visiting Chinese cultural, sports and performance teams. 4. Supply anti-Falun Gong video, audio, and text materials to local Chinese-language television, radio, and SBS Chinese broadcasting.
Visa JU, Jinghu	<ol style="list-style-type: none"> 1. Safeguarding the Visa application, compiling names and personal information of Falun Gong practitioners who come to apply for visa but been intercepted by us. 2. Interview such intercepted Falun Gong practitioners and gather information. 3. Through interviews with acquaint Chinese, gathering information about Falun Gong, about any law-violating cases or family-damaging cases that involving Falun Gong.
Overseas Chinese Affairs XU, Quan	<ol style="list-style-type: none"> 1. Distributing anti-Falun Gong materials to Chinese associations; Pushing overseas Chinese to hold anti-Falun Gong forums, news briefings, or to make declarations and fact-rectification announcements, etc. 2. Pushing overseas Chinese to write letters to the State and local governments, and to the parliament, to criticize Falun Gong. 3. If practical, in some special days, organizing overseas Chinese to engage in eyeball to eyeball fight with Falun Gong. 4. Gathering information through the channel of overseas Chinese about Falun Gong, including law-violating cases or family-damaging cases that involving Falun Gong.
Trade and Commerce ZHANG, Zhandong	<ol style="list-style-type: none"> 1. Voluntarily and actively revealing the “evil cult” nature of Falun Gong to all the Chinese-owned businesses, and urge the Chinese-owned businesses to take care of their employees (against Falun Gong). 2. Providing to the Chinese-owned businesses the related anti-Falun Gong materials in text, audio, and video format. 3. Finding out the advertisement spending of the Chinese-owned businesses, asking them to re-allocate spending according to each media’s attitude (towards Falun Gong). 4. Organizing the Chinese-owned businesses to help us gathering information (about Falun Gong).
Education AN, Yufeng	<ol style="list-style-type: none"> 1. Voluntarily and actively telling the Chinese overseas students the “evil cult” nature of Falun Gong, and asking them to seek opportunities to work on their schools (over anti-Falun Gong issue). 2. Showing anti-Falun Gong video programs as inserts when showing movies or videos for the Chinese overseas students. 3. Providing to the Chinese Student and Scholars Associations in each university our anti-Falun Gong materials in text, audio, and video format. 4. Identifying a few reliable Chinese students to gather information for us. 5. If practical, on some special days, organize overseas Chinese to engage in eyeball to eyeball fight with Falun Gong. Helping them and overseas Chinese to make anti-Falun Gong banners and display boards.

The Consulate-General of the P. R. China in Sydney

07/02/2001

APPENDIX 2

Confidential
Doc No. 106REFERENCE MATERIALS FOR ENVOYS CONFERENCE IN BEIJING: OVERSEAS BATTLE ON
FALUN GONG ISSUE (5)

(CONSULATE-GENERAL IN SYDNEY)

1. Falun Gong Activities in the Sydney Area

There are about 3,000 Falun Gong followers in Australia, with more than half of them concentrated in the Sydney area. Since April of this year, Falun Gong elements have frequently protested in front of the Consulate-General in Sydney. On June 3, as many as 200 Falun Gong elements made trouble in front of the Consulate. From July 20 to 21, after the news that our Government was going to ban the Falun Gong was spread to the outside, more than 100 Falun Gong elements demonstrated in front of the Consulate in an attempt to deliver a protest letter. Since July 25, when we formally announced the Falun Gong as an illegal organization, a few Falun Gong followers and some jobless people hired by the Falun Gong have been sitting in front of the Consulate every day for more than 4 months up to now. When President Jiang visited Australia in early September, Falun Gong elements, collaborating with Tibetan Separatists, Taiwan Pro-independence force, Uygur Separatists, and Pro-democracy activists, protested around the hotel where our delegation stayed. That created a situation of an assembly of "Five Poisonous Groups". Falun Gong elements also surrounded and attacked the Chinese newspapers that have published articles of criticizing the Falun Gong. They used the internet to communicate, organize their activities attempting to expand their influence. Additionally, under the excuse of "fighting for freedom and human rights," they tried to lobby the Australian local government officials and members of the Parliament. The situation of the battle against Falun Gong in the State of New South Wales where Sydney is located is quite severe.

2. The Work done by the Consulate at the Early Stage

The Consulate's main counter-strategy in the battle against the Falun Gong is to actively respond, take the initiative to strike, work to create the inner dispute, to convert some soft elements and "disinfect" the existing bad influence. (1) Strengthen the investigation and research on the Falun Gong related information and trends. The Consulate, through media, the internet, and friends in all walks of life, should get to know the Falun Gong organization and gather information about their key activists. Learn in advance about the large-scale events organized by Falun Gong, so as to be well-prepared. (2) Strengthen monitoring. Our Consulate has put all the Falun Gong key activists we know onto an internal monitoring list. Because of our tight control, we found many Falun Gong elements when doing paper work. We immediately invited them to have a meeting, to persuade them to separate from Falun Gong organization. (3) Conduct propaganda work through multiple channels. Use diplomatic activities to introduce our related policy, disclosing Falun Gong's nature as an evil cult; send propaganda materials to major government bodies and officials in the State of New South Wales; link the Consulate webpage to the webpage of the State Council's Press Office, and open a special column to expose and criticize Falun Gong; download critical articles from the internet, rewrite them according to the local situation, and send them to local Chinese media to publish; take the initiative to contact the Sydney Chinese language television station to play video tape that exposes and criticizes Falun Gong; organize forums for overseas Chinese community leaders, celebrities from all segments of society, Chinese people, overseas Chinese students and scholars to criticize the evil and warped theories of Li Hongzhi. (4) Try to work on local government officials. Focus on the state government of the State of New South Wales, as well as parliament members, police, and cities and counties in the suburban areas of Sydney where Falun Gong elements concentrate by sending materials, introducing information and facts, and spreading our related policy. At the same time, keep contact with the State of New South Wales Office of the Ministry of Australian Foreign Affairs and Trade and Police Department of the State of New South Wales, urging them to promptly solve the problem of Falun Gong elements' sitting in front of the Consulate. After negotiations, recently the Police Department of the State of New South Wales has taken some restrictive measures toward the protestors.

3. *Work Plan for Next Stage*

(1) Strengthen our leadership of the battle against Falun Gong. The leading team will be headed by the Consul General, and staffed by the Vice Consul General and person-in-charge in offices of the community, education, culture, and research. There will be a clear division of work, and each person will take his/her responsibility. The battle against the Falun Gong will be our top task and will continuously carry it on as a long-term operation. We will also be forward-looking and take more aggressive initiatives to strike. (2) Step up the investigation and research on Falun Gong. Continue to follow and understand the trend of Falun Gong through the internet, friends in all circles of the society, and other channels; promptly share information with the our other diplomatic and consular missions in Australia, and do our work with a clear target. (3) Actively work to split Falun Gong elements into several parts. Continue to maintain tight control over visa and passport issuance, put newly found Falun Gong elements onto an internal monitoring list, and promptly inform the related authorities in China and other Embassies and Consulates in Australia. Educate Falun Gong elements, differentiate them according to their attitudes. For ordinary elements that formally denounce the Falun Gong organization and show a willingness to repent and write pledges no longer to get involved in the Falun Gong and anti-government activities, if they apply to enter China, we will report to Beijing for review; for key elements, we need to have tight control and forbid their entrance into China. Additionally, our Consulate will seek some volunteers in the local Chinese community and students to work for us in dealing with Falun Gong elements. At the same time, to do an active work on Falun Gong practitioners in some friendly Chinese community groups, so as to open a breach to facilitate a split in the Falun Gong organization. (4) Strengthen our propaganda: Continue to provide critical articles to local media; on some occasions, organize press conferences, lectures, media interviews, and issue press releases. Encourage the Chinese nationals, the Australian Chinese, and our students and scholars in Australia to write hard-hitting critical articles for the Chinese language media. For Falun Gong elements that show a willingness to repent, encourage them to criticize the Falun Gong with their own experiences. Actively lobbying the media to interview local anti-Falun Gong activists. (5) Continue to work on Australian local government officials. Place emphasis not on format, but on effect. Try our best to get their understanding and support. At the same time, raise serious representations with some officials of the Australian local governments who viciously support the Falun Gong with their remarks and actions, and take reasonable, effective, and proper measures to fight with these officials.

December 8, 1999

Appendix 3

A telegraphic fax from Embassy of the PRC in Australia which contains approximately 300 names of Falun Gong practitioners in Australia:

I. Telegraphic Fax of the Embassy of the People's Republic of China in Australia

Embassy of the People's Republic Of China
15 Coronation Drive, Yarralumla, Canberra, A.C.T. 2600, Australia
Telephone: (61-2) 62734782 Fax: (61-2) 62734235

To: Sydney, Melbourne **Level of Importance:** Very Urgent **Pages:** 6

Receiver's number: ----- **Sender:** 0061 2 62734235

Drafted by: Ji Ningfeng **Approved by:** Zhou Wenzhong (hand written: 23/12)

(Translator's note: Zhou Wenzhong used to be the Chinese Ambassador for Australia. He is now the Chinese Ambassador for USA)

RE: (No Title)

Sydney, Melbourne Chinese Consulate,

Please find a copy of the name list.

From Australia Chinese Embassy
23 December, 1999

(Translator's note: The name list attached is the details of approximately 300 Falun Gong practitioners which is not translated.)

Appendix 4

(Handwritten) This letter is sent by the organisation written on the back of the envelope. Please provide to Yan and Chen to read (Translator's note: "Yan" - Yan Qingwen who is the person in charge of overseas Chinese communities. "Chen" - Chen Yonglin is the person in charge of political issues). After double checking, we can put them into the controlling list.

Initialized by Du (Translator's note: "Du" - Du Wei is the Deputy Consul-General). February 8, 2004

"Australia Falun Gong Organisation Chart"

 Li Hongzhi

 originally the Falun Dafa Research Association

 Australia contact person (originally Ye Mingyan)

 Australia Falun Foxue Association

Wei Xibin Wei Junling (Holly, female) Meng Li (female) Tao Yanwen Li Qizhong Ma Hengjun
 Liao Xiaoqing (female) Michael Lin (Lam) Carol Lam (female) Tony Dai Zhao Liqi
 (the above are Sydney members)

Simon Warsharka Des Ford Fan Huiqiang Zhen Qingcheng (Grace Chen, female) Wang Youfeng (female)
 (the above are Melbourne members)

Li Junsheng (Joseph, Canberra member) William Luo (Luo, Brisbane member) Huang Fan Jirong
 (Wang, female, gold coast member) Wang Ping (female, Adelaide member) May Chen (female, Tasmania
 member)

 Sydney Instructor Centre Melbourne Instructor Centre Canberra Instructor Centre Queensland Instructor
 Centre South Australia Instructor Centre Western Australia Instructor Centre

- Note: 1. Melbourne Instructor Centre also looks after the Tasmania organisation
 2. There may be differences in some of the above mentioned people's names and pronunciations.
 3. Falun Gong's website in Australia, <http://www.falundafa.org.au/>
 4. In Australia, Falun Gong has the newspapers: *Da Di Cang Sheng* and *Da Ji Yuan*
 5. Falun Gong's radio station programs in Australia:
 Australia Chinese Radio News broadcaster: Fan Huiqiang
 Melbourne Chinese Radio Station (3CW) every Sunday 5pm - 7pm *Chat About Life* host: Jing Yi

Mr. SMITH. Thank you very, very much. I know that Members of the Committee—before going to Mr. Zhou—realize that your testimony is absolutely explosive. For a man who worked for the Government of the People's Republic of China to come before House Committees that deal with human rights and oversight, and to tell us in such clear and unambiguous words that there is a war on the Falun Gong going on in China that is not just within the confines of the People's Republic of China and is worldwide, and to give us the insights that you have given us, I hope that every member of the press, whether it be AP, AFP, Reuters, or all of the Chinese language press that are here, will take full note of your testimony

because this is absolutely explosive. This is a war with real casualties and real deaths, especially inside of China where torture is the preferred means of killing Falun Gong practitioners. We thank you for your courage in stepping forward as you have to provide this extremely explosive, useful and very damning indictment of the Government of China. Thank you so much.

Mr. CHEN. It is my obligation as a Chinese national to disclose the nature of the CCP and its persecution of its people in China.

Mr. SMITH. Mr. Chen, thank you so much.

Mr. Zhou.

**STATEMENT OF MR. SHIYU ZHOU, VICE PRESIDENT, NEW
TANG DYNASTY TELEVISION**

Mr. ZHOU. Mr. Chairman, Members of this Committee, ladies and gentlemen, thank you for giving me this opportunity to speak on the subject of Falun Gong and China's continuing war on human rights. My topic today is freedom of information.

Freedom of opinion and expression, including the rights to seek, receive and impart information and ideas is enshrined in and guaranteed under several international instruments. Nonetheless for Chinese people who reside in the mainland or overseas, this right has been more of a chimera than a reality, as the ultimate goal of the Chinese Communist Party (CCP) is to maintain its grip on power through a variety of mechanisms that include and indeed rely upon its total control over the flow of information in the Chinese communities not only inside China, but also the world.

Despite deepening economic reforms, the CCP has resisted calls for democracy and freedom. On the contrary, it has taken active measures to beef up its own propaganda through state control of media inside China to deny the Chinese people access to uncensored information. At the same time, the CCP has infiltrated Chinese communities overseas to dominate the Chinese-language media outside China as overseas Chinese have begun to exert a significant influence over Mainland China by the development of modern communication technologies.

After the 1989 Tiananmen massacre, and the more recent persecution of Falun Gong, the CCP has continued to invoke and indeed rely upon Chinese nationalism to recoup total control and popularity. This directly translates into a need for a non-Chinese "enemy," the chief of which is the United States—despite the fact that United States technology and capital have been playing a key role in China's economic development. As a result, the CCP propaganda machine never misses a chance to smear America—attacking America's foreign policy, and rousing Chinese nationalism mixed with anti-American sentiments. The alarming reactions from the Chinese communities to events such as the War on Iraq, Columbia shuttle disaster, September 11th terrorist attacks, the EP-3 incident, and NATO Embassy bombing have reflected the deep impact of such propaganda.

Through a vigorous campaign over the past 20 years to expand the presence of its own media such as CCTV—which now reaches virtually every Chinese family in the United States through U.S. satellite and cable networks, to control and influence existing third-party Chinese media through political pressure and business lure,

and at the same time, to suppress independent voices in the Chinese community on American soil, the CCP has by and large successfully manipulated public opinion among the Chinese population in the United States and developed a vast network of agents—of pro-Communist community activists who are ready to answer the calls of the Chinese Embassies and consulates to act against groups and individuals that are critical to the CCP, to lobby the U.S. Government on the CCP's behalf, and to help the CCP infiltrate businesses and communities in the United States.

Shortly after the September 11th terrorist attacks in response to the anti-American propaganda from the Chinese State-run media, NTDTV was established by a group of Chinese Americans to furnish an independent voice and open forum for the global Chinese community, and to contribute to pluralism and free flow of information in the Chinese-language media. With the tremendous support and the voluntary effort from Falun Gong practitioners, Chinese democrats, human rights activists, and especially the grassroots support from the global Chinese community, NTDTV has been growing fast, and has now become a global television network reaching millions of audience on four continents. In the spring of 2004, NTDTV created the historic first “open satellite window” of uncensored information to Mainland China by starting unencrypted direct-to-home satellite broadcasting to Asia via Eutelsat's W-5 satellite, reachable by tens of millions of private satellite dishes across China.

However, NTDTV has also and necessarily become a threat to the CCP's grip on power through global Chinese-language media dominance. Thus, over the past few years, there has been a steady increase in interference, pressure, and harassment against NTDTV by the CCP and its agents. The main tactics utilized by the CCP include exerting political and business pressure, discrediting NTDTV, and harassing NTDTV through agents.

These tactics have been applied not only to NTDTV, but also to such institutions as the United Nations, the Kennedy Center for the Performing Arts, and to business companies such as Eutelsat, as well as to individuals from U.S. Congress Members, celebrities, and to relatives and friends of NTDTV staff. These tactics have not only been applied, but they have been applied effectively: Many targeted individuals and businesses now refrain from supporting and doing business with NTDTV.

For example, United States-owned Netherlands-based satellite operator New Skies Satellites (NSS) encrypted NTDTV's signal just 3 days after broadcasting NTDTV to Asia in July 2003, preventing Chinese satellite dish owners from seeing the channel. This decision was taken following threats of financial reprisals against the company from Beijing. After NTDTV launched its uncensored broadcast in China in partnership with Eutelsat, the Chinese Government applied intense pressure on Eutelsat. This pressure included the offer of major contracts and partnership agreements with Beijing—on condition that Eutelsat stop broadcasting NTDTV to China. It was then the broad-based campaign by our viewers, politicians in Europe, media groups, and NGOs and especially the U.S. Congress and Administration—including the distinguished bi-

partisan leadership of this Committee—that kept NTDTV on the air.

When the World Trade Center was destroyed, many Chinese exalted on the Internet and cheered the flaming images because of the CCP's misinformation and propaganda against America. Nowadays CCTV has even made its way into the homes of virtually all Chinese-American families.

To restore pluralism in the global Chinese-language media market, and to support American ideals as well as United States security and related interests, we earnestly ask the U.S. Congress to (1) facilitate the expansion of the free flow of information into China, and (2) introduce legislation to require that the United States satellite, cable and other transmission operators carry one or more alternative independent Chinese-language channels if they carry CCTV or other CCP-controlled channels or channels that largely reflect the views of the Chinese Communist Government.

Thank you for your kind attention.

Mr. SMITH. Thank you very much, Mr. Zhou.

[The prepared statement of Mr. Zhou follows:]

PREPARED STATEMENT OF MR. SHIYU ZHOU, VICE PRESIDENT, NEW TANG DYNASTY TELEVISION

Mr. Chairman, members of this Committee, ladies and gentlemen:

Thank you for giving me this opportunity to speak on the subject of Falun Gong and China's Continuing War on Human Rights. My topic today is freedom of information.

Freedom of opinion and expression, including the right to hold opinions without interference and to seek, receive and impart information and ideas through any media, regardless of frontiers is guaranteed absolutely under several international instruments and treaties and under customary international law, including Article 19 of the Universal Declaration of Human Rights, and Article 19 of the International Covenant on Civil and Political Rights.

Nonetheless in China, and for Chinese people who reside in the mainland or overseas, this right has been more of a chimera than a reality, as Chinese people everywhere are forced to fight for this and other inalienable human rights.

In what follows, I will discuss why and how, on the one hand, the Chinese Communist Party seeks to dominate Chinese-language media around the globe, thereby denying to Chinese people everywhere their right to access this basic and fundamental right. On the other hand, the ways in which the free Chinese language media has and continues to challenge the communist-controlled media here and in the mainland will be discussed with special emphasis placed on Chinese-language television networks.

CCP'S GLOBAL CHINESE-LANGUAGE MEDIA DOMINANCE AND ANTI-AMERICA PROPAGANDA

To appreciate fully the extent and methods of repression in China, one must understand and acknowledge fully the dictatorial nature of the Chinese Communist Party (CCP), the current ruling power of the People's Republic of China which bans all expression that it does not or cannot control. The government's suppression of ideas is geared to further the indoctrination of the Chinese people by the control of their access to news and information. Despite deepening economic reforms over the past two decades, the CCP has resisted calls for democracy and freedom, and has made little progress on improving the civil and political rights of its citizens. On the contrary, it has taken active measures to beef up its own propaganda through state control of media inside China to deny the Chinese people access to international political, religious, and economic news and information.

In the meantime, the CCP has been making aggressive efforts to infiltrate into the Chinese-language media outside China since mid-1980, as waves of Chinese immigration have changed the profile of overseas Chinese communities.

Surveys have shown that Chinese living outside of China still rely heavily on Chinese-language media as their information sources due to barriers in language, and to a lesser extent, in culture. As modern technology has made communications easy and fast, overseas Chinese have begun to exert a significant influence over Main-

land China. Since the ultimate goal of the CCP is to maintain its totalitarian power, dominating the global Chinese-language media market has thus become an imperative for the CCP to maintain its influence and control over the publicly expressed and privately held opinions of persons now residing in Chinese communities worldwide.

The expansion of CCTV (China Central Television)—the mouthpiece of the CCP—around the world is an example of the Chinese communist government's hegemony in this important arena. Broadcasting from dozens of satellites over the past 13 years including many U.S. satellites, CCTV now has Chinese, English, Spanish, and French programming covering the entire globe. As CCTV programs are aired on all U.S. nationwide satellite networks and cable channels in at least 15 of the largest metropolitan areas, the Chinese Communist government's propaganda targets virtually every Chinese family in the U.S. (See Appendices.) Insofar as CCTV has been co-extensively utilizing its business negotiations with these U.S.-based satellite and cable networks to block the airing of independent channels programs, there is no opportunity for Chinese-Americans to counter the communist party lies and propaganda through reasoned reflection and proper discussion.

This is all the more troubling in light of the content of Chinese government-managed news and programming—its fancy for misinformation, and its portrayal of all persons outside of its control as targets for repression and enemies of the state. After the 1989 Tianmen massacre, and the regime's loss of its moral basis to rule the country, it began to invoke and indeed relied upon Chinese nationalism to recover its control and popularity. This directly translated into a need for a non-Chinese "enemy," the chief of which is the United States. Its propaganda machine never passes up a chance to smear America, attack America's foreign policy, and rouse Chinese nationalism mixed with anti-American sentiments. Portrayals of the U.S. and its leadership in the wake of past crises and controversies such as with the War on Iraq, Columbia shuttle disaster, September 11th terrorist attacks, the EP-3 incident, and NATO embassy bombing, have shown that China's leadership has no qualms about using the U.S. as a convenient political prop for rallying the masses. Chinese communities' reactions to such events have reflected the impact and success of the propaganda. The anti-American propaganda also effectively encourages Chinese people to stay away from freedom and democracy.

Recent studies have revealed that, over the past twenty years, Chinese-language media in the United States and around the globe have increasingly come under the control or influence of Mainland China. As a result, it has caused a long-term lack of both pluralism and a free flow of information in the global Chinese-language media market.

In the United States, through a vigorous campaign over the past twenty years to expand the presence of its own media, control or influence of existing third-party Chinese media, and at the same time suppress independent voices in the Chinese community, the Chinese communist government has by and large successfully manipulated public opinion among the Chinese population and developed a vast network of agents—of pro-communist community activists who are ready to answer the calls of the Chinese Embassies and Consulates to act against groups and individuals that are critical to the CCP—to lobby the U.S. government on the CCP's behalf, and to help the Chinese communist government infiltrate businesses and communities on American soil.

In the past few years, however, the Chinese communist government's global Chinese-language media hegemony has encountered overwhelming challenges by the emergence of a number of free media in the Chinese market, notably the three U.S.-based Chinese media companies—New Tang Dynasty Television (NTDTV), the Epoch Times, and Sound of Hope Radio Network.

NTDTV—BATTLING FOR THE CHINESE RIGHTS TO FREEDOM OF INFORMATION

NTDTV was established by a group of Chinese-Americans shortly after the September 11th terrorist attacks in response to the anti-American propaganda from the Chinese state-run media. When the world was in deep grief over the tragic impact of these attacks, the Chinese communist government capitalized on the terror, producing books, films and video games glorifying the attacks. In such a video published by the Chinese government the commentator said: "This is the America the whole world has wanted to see. Blood debts have been repaid in blood." Many Chinese, especially people in Mainland China, even cheered the terrorist attacks.

In face of the dearth of pluralism and the free flow of information in the Chinese language media, NTDTV was established to furnish an independent voice and open forum for the global Chinese community. It provides uncensored, accurate and comprehensive news and information about events in the United States, China and else-

where while promoting freedom and democratic values. This naturally supports the American ideals as well as our fundamental security and related interests.

NTDTV has been covering stories on all fronts and of concern to the global Chinese community. NTDTV was the first Chinese language television that broke the SARS news in 2002, weeks before the Chinese Government acknowledged the reality and severity of the epidemic. NTDTV has done extensive and in-depth coverage on Hong Kong democracy, human rights in China, AIDS in China, Taiwan elections, former CCP Secretary General Zhao Ziyang's death, etc. Additionally, NTDTV has done interviews with many leaders from the democratic society, live broadcasts of the three Presidential debates in the U.S. last year with simultaneous translation, and a live call-in show on the funeral for Pope John Paul II, etc.

The NTDTV team believes in serving Chinese people worldwide and in showcasing the best of American people, institutions, and values in the network's programming. The team includes television industry veterans who had worked in China for years and share NTDTV's vision. Knowing exactly how China's one-sided propaganda has been constructed, they can make special contributions to reduce the impact of China's one-sided propaganda. NTDTV programming offers audiences a familiar format with fresh content. In addition, our own experiences in and our assimilation into American culture enable us to communicate on a cross-cultural basis most effectively.

As a powerful example of this support for American values, since its inception, NTDTV has become the exclusive channel for democratically elected officials in the United States to speak directly to Chinese people worldwide in their own language.

Over the past three and a half years, with the grass-root supports from communities, NTDTV as a PBS-modeled television has grown very fast and now become a global television network with over 50 reporting crews around the world, covering the four continents of North America, Europe, Australia, and Asia.

In spring 2004, NTDTV created the historic first "open satellite window" of uncensored information to Mainland China by starting unencrypted direct-to-home satellite broadcasting to Asia via Eutelsat's W-5 satellite, reachable by tens of millions of private satellite dishes across China.

However, these achievements have also and necessarily become a threat to the Chinese communist government's grip on power. Thus, over the past few years, in response to the challenges posed by NTDTV and other free Chinese-language media, the Chinese communist government has launched an aggressive and relentless campaign to silence such independent voices. As a result, people have seen a steady increase in interference, pressure, and harassment against NTDTV and other free media by the Chinese communist government and its agents.

In what follows we shall provide illustrations of cases of interference, pressure, and harassment against NTDTV in the U.S. as examples to characterize the four main tactics utilized by the Chinese communist government to silence free media in the Chinese community. As is clear from these sample cases and many others of the same ilk, the purpose of these tactics is to isolate the target media from the society politically, financially, and socially to maintain its control of the flow of information, thereby permitting the Chinese Communist government to continue to produce those "truths" that support and endorse its hegemony.

CCP'S MAIN TACTICS TO SILENCE NTDTV AND OTHER FREE MEDIA

1. Exerting Political Pressure

1.1 Exerting Political Pressure upon Institutions

International politics has been utilized by the Chinese communist government as a ready and available tool to silence independent voices in the Chinese-language media such as NTDTV. Political pressure has been exerted by the Chinese government upon institutions from political bodies such as the United Nations to performing art theatres such as the Kennedy Center in Washington, D.C.

In March 2003, NTDTV followed standard procedure and applied for press accreditation to cover U.N. Human Rights Commission's annual proceedings held in Geneva. The application was first denied by U.N.'s Geneva press office for the reason that NTDTV is a nonprofit organization, a corporate status that the Associated Press also holds. Upon repeated inquiry to both the U.N.'s Geneva and New York offices, NTDTV was told that the true reason for this denial was "pressure from the Chinese." Finally, facing an outcry of protest, NTDTV's accreditation was granted by Mr. Shashi Tharoor, U.N. Under-Secretary General for Communications and Public Information in New York.

But NTDTV has not always been this fortunate. During the visit of Chinese Premier Wen Jiabao to the U.S. in December 2003, the White House security was pressured by the Chinese Embassy to block the entrance of reporters from NTDTV to

a U.S.-China joint press conference. As a result, NTDTV was unable to cover the event. Two days later, during Wen's visit to Harvard University, a similar exertion of pressure produced the same result.

In February 2004, NTDTV held its Chinese New Year Gala Finale at the Kennedy Center in Washington, D.C. The Chinese Embassy intensely pressured the Kennedy Center to cancel the event after NTDTV signed the contract with the Kennedy Center, but failed. However, when NTDTV applied for the venue of the 2005 Gala later in the year, the Kennedy Center rejected the application. In a letter to NTDTV from the Vice President of Artistic Planning at the Kennedy Center, the rejection was "in order to properly accommodate and service our constituents and to balance our current programming." Soon after the rejection, we learned that the Kennedy Center and the Ministry of Culture of the People's Republic of China contracted to co-host a Festival of China event in October 2005.

1.2 Exerting Political Pressure upon Individuals

Individuals are also not spared from the relentless campaign to quell the Chinese-language free press by the communist government. Targeted individuals range from the U.S. Congress members, celebrities, the parents of children performers, to staff members of the target media and their relatives in China.

In February 2004, staff members at many Congressional offices informed NTDTV that a "Dr. Lu" from the Chinese Embassy in Washington, D.C. called and pressed them not to attend the NTDTV Chinese New Year Gala Finale at the Kennedy Center in Washington D.C.

On December 10, 2002, two NTDTV reporters went to the home of a famous Chinese artist in New Jersey for a scheduled interview. The interviewee received some phone calls during the interview. The next day, the interviewee called one of the reporters and asked for the interview not to be run, for the reason that the Chinese Chief Consul in New York called her the same morning and pressured her to consider the consequences of the interview.

In May 2005, NTDTV hosted a Gala in Los Angeles and invited the Olympia Youth Orchestra to perform in the Gala. The Olympia Youth Orchestra was first very supportive and agreed to perform for free. However, the conductor of the Orchestra and one board member subsequently called the NTDTV organizers, saying that the Chinese Consulate in LA had called up the parents of their children performers over the weekend. As a result, 1/3 of the parents would not send their kids to perform for NTDTV Gala and as a consequence they had to cancel their performance.

At present, the passports of a number of NTDTV staff members are still being withheld by their local Chinese Consulates in the U.S. upon renewal.

In February 2005, the bother and a friend of Mr. Ma Annan, the Vice President of Technologies at NTDTV in China, received a barrage of harassing and threatening phone calls from the National Security Bureau of China demanding that he ask Mr. Ma to stop working for NTDTV. Mr. Ma and his wife also received numerous harassing phone calls in the U.S. over the course of the next few months. Many other NTDTV staff friends and relatives in China have been similarly pressured by the Chinese Communist government.

2. Exerting Commercial Pressure and Business Lure

Commercial pressure and business lure have been among the most effective tools (if not the most effective tool) used by the Chinese communist government to influence, and in some cases control, the political and the business communities, including the Chinese-language media around the world.

According to a Jamestown Foundation article published in late 2001, all the major Chinese-language print media and televisions in the United States, both national and local, have been controlled or influenced either by the Chinese communist government for business reasons. Since then, along with the emergence of independent voices like NTDTV and the Epoch Times Newspaper that have been gaining more and more popularity in the Chinese community, the methods employed by the Chinese government to exert business pressure have become more sophisticated.

Significantly, the pressure is no longer applied merely to the media itself, but also to its commercial partners. As a result, the impact is significant. Not only are those who have already been doing business with China automatically subject to the coercion of the Chinese Communist government to not do any business with companies it considers "unfavorable." Those who do business with independent media such as NTDTV and the Epoch Times, are also most likely to receive either a "reminder" call from one's local Chinese Consulate or a check from them, and oftentimes both.

A soybean-milk machine seller in Chicago put an advertisement on the Epoch Times. Later when an NTDTV sales person asked the seller if he would like to do

a television ad on NTDTV, he said he had to wait since he had just received a check from the Chinese Consulate in Chicago purchasing soybean-milk machines, which he believed was not just a coincidence.

In October 2004, Echo Star launched a partnership with CCTV to bring a “Great Wall Satellite Platform” including 17 channels controlled by the Chinese communist government to its over 10 million Dish Network subscribing households. The partnership was hailed by CCTV on its website as an indication “that the propaganda to foreign countries have stepped up to another level. It shows that CCTV’s propaganda work [targeting] foreign countries has experienced a huge change in both concept and operation mode.” However, when NTDTV tried to seek similar cooperation with Echo Star network, our offer was rejected, as Echo Star did not want to “jeopardize the current business relationship with other Chinese language networks on Echo Star.”

In May 2004, in partnership with Eutelsat, NTDTV launched the very first uncensored Chinese-language satellite television broadcast into China, reaching tens of millions of private satellite television dishes across the country. For the first time since the establishment of the Chinese communist government, the Chinese people have been able to access uncensored information in their own language through satellite television.

However, the Chinese government (and also the French government at crucial points) has applied intense pressure on Eutelsat. This pressure included the offer of major contracts and partnership agreements with Beijing—on condition that Eutelsat stop broadcasting NTDTV. For Eutelsat to surrender to this pressure would violate European and international conventions, as well as the obligations of its own charter regarding non-discrimination, equal access, and fair competition.

The worldwide campaign by our viewers, politicians in Europe, media groups, and non-governmental organizations and especially the U.S. Congress and Administration—including the distinguished bipartisan leadership of this Committee—kept NTDTV on the air. As a result of these determined efforts, Eutelsat continues to transmit NTDTV’s satellite broadcast in Asia.

Though the Chinese Communist government cannot control the ever-expanding use of satellite dishes in Mainland China, it has successfully controlled the satellite industry with commercial pressure and the lure of business opportunity: All the major satellite companies whose satellite broadcasts have access to Chinese viewers are doing business with China in one way or the other, and as a result, are subject to the coercion of the regime.

US-owned, Netherlands-based satellite operator New Skies Satellites (NSS) began broadcasting NTDTV on open signal to Asia on July 1st 2003. But just three days after the start of the broadcast, NSS encrypted the signal preventing Chinese satellite dish owners from seeing the channel.

This decision was immediately taken by NSS following threats of financial reprisals against the company made to NSS representatives in Beijing. In January 2004, Chinese pressure was intensified to ensure that NTDTV was completely excluded from NSS-6 Asia satellite transmission. NTDTV management many times attempted to get NSS to restore the open signal broadcast but this was refused, and on 1st May 2004 the NTDTV transmission to Asia ended.

3. *Discrediting Free Media*

Any and all voices in China that speaks in opposition to the Party line or operate outside of the Party’s control are slandered and demonized—if not targeted for brutal repression—to permit the Chinese Communist government to stay in power and remain in control.

Over the past years, like any other media outlet here in the United States or abroad in other democracies, NTDTV has reported objectively on China issues on all fronts—conducting interviews with people inside and outside China who represent different voices and perspectives. The volunteer work of Falun Gong practitioners, Chinese democrats and human rights activists, and the grass-root support from the community have made NTDTV a fast-growing and increasingly popular Chinese language television in the global Chinese community. These have become a source of ire for the Chinese communist government, and it is not shy from showing such anger through retaliatory attacks.

One tactic the Chinese communist government has often used to attack NTDTV is to discredit NTDTV as an anti-governmental political channel. By doing so, the Chinese communist government attempts to manipulate the nationalistic sentiments to incite resentment against NTDTV in the Chinese community, since many Chinese people still confuse the CCP with the nation of China, due to a half-century of intensive, all-pervasive, barrage of communist propaganda and brainwashing.

An apt illustration of these attacks was a News Bulletin of the Chinese Consulate-General in Sydney, Australia, that was released on October 30, 2003, and which stated: “The so-called democrats and pro-democracy activists such as Martin Lee, Hu Ping, and Sheng Xue have been regular speakers on its [NTDTV’s] current affairs programs. These people often use the so-called interviews to wantonly attack, slander and defame the Chinese government and the Chinese leaders.”

Still, the most commonly employed method to discredit NTDTV is to label it a “Falun Gong” television network and, to co-extensively denounce and demonize Falun Gong. The purpose of doing so, on one hand, is to incite hatred and cause fear in the target community so as to isolate NTDTV and deprive NTDTV of the support it needs from society; on the other hand, it discredits NTDTV for its reporting on Falun Gong and other human rights-related issues.

The Chinese Embassies and Consulates in Malaysia, Singapore, Australia, Canada, the U.S., and a number of other countries have all published statements in local Chinese newspapers or sent letters to local business and community officials to attack and discredit NTDTV in these and other ways, a strategy which in some cases did cause some persons and groups to withdraw their support for fear of reprisal.

4. Interfering with and Harassing Free Media through Agents

NTDTV reporters and other free media oftentimes encounter interference and harassment from agents of the Chinese communist government when they exercise their right to report the news in Chinese communities. These pro-communist Chinese agents, though living in the States, act as if they were in China and help the Chinese government suppress freedom of press.

On January 30, 2004, an NTDTV free-lance reporter Dr. Lily Sun was kicked out of a New Year gala event co-sponsored by the Philadelphia Department of Commerce and the Chinese Consulate in New York by a local pro-communist community leader, despite the fact that she had a media pass issued by the City Government of Philadelphia. This was because the pro-communist community leader identified Dr. Sun as a Falun Gong practitioner. Similar incidents have also occurred in Boston and New York where NTDTV reporters were denied entry or expelled from events they were covering by the Chinese Consulates or local pro-communist organizations.

According to the Executive Director of International Advocates for Justice, a New York based NGO that has investigated this matter, this incident is part of the China’s campaign to interfere with the constitutional rights of American citizens (or residents) who support or are perceived as supporting any organization that operates outside of Chinese control, including attorneys and China scholars from non-Chinese backgrounds. Their focus on Falun Gong is especially pernicious. Thus, as the Report of the United Nations NGO, the International Education Development, noted (at the 61st Session of the Commission on Human Rights, document E/CN.4.2005/NGO/132, 6 March 2005), China has harassed and attacked Falun Gong practitioners in Iceland, Germany, Australia, Russia, Romania, Thailand, Cambodia, South Africa, Canada and the United States.

Chinese agents have gone so far as to interfere with the content of NTDTV broadcasts. For example, in January 2004, in spite of and because of an agreement by WSTV Channel 56 in Washington D.C. to broadcast the NTDTV Chinese New Year Gala program, on the night of the broadcast, the program of NTDTV Gala was secretly changed to the CCTV Gala by a Chinese staffer at WSTV.

A MATTER OF NATIONAL SECURITY

When the World Trade Center was destroyed, many Chinese exulted on the Internet and cheered the flaming images. Portrayals of the U.S. as an arrogant hegemony are stereotypes spread by the Chinese Communist Party (CCP) and its state-controlled media apparatus.

Nowadays the CCTV—the mouthpiece of the CCP—has even made its way into the homes of virtually all Chinese-American families through the omnipresence of its channels or programming content on all major cable systems and satellite televisions in the U.S. While these families live in a nation that affords them the privileges and freedoms of democracy and law, this population still receives communist dictatorship indoctrination through the Chinese-language media controlled by the CCP. Moreover, homesickness and the cultural ties with China render them a more susceptible target of and for the CCP propaganda.

The Chinese communist government’s monopoly in the Chinese-language media and infiltration into the Chinese community in the United States over the past twenty years has diminished Chinese immigrants’ allegiance to the United States and respect for American values. Furthermore, it has persuaded them to remain

loyal to, and act as mouthpieces, defenders, or even agents of, the communist government in Beijing. And this is precisely what is intended by the Chinese government's U.S. media operations.

While the U.S. continues to spend billions on the military to maintain peace in the Far East, especially over the Taiwan straight, peace and stability in the Far East depend on a fundamental change in the heart and mind of the people within. And such people include not only the Chinese people living in Mainland China, but also those in the U.S. and elsewhere around the world. Without access to information that runs counter to the communist party line, the Chinese populations will continue to be controlled by the half-truths and lies produced by the CCP state owned propaganda apparatus, including the hate-mongering stereotypes about the United States and the free world. Surely the United States cannot afford and should not be forced to endure the dire consequences of the continuous incitement of hatred against the U.S. and the free world by the CCP propaganda.

To achieve democracy and a peaceful tomorrow, the United States as the leader of the free world must take a stand to support NTDTV and other free Chinese-language media.

Internationally, to restore pluralism in the global Chinese-language media market, the U.S. government should take concrete actions to support politically as well as financially independent satellite channels in Chinese language to broadcast uncensored information to Mainland China and other countries abroad.

Domestically, to strengthen the values of human rights and democracy on the U.S. soil and help Chinese-Americans assimilate into the American "melting pot," it would be prudent for U.S. legislation to require that the U.S. satellite, cable and other transmission operators carry one or more alternative independent Chinese-language channels if they carry CCTV or other Chinese communist government controlled channels or channels that largely reflect the views of the Chinese communist government.

Thank you for your kind attention.

APPENDIX I

Table 1: CCTV's Presence in Major U.S. Cities

City	Carrier	Channel	Public TV or Cable	Time ¹	Covered Area	Programs ²
East Coast:						
Boston	AT&T broadband		Cable	24 hrs.	Boston, Brookline	CCTV-4
	Amherst College	11	Cable		On Campus	CCTV-4
New York	Time Warner Cable	134 30	Cable	24 hrs.	NYC - Queens	CCTV-9
	RCN	191	Cable			CCTV-4
Philadelphia	DUTV	53	Public TV Cable	6-8:00pm (Mon-Fri) 24 hrs.	Philadelphia County Delaware County	CCTV-4 News CCTV-4
	CableCom Net Dickinson College		Cable Cable		Drexel Hill On Campus	CCTV-4 CCTV-4
Washington, DC	World Today	56 13	Cable Cable	7-7:30am, 6-6:30pm	Fairfax County Montgomery County	CCTV-4 News
	MHz Starpower Communications	651 651	Cable Cable Cable	D.C. Maryland	All areas	CCTV-4 CCTV-4 CCTV-4
Atlanta	Emory University	44	Cable		On campus	CCTV-4
Delaware	Satellite only			24 hrs.		CCTV-4
Central:						
Columbus	International Channel	10	Cable	30 min.	Columbus, OH	CCTV-4 News
Chicago	China Star TV Station	13	Both	24 hrs.	Chicago and vicinity	CCTV-4
Dallas	International Channel		Cable	24 hrs.		
Houston	1. Time Warner	233	Cable	24 hrs.	Most of Houston area	CCTV-9
	2. International Channel	75	Cable	11-11:30am 30 min.		CCTV-4 News
	3. South USA Daily TV		Public			CCTV-4 News
Minnesota	Satellite only			24 hrs.		CCTV-4

¹ Seven days a week unless specified.² Regular 24 hr. program unless specified.

City	Carrier	Channel	Public TV or Cable	Time ³	Covered Area	Programs ⁴
Michigan	Satellite only			24 hrs.		CCTV-4
West Coast:						
Los Angeles	1. Charter Communication 2. Time Warner 3. Cox 4. Adelphia 5. Jadeworld 6. Altrio Communications	281 286 601 452 180 762 191	Cable Cable Cable Cable Cable Cable	24 hrs. 24 hrs.	Los Angeles Some areas carry both	CCTV-9 CCTV-4 CCTV-4 CCTV-4 CCTV-9 CCTV-4 CCTV-4
San Diego	Time Warner	46		8:30am to 9:00am & 8:30pm to 9:30pm	Entire north part of San Diego County	CCTV-4
San Francisco	1. Business Channel 2. KTSF 3. Jadeworld	32 26	Cable Cable	6:30-6:40pm 8:30-9:00am (Mon-Fri)		CCTV-4 News CCTV-4 News
Seattle	International Channel	41	Cable	8-9:00am (Mon-Fri)	Seattle	CCTV-4 News

³ Seven days a week unless specified.

⁴ Regular 24 hr. program unless specified.

APPENDIX II

Table 2: CCTV's Global Expansion Timeline

Time	Region/Field	Notes
October 1, 1992	Asia Pacific and U.S. (Satellite, Chinese)	Targeted at Chinese outside of China through PanAmSatellite (PAS)-2 Asia Pacific and PAS-3 transatlantic satellites. ⁵
Mid 1995	Europe, Middle East and Indian Subcontinent (Satellite, Chinese)	Extended CCTV's coverage to Europe, the Middle East, the Indian Subcontinent and Asia through a deal with PAS. ⁶
Early 1996	Europe (Satellite, Chinese)	Started broadcasting through a global satellite network. CCTV expects to reach 40 million Chinese living outside of China. Chinese speakers in Europe can receive five hours of late-night Chinese-language programming from private satellite broadcasters. ⁷
April 1996	Global (expansion) (Satellite, Chinese)	Added five channels to its international services on three PAS satellites. CCTV became one of the world's largest international broadcasters. ⁸
June 1997	Africa (Satellite, Chinese)	CCTV 24-hour international service began broadcasting throughout Africa. ⁹
May 1998	U.S. (Cable, Chinese)	China Central Television's overseas service, CCTV-4, Chinese-language channel, became available to U.S. cable operators free of license fees and packaging restrictions as part of International Channel's digital tier of ethnic services, International Premium Networks. CCTV reached more than 240 million television households in the United States. ⁹
September 25, 2000	Global (Satellite, English)	CCTV officially launched its all-English channel, CCTV-9. The new channel is on 24 hours a day, featuring newscasts every hour on the hour.
November 2000	Philippines (Cable, English)	CCTV-9 on the cable network in the Philippines via SkyCable Pacific CATV, Inc. ¹⁰
January 2002	U.S. (Cable, English)	CCTV-9, CCTV's 24-hour English channel, was offered to AOL Time Warner cable audiences in New York, Los Angeles, and Houston. It also became available on cable networks in the United States owned by News Corp such as DirecTV.
Early 2003	U.S. (Hotel chains, English)	MTV Networks distributes China's English-language channel CCTV-9 in hotels across the U.S. ¹¹

⁵ From CCTV International website.

⁶ "CHINA BRIEFS: CHINA CENTRAL TELEVISION" by Telenews Asia, May 18, 1995 published by 3rd Wave Communications Pty Ltd.

⁷ "Worldwide Chinese TV service" by Music & Copyright: February 15, 1995, published by FT Information Online Ltd.

⁸ "PanAmSat, CCTV Eye Expansion" by Space News, April 8, 1996, published by Army Times Publishing Co.

⁹ "CCTV to Africa" by Hollywood Reporter, June 10, 1997, published by BPI Communications, Inc.

¹⁰ "CHINA'S CCTV-9 TO BE LAUNCHED IN PHILIPPINES" by Asia Pulse News, November 8, 2000, published by Asia Pulse Pte Ltd.

March 2003	France, UK, and Ireland (Satellite, English)	GlobeCast's digital DTH platforms on Hot Bird and Eurobird offer CCTV-9 access to over 1.2 million TPS subscribers in France as well as 6.3 million Sky Digital subscribers across the UK and Ireland. ¹²
June 2003	South America (Cable, Chinese)	Bolivian CATV multisystem operator, Vidivision, has added China Central Television's Mandarin-language international channel, CCTV-4, to its programming bouquet. The deal was brokered through the Chinese Embassy in Bolivia, which provided free decoders to Vidivision. The Vidivision deal brings to five the number of South American countries with cable access to CCTV programming. The others are Panama, Belize, Brazil, and Chile. ¹³
Unknown, but probably in between mid 2003 and mid 2004	UK (Cable, English)	CCTV-9, the 24-hour English channel is available on B-Sky-B cable service by British Sky Broadcasting.
October 1, 2004	French and Spanish channel: CCTV-E&F	CCTV-E&F is a comprehensive 24-hour news channel. The program rotates three times a day. In the 8-hour slot, French and Spanish programming occupies 4 hours each. The channel covers the globe via PAS-8, PAS-9, PAS-10, Asiasat-3S, and more satellites. ¹⁴
October 1, 2004	U.S. (Strengthening) (Satellite, multi-language)	CCTV launched partnership with EchoStar to bring a "Great Wall Satellite Platform" to EchoStar's over 10 million DishNetwork subscribing households. The platform included 17 channels, such as the CCTV-E&F channel, CCTV-9 English channel, and other Chinese-language channels. CCTV claimed on its website "this indicates that the propaganda to foreign countries have stepped up to another level. It shows that CCTV's propaganda work towards foreign countries has experienced a huge change in both concept and operation mode."
February 1, 2005	Asia (Strengthening) (Satellite, multi-language)	"Asia Great Wall Satellite Platform" was the extension of the "Great Wall Satellite Platform" in North America.
June 2, 2005	Online platform (Internet, Spanish)	CCTV.com/ espanol is CCTV's Spanish online platform for "both news releasing and cultural spreading." (According to CCTV website)
In the future	Two distinct channels: French and Spanish, plus development of Arabic and Russian channels	CCTV aims in 2006 to have two distinct channels—one in French, the other in Spanish—with more programs, news bulletins, and technical resources. Four years after the launch

¹¹ "MTV's clearance for 24-hour China channel" by Television Asia, April 4, 2003, published by Cahners Business Information.

¹² "China Central Television Chooses GlobeCast's DTH Platform" by Satellite Today, March 13, 2003, published by PBI Media, LLC.

¹³ "CCTV extends Latin American influence" by Asia Image, June 10, 2003, published by Reed Business Information.

¹⁴ CCTV Chinese-language website.

		of an English-language service, Spanish and French are just the latest step in CCTV's global conquest, with pressure already growing for Arabic and Russian-language channels. ¹⁵
--	--	--

¹⁵ "AUDIOVISUAL SECTOR: CHINESE TELEVISION POSTS INTERNATIONAL AMBITIONS" by Tech Europe, December 10, 2004, published by Europe Information Service.

Mr. SMITH. Mr. Gregory.

STATEMENT OF MR. STEPHEN GREGORY, CHAIRMAN OF THE BOARD, ENGLISH-LANGUAGE DIVISION OF "THE EPOCH TIMES"

Mr. GREGORY. I would like to thank the Chairman and the Committee for the opportunity to testify here today. My remarks are a summary of the written testimony.

Here in the United States, the People's Republic of China has mounted a campaign of harassment aimed at putting *The Epoch Times* out of business. The PRC has done so because *The Epoch*

Times regularly covers in-depth stories that the Chinese Communist Party, the CCP, does not want covered, such as the persecution of Falun Gong and other human rights issues.

The campaign here in the United States is part of an international campaign. For instance, in May, in Hong Kong, our printer suddenly declined to continue printing our paper, and other printers in Hong Kong refused our business. In June, the country of Malaysia banned *The Epoch Times*. On June 20th, in Sydney, an envelope with white powder was mailed to *The Epoch Times* office, requiring a hazardous material crew to investigate.

The evidence that the CCP has been orchestrating this 5-year long campaign of harassment has been powerful but often circumstantial. This past Tuesday night we received a copy of an internal Chinese document that records a meeting held to plan, spy on, and interference with *The Epoch Times*.

Mr. Hao Fengjun was a police superintendent in Tianjin, China, who served in the secretive 610 Office, the agency created for the purpose of eradicating Falun Gong. He defected from China in February this year, made his defection public in June, and recently he began releasing documents from the 610 Office, digital copies of which he smuggled out of China on his MP3 player.

The document we received is a record of a meeting held by the 610 Offices of six provinces and three major cities to plan spying on what they call the three media: *The Epoch Times*, New Tang Dynasty TV, and the South Hope Radio. All three of these are independent Chinese-language media who report on topics the CCP does not want covered. I quote briefly from the document:

“Develop a strategic battle plan to gradually weaken the influence of the three media, including inserting someone into the three media to influence their content and create conflict among these media, forcing out the few die-hard members from the three media and trying to stir up internal chaos.”

I would like today to provide two examples of the harassment *The Epoch Times* has received.

The first was an attempt to intimidate Ms. Jun Guo, the Editor-in-Chief of the Chinese-language editions of *The Epoch Times* by threatening her children. In January 2005, agents from the National Security Bureau in China visited her elder sister in Guangzhou City. In dialogue that could have been taken from a Hollywood gangster movie, they asked her sister to tell Ms. Jun Guo to pay attention to her safety and said that, “We care for her safety. Her four children go to school in Washington, DC in the United States. We are very clear about that.”

According to the *Chinascop* magazine, a dozen individuals in Washington, DC alone have relatives who have received similar visits in China.

The second example involves the daily systematic theft of thousands of copies of the Los Angeles City Chinese-language *Epoch Times* over a period of weeks. In late February 2005, *Epoch Times* staff noticed that a Chinese man was stealing hundreds of copies of the Chinese-language edition. They began following him, and found he was visiting distribution points throughout the city. He

only stole *The Epoch Times*, although other free papers were available.

When an *Epoch Times* staffer tried to videotape him, the thief tried to run him over with his truck. He was arrested for assault with a deadly weapon, and is now out of jail and awaiting trial. This is simply the most outrageous of many instances of theft of our paper—such thefts have taken place as long as our paper has been in publication.

The Epoch Times has documented instances of the PRC attempting to prevent the newspaper from renting a venue and of preventing *Epoch Times* reporters from covering stories. The paper has also documented advertisers refusing to place ads, businesses refusing to allow our paper to be distributed on their premises, and individuals refusing to be interviewed, all out of fear of the PRC. These actions constitute a pattern of behavior aimed at putting *The Epoch Times* out of business.

The PRC's harassment has increased in intensity since the publication by *The Epoch Times* in November and December 2004 of the "Nine Commentaries on the Communist Party." For instance, the threat to Jun Guo's children, the thefts in L.A., the problems in Hong Kong, Malaysia, and Sydney, all these occurred after the publication of the "Nine Commentaries." This book-length series of editorials provides an honest, uncensored history of the CCP and has led to the resignation from the party and its affiliated organizations of over 3 million Chinese.

The "Nine Commentaries" have given courage to the Chinese people to follow their conscience and peacefully resist tyranny. They allow the Chinese people to see clearly the evil the CCP has done, and to envision a future based on principles rooted in China's ancient civilization.

I humbly submit to the Committee that this is a model for the United States' future engagement with China, resolutely telling the truth about the Chinese Communist Party, while offering the people of China the hope borne of a defense of fundamental principles.

I hope this hearing is one step toward building on the achievement of House Concurrent Resolution 304 and mounting a vigorous defense here in the United States of everyone's rights. Thank you.

[The prepared statement of Mr. Gregory follows:]

PREPARED STATEMENT OF MR. STEPHEN GREGORY, CHAIRMAN OF THE BOARD,
ENGLISH-LANGUAGE DIVISION OF "THE EPOCH TIMES"

Who Wrote the "Nine Commentaries"?

Agents from the National Security Bureau (NSB) paid Ms. Li Guo in Guangzhou City, China a visit in January, 2005. They said they had a message from the central government in Beijing they wanted her to deliver to her younger sister, Ms. Jun Guo, a resident of Maryland. In dialogue that could have been taken from a Hollywood gangster movie, they asked Jun Guo to pay attention to her "safety," and said that "We care for her safety. Her four children go to school in Washington D.C. in the U.S. We are very clear about that." They asked Ms. Li Guo to tell Ms. Jun Guo they would like her to come to China for a meeting, where any issues could be settled.

Ms. Li Guo is a professor and vice-chair of the psychology department at Zhongshan University in Guangzhou. Ms. Jun Guo is the editor-in-chief of the Chinese-language editions of *The Epoch Times*. The NSB agents told Li Guo that her sister is an "important person" because she wrote the editorial series the *Nine Commentaries on the Communist Party*.

In fact, the NSB does not know who wrote the *Nine Commentaries on the Communist Party*. The attempt to intimidate Ms. Jun Guo into returning to China is part of a widespread effort by the Chinese Communist Party (CCP) to find out who wrote the *Nine Commentaries*. *Chinascopes* magazine ("How the Chinese Government Came to Dominate Chinese Language Media in the United States" June, 2005) has reported that the relatives of over a dozen individuals in the Washington, D.C. area alone have received similar visits. The relatives are used to deliver threats to the family members outside China, or the relatives themselves are intimidated or threatened in an attempt to find out who wrote the *Nine Commentaries*.

The *Nine Commentaries* are a publication of *The Epoch Times*. *The Epoch Times* in fact anticipated this response by the CCP, published the *Nine Commentaries* under the name of its editorial board, and has never disclosed the names of any individuals who may have worked on it. *The Epoch Times* took these precautions because it understands very well how the CCP operates and knew the CCP could never willingly tolerate the *Nine Commentaries*' publication.

The *Nine Commentaries* are a book-length series of nine editorials that were published at the end of November and the beginning of December 2004. They set forth in detail: the massive crimes of the CCP; its rule of China through terror, lies and the control of all information; and its attempt to eradicate all traditional morality and religious belief.

The Effect of the "Nine Commentaries"

The response by the Chinese people to the *Nine Commentaries* has been dramatic. Hong Kong is the window into China. Approximately 60,000 mainland tourists visit Hong Kong daily. The first day the *Nine Commentaries* were published in Hong Kong, 30,000 copies were given out in two hours time. The next day, people were waiting to receive them, and 30,000 copies were given out in less than two hours time. Each day the number of people asking for the *Nine Commentaries* grew until *The Epoch Times* exhausted its store of newsprint. Within the first two months, 700,000 copies were given out. In Taiwan, which has 12,000 visitors to the mainland daily, over 500,000 copies of the *Nine Commentaries* were given out in the last two weeks of March. The Chinese-language website that publishes the *Nine Commentaries* received 307,000 page views between November 19, 2004, and May 31, 2005.

The *Nine Commentaries* have inspired a peaceful rejection of the CCP. Over three million Chinese have, at the time of this writing, renounced membership in the CCP or its affiliated organizations. Over 20,000 more renounce the CCP every day. Even so these numbers are just a fraction of those who want to renounce the CCP. The bulk of these withdrawals are made through a website set-up by *The Epoch Times* for this purpose, but most Chinese do not have access to the internet. Lately individuals have simply begun posting withdrawal statements on telephone poles, walls, and bulletin boards in mainland China.

These massive withdrawals from the CCP are absolutely unprecedented. They demonstrate how powerful the truth is in opposing propaganda, if only a true account can be delivered to those held in tyranny. Two recent high-profile defectors from China commented on the influence the *Nine Commentaries* had on their decision to speak out.

In an exclusive interview with *The Epoch Times* about his decision to make his defection public, Hao Fengjun, a former member of the notorious 6-10 Office tasked with exterminating Falun Gong, gave credit to the *Nine Commentaries*. "The *Nine Commentaries* expose the dark aspects of China, which are all facts. After reading the *Nine Commentaries*, I had the urge to step out." (<http://english.epochtimes.com/news/5-6-11/29430.html>)

In another exclusive interview, Han Guangsheng, the former vice chief of the Shenyang City Public Security Bureau and former chief of the Judiciary Bureau in Shenyang City, revealed he has likewise been moved. "After carefully reading the *Nine Commentaries on the Communist Party*, I feel even more strongly that the CCP's rule that is forced upon the Chinese people is a tragedy for the Chinese nation. Therefore, I admire very much the courage of former CCP diplomat in Sydney Chen Yonglin and former 6-10 Office officer Hao Fengjun, who came out publicly to resign from the CCP and to expose its crimes. I would like to come out to support them so that they know they are not alone." (<http://english.epochtimes.com/news/5-7-7/30101.html>)

The examples of Hao Fengjun and Han Guangsheng demonstrate how the *Nine Commentaries* are not simply a negative critique of the CCP. They also awaken and embolden the conscience. They appeal to and teach fundamental principles of morality. They provide a way forward out of the abyss into which the CCP has lead the

Chinese nation by showing how the fundamental basis of freedom and civilization lies in morality and religious belief.

Basic Facts about "The Epoch Times"

The Epoch Times began publishing a Chinese-language general interest newspaper in May, 2000. Since then, the Chinese-language edition has grown rapidly and now has a circulation of 1,179,100 copies in 28 countries, making it the most widely distributed Chinese-language newspaper in the world. The Chinese-language website receives 700,000 page views a day with 80,000 original visitors. This website has shown it is able to breakthrough the CCP's internet blockade. It receives 137,000 page views per day and 30,000 original visitors from inside mainland China.

In August of 2004 the English-language edition of *The Epoch Times* began publishing in Manhattan. In less than one year, the English-language edition has grown very fast. It is now published in eight U.S. cities, three Canadian cities, Australia and the United Kingdom. English-language editions are expected to begin publishing soon in New Zealand, Ireland, and northern Europe. *The Epoch Times* has also expanded this past year into other languages, and is now published in: French, Spanish, German, Russian, Korean, and Japanese. All of these *Epoch Times'* editions also publish a website.

Why China Harasses "The Epoch Times"

The visits by CCP agents to the family of *Epoch Times'* staff following the publication of the *Nine Commentaries* help illustrate why the CCP has carried out a systematic campaign of harassment targeting *The Epoch Times*.

The CCP has always understood that its rule depends on control over all information available to the Chinese people from outside China, and the need to indoctrinate the people of China through unrelenting propaganda. This was true in 1949 and, while the methods used by the CCP today are much slicker than before, it is still true today. If the people of China were truly to come to understand the many lies on which the Party's rule is based, the CCP's days of ruling China would come to an end. Thus, the CCP has tried to do everything it can to oppose the *Nine Commentaries*. And, more generally, it must attempt to eliminate any independent, honest media that report on China.

Since its founding, *The Epoch Times* has served as a bridge between the West and China, and covered the stories in China that the CCP does not want covered. It teaches its Chinese readers about the workings of democracy and the importance of the rule of law, human rights, and freedom. It has done so by, for instance, covering elections in the U.S. and Taiwan, and covering the so far successful struggle of the people of Hong Kong to preserve their democratic institutions in the face of determined efforts by Beijing to take them away.

It also helps its Western and its Chinese readers understand the reality of life inside China. *The Epoch Times* revealed the Party's attempt to cover-up the SARS epidemic. It covers corruption among Party officials, tells the inside story of power plays within the Party hierarchy, reports on the massive labor unrest, the continued hounding of all democratic or internet dissidents, and on China's extreme human rights abuses. *The Epoch Times* reports on the persecution of house Christians, Catholics, Tibetan Buddhists, and Uigher Muslims.

Most importantly for this hearing today, *The Epoch Times* gives thorough coverage to the persecution of Falun Gong. This is the most important story in China today, and one that most other Chinese media will barely touch, due to pressure from the People's Republic of China (P.R.C.). Western media have for the most part had difficulty covering this story, and their coverage has been very inadequate.

In 1999 1 in 12 Chinese practiced Falun Gong. If you count the family members of those persecuted, then easily 25% of all Chinese are directly affected by the persecution.

This persecution reveals the essence of the rule of the CCP in China. It shows how the CCP uses a campaign of terror to attempt to prop up its own legitimacy, by attempting to portray Falun Gong as an "enemy" of China whom the Party and the people must rally together to eradicate. And it shows how this terror depends upon a massive campaign of lies.

The response of Falun Gong to this persecution demonstrates to the Chinese people that it is possible to insist on the demands of one's conscience in the face of the Party's terror, and peacefully to resist tyranny.

Thus, the attack by the CCP on *The Epoch Times* is an integral part of its persecution of Falun Gong. In order to carry out this persecution the CCP must hide it from the world, and even from its own citizens. Moreover, Falun Gong's peaceful resistance, resistance that is becoming ever more successful in countering the Party's

campaign of persecution, is something the Party cannot allow any media to discuss openly.

“The Epoch Times” Covers the Persecution of Falun Gong in the U.S.—the Case of Bill Fang

Of course, the persecution of Falun Gong also takes place here in the United States, and *The Epoch Times* has covered the resulting instances of harassment, intimidation and violence.

For instance, consider the events of September 7, 2001 in Chicago, about which *The Epoch Times* provided full coverage to Chicago’s Chinese-language community. Late that afternoon three Chinese men drove up in front of the Chinese Consulate in Chicago in a brand new black SUV. Opposite the Consulate were a small group of Falun Gong practitioners on a hunger strike in order to appeal for justice for the victims of torture in Masanjia labor camp in China. One of the practitioners, Ms. Feng Lu, walked across the street to the three men to offer them a Falun Gong flier. Two of the men got out of the SUV and stood over Ms. Lu. They harassed her sexually and threatened to beat her. Mr. Bill Fang, standing several yards away, became concerned and began to take pictures. Immediately the two chased Bill down, threw him against a fence, smashed his camera, and, according to eyewitness testimony, beat him severely. A third practitioner ducked underneath the men beating Mr. Fang and managed to save his film from the ruined camera. The two men chased her in turn, but relented when they realized police had been called. As they left, they threatened to kill Ms. Lu.

Eventually, Mr. Fang, using the pictures rescued from that day, succeeded in identifying the two men who had beaten him, and they were arrested. On November 13, 2002 Mr. Jiming Zheng pled guilty in the Circuit Court of Cook County in Chicago to the beating. Mr. Yujun Weng was tried on December 5, 2002 and also found guilty.

On Thanksgiving Day 2002, the very close ties of Mr. Jiming Zheng and Mr. Yujun Weng to the Chinese Consulate were affirmed by the acting Chinese Consul-General. Jimeng Zheng and Yujun Weng are listed as officers of the Mid-USA Fujian Association in Chicago. On Thanksgiving Day that association hosted the entire Consulate staff for a party celebrating the association’s third anniversary. According to the December 4, 2002, issue of *The World Journal*, Consul-General Shen Weilian toasted the Fujian association saying that “since Thanksgiving Day is the traditional western holiday for a family reunion, his attending the Tri-anniversary proves the intimate relation between the Chinese Consulate in Chicago and the Mid-USA Fujian Association.” At the time that the Consul-General made his toast, Jimeng Zheng had just pled guilty to beating Mr. Fang, and Yujun Weng was awaiting his own trial for the same crime. According to Mr. Fang, who visited the dinner along with Chicago police in order to arrest an individual charged with attempted obstruction of justice in his beating case, Jimeng Zheng and Yujun Weng were seated at the dinner in plain sight.

The head of the Fujian association, Mr. Zheng Liguang, in itemizing its activities, also gave evidence of its close ties to the Consulate. Indeed the association almost seems to function as an adjunct to the Consulate. Mr. Zheng listed its hosting over 10 delegation groups from China, including representatives of the Chinese National People’s Congress, and participating heavily in the welcoming party for Jiang Zemin (who at that time was the paramount ruler of China) when he visited Chicago. In addition Mr. Zheng Liguang and the vice-chair of the association were two of the very few Chicagoans who had a private audience with Jiang Zemin during his visit.

The Epoch Times laid out for everyone to see the details of the beating, and the very close relations between the thugs whom the Chinese government considers to be “family.”

The CCP harasses *The Epoch Times*, because its rule depends on controlling what message reaches the Chinese people. It cannot control *The Epoch Times*, and so the CCP has sought to subvert it.

The 6–10 Office Attacks “The Epoch Times”—Evidence from Hao Fengjun

The P.R.C.’s campaign of harassment of *The Epoch Times* outside China is in a sense simply an extension of its attempt to eliminate *The Epoch Times* within China. Originally, *The Epoch Times* had a staff of over 20 based inside mainland China. However, one day in December 2000 e-mails to those inside China suddenly went unreturned. All of *The Epoch Times’* staff had been swept up by the police. Many are still held in prisons, where they suffer severe abuse. Mr. Zhang Yuhui helped design and edit our first website. We learned that in November 2003 he was hung from a cross for three consecutive days. Later a picture of him was shown to

his young son, who immediately turned away shouting “That is not my father.” Torture had aged Zhang Yuhui so severely he was unrecognizable.

The Epoch Times staff were swept up on the orders of the 6-10 Office, an extra-constitutional office with power over all Party and government offices created for the purpose of “eradicating” Falun Gong. The 6-10 Office also turned its gaze overseas.

When Hao Fengjun left China to go to Australia to defect, he brought with him a large number of 6-10 Office documents loaded on his MP-3 player. One of those documents details a meeting held in Shenzhen on October 19-20, 2004, for the purpose of organizing the investigation of *The Epoch Times* and two other independent Chinese-language media that have also regularly reported on “sensitive” subjects that the CCP prefers were not covered, New Tang Dynasty T.V. and Sound of Hope Radio.

[. . .]

Tianjin City Public Security Bureau, Office of Cult-Related Crime Prevention and Administration (Formerly Tianjin City Public Security Bureau 610 Office)
Oct. 21, 2004

Bureau Chief Zhang:

From Oct. 19 to 20, the No. 26 Bureau of the Ministry of Public Security held a meeting in Shenzhen for directors of the 610 offices in the public security departments and public security bureaus in Tianjin, Beijing, Shanghai, Guangdong province, Shandong province, Jiangsu province, Shaanxi province, Hunan province and Anhui province. [. . .]

During the meeting, each province gave reports on their overseas investigation of the three media [*The Epoch Times*, New Tang Dynasty T.V., and Sound of Hope Radio], collected by overseas special agents.

Comrade Zhang Yue listened to our bureau’s report on collecting information from the *Epoch Times* website and praised our work here in Tianjin. The Tanggu Branch Bureau reported on the work of the spy with code name “Investigator 102.” Comrade Zhang said this spy has done well. He/she has already infiltrated into the *Epoch Times* in Hong Kong. The essential task now is how to best position this agent and let him/her infiltrate deeper and higher and give full play of his/her special effect. We need to have long term plan for directing this agent, we shouldn’t rush. We should consider the fact that this agent wants to work for us and use our assistance to get into Hong Kong’s political circle. We can make some arrangements for him/her, to help him/her release his/her burden and work for us. The Hedong Branch Bureau reported on 3 agents (“Jin T9901,” “Dong 16,” and “269”). All three are on good footings. The key is to direct them to obtain internal information from the *Epoch Times* more directly, in order to improve Tianjin’s investigation over the 3 media.

2. Opinions on Deployment

This special investigation case will continue to be uniformly administered by the No. 26 Bureau, with participation from the 610 offices from the public security departments and bureaus in Tianjin and the other 8 cities and provinces. The task for the 6 provinces is to rely on the overseas secret forces to deepen overseas investigation and improve personnel arrangement. Collect criminal evidence against the 3 media’s reporters, columnists, staff writers, and their connections inside China. At the same time, develop a strategic battle plan to gradually weaken the influence of the 3 media, including inserting someone into the 3 media to influence their content and create conflict among these media, forcing out the few diehard members from the 3 media, and try to stir up internal chaos. Especially try to obtain information on the true identity and activity of “Zhao Zifa” [an *Epoch Times* reporter who regularly interviews individuals inside mainland China] as soon as possible.

At the meeting, each local bureau was required to prepare a detailed local plan on how to implement the Ministry’s deployment plan.

3. Our thoughts on Implementation

We have the following thoughts on how to implement the plan in accordance to the requirement announced at the meeting.

1) In the near future, meet with the directors, national security team leaders, and key police members of the Tanggu and Hedong branch bureaus to explore how to use four overseas agents’ to their potentials, position them correctly, and investigate the 3 media. We’ll try to make a detailed work plan within in one half month, submit it to the No. 26 Bureau, and begin implementation.

2) Strengthen internet monitoring of the *Epoch Times*, analyze its overall content to identify its characteristics, with emphasis on obtaining information

about its reporters and staff writers who publish information on Falun Gong. [. . .]

3) Improve our bureau's investigation work mechanism. Zhao Yuezeng will be responsible for the overall administration of the case. Zhao Guoli will be in charge of overall investigation. Shi He will be in charge of training for police officers from the two branch offices. Yang Guolan will be in charge of summary of intelligence reports. Zhang Yuwei will be responsible for collecting information from our monitoring sites. Our office will take the lead to coordinate a bi-monthly standing meeting on this case with the Tanggu and Hedong branch bureaus. The purpose of the meeting will be to report the latest news on the Ministry's and other bureau's investigations, research our investigative work and troubleshooting the problems, adjust the direction of our investigation, deepen the investigation, and pass notices from No. 26 Bureau and our findings onto the Tanggu and Hedong branch bureaus in a timely manner, so that the police from the two branch bureaus can have the latest news and direct the agents in target areas to collect information.

4) Guarantee manpower, material supply and funding for this investigation. No. 26 Bureau of the Public Security Ministry has decided to allocate special funding to the local bureaus. We will provide timely financial support for the Tanggu and Hedong branch bureaus, strengthen communication with police officers who are directing the special agents, and improve their skill in working with the agents, in order to ensure Tianjin's leading role in this investigation.

How "The Epoch Times" Has Been Harassed

The P.R.C.'s harassment of *The Epoch Times* has taken three main forms: 1) the attempt to interfere with the ordinary business activities of the *The Epoch Times*; 2) the attempt to deprive *The Epoch Times* of advertising; 3) the attempt to pressure staff members of *The Epoch Times* by intimidating family members living in mainland China, which has been commented on.

1) A recent example from Los Angeles illustrates the lengths the P.R.C. will go to put *The Epoch Times* out of business.

In late February 2005 *Epoch Times'* staff noticed that a man was stealing hundreds of copies of the Chinese-language edition. They began following this man, whom they learned was named Mr. Lum, and found he spent the entire day every day driving to distribution points throughout L.A. Every day he would steal every single paper at each location, totaling thousands of papers each day. After finishing his route, Mr. Lum would take his pick-up truck full of papers to a recycling center, where he would earn a few extra dollars by selling *The Epoch Times'* press run. Every day he only stole *The Epoch Times*, although other free Chinese newspapers were available to be stolen. On the eleventh day of the monitoring of Mr. Lum, Tony Hong, an *Epoch Times* reporter, attempted to videotape him at the recycling center. Mr. Lum saw him and drove his truck into Tony's leg. Later that day Mr. Lum was arrested for assault with a deadly weapon. He is now out of jail and awaiting trial.

If one asks the question "Who gains?" from Mr. Lum's crimes, there is only one possible answer: the P.R.C. We believe a thorough investigation of this incident will prove conclusively what is obvious on the face of it.

What is remarkable about this particular incident is how thoroughly the L.A. *Epoch Times* was able to document the thefts. In fact, ever since *The Epoch Times* began publishing in 2000, it has had to endure thefts of its papers at locations all across the United States. For instance, in March, 2005 the Brown student newspaper reported that *The Epoch Times* had been stolen regularly from the University bookstore. The thief, an elderly Chinese man, was arrested after he was observed doing this on security cameras. (http://www.brown.edu/Students/INDY/archives/2005-03-17/articles/feat-leung_communist.htm).

In addition to the theft of its papers, *The Epoch Times* has had to contend with several other types of interference with its doing business. For instance, on December 21, 2004, *The Epoch Times* held a forum at the National Press Club in Washington, D.C. to discuss the *Nine Commentaries*. Mr. Sun Weide, the Spokesman for the Chinese Embassy, called and e-mailed Mr. John Bloom, the General Manager of the Club, requesting the forum be cancelled. The Club refused to do so, and the Chairman of the Club, Mr. John Donnelly, issued a statement rebuffing the Chinese Embassy.

On January 23, 2004 *Epoch Times* reporter Lily Sun interviewed Mr. Jun Hao, the President of the Temple University Chinese Students and Scholars Association (CSSA), at a Chinese New Year's Party organized by the CSSA. The next day another Chinese student pointed out to Hao that he might face reprisal from the Chinese Consulate in New York for agreeing to be interviewed by *The Epoch Times*. Hao sent an email to the CSSA email list, slandered reporter Lily Sun and the

newspaper and claimed that he “has nothing to do” with *The Epoch Times*. He further asked that *The Epoch Times* not publish the interview and the article about the event.

This incident points how thoroughly the Chinese Embassies and Consulates work to control Chinese living here in the U.S. In fact, the P.R.C. has heavy influence over most Chinese student associations and civic associations. These organizations, which left to their own devices might be the incubators for a genuine Chinese civil society that could over time be transplanted back into China, become instead the means of enforcing Party discipline on what the CCP refers to as “overseas Chinese,” while also amplifying the CCP’s voice in Western society. When one receives a message from a Chinese student or civic association on a topic deemed “sensitive” by the CCP, one is most likely simply hearing the CCP’s voice projected from afar.

Of course, this thorough control of Chinese society here in the U.S. allows the P.R.C. to cause all manner of difficulties for *The Epoch Times* behind the scenes, difficulties whose true cause might be invisible. Only a momentary breakdown in this control shows clearly its existence. Because Mr. Jun Hao at Temple “slipped up” and granted an interview to *The Epoch Times*, his fear of the Consulate was subsequently exposed. Of course, this incident also points out how vital for the Chinese people is the existence of an independent media, one that might give them a frame of reference independent of the CCP.

In the incident at Temple University, our reporter was interfered with indirectly by the P.R.C., due to fear of the Chinese Consulate’s reaction. On December 10, 2003 in Boston Chinese Embassy staff members attempted to interfere directly with an *Epoch Times* reporter, seeking to exclude him from covering the arrival of Chinese Premier Wen Jiabao. Officials from the Massachusetts Governor’s office, the Massachusetts Port Authority, the Boston police, and the U.S. Secret Service each rejected demands from the Chinese that the reporter be excluded. One Embassy staffer finally went so far as physically to block the reporter’s way. At this point a Boston policeman pushed the Embassy staffer aside so that *The Epoch Times* reporter could do his job.

On March 3, 2005 the New York office of *The Epoch Times* received over 100 harassing phone calls. The calls came in on multiple lines simultaneously, indicating some type of device was being used to make them. The staff at the office determined the calls did not originate from a fax machine. This incident occurred within the context of a campaign of harassing calls directed against Falun Gong practitioners, and many of those calls have been dialed from Beijing.

2) Potential advertisers often fear doing business with *The Epoch Times*. For instance, during the *Epoch Times* Chinese New Year’s Gala in February 2002, DCH Auto Group (<http://www.DCHusa.com>) in New Jersey agreed verbally to be a named sponsor and advertiser in the newspaper, at a cost of \$700 dollar for 2 tickets. *Epoch Times* newspaper sales person Frank Lee’s uncle worked there as a manager and he referred him to the manager Y.C. Tsien who handled special promotions. DCH Auto Group wrote the check and mailed it to *Epoch Times* before any contract was signed. Two days later, Lee’s uncle called Lee and stated that DCH Auto Group wanted to call it off because there was a fear that the newspaper supported Falun Gong and the Chinese government would exact revenge by not doing business with DCH Auto Group.

Another case also involved an auto shop. Guanying Xiao, the Chinese owner of a car garage in Houston, Joseph Auto Service Inc., told the *Epoch Times*’ ads saleswoman Lisa Sun that one or two Chinese Consulate officials complained to him that he had put ads in *The Epoch Times*. Since Xiao repaired all the cars of the Chinese Consulate, he was afraid of losing business. He asked *The Epoch Times* to remove his ads from the newspaper although he had signed a contract. He also asked the *Epoch Times* to keep this a secret because he didn’t want the Consulate to know that he told the *Epoch Times* newspaper about it. The newspaper adhered to the contract refused to take off the ad. He then asked Lisa Sun to do him a favor: if Chinese Consulate officials call *The Epoch Times*, please tell the caller that he got the ads for free, although he would still pay for the ads when the contract was valid.

The examples in this testimony are meant to show a general pattern of harassment whose goal is to deprive *The Epoch Times* of the conditions necessary for doing business. The incidents we can document are merely a tiny fraction of the true number. For every advertiser who has bravely reported to us the Chinese Consulate’s threats, how many other advertisers have silently decided not to purchase an ad? For every individual who has rented a venue to *The Epoch Times* and has withstood the CCP’s threats, how many others have simply refused to do so? For every case of the theft of newspapers that we can clearly document, how many more hundreds or thousands of such cases have taken place?

The P.R.C. and the Media—A Threat to U.S. Freedom

There is no freedom without freedom of the press. The campaign against *The Epoch Times* is part of a larger strategy by the P.R.C. to control all Chinese-language media here in the U.S.

In November 2001 the magazine *China Brief* published an invaluable article “How China’s Government Is Attempting to Control Chinese Media in America.” The article reveals that since waves of immigration from mainland China began reaching the U.S. in the mid-1980s, the CCP has attempted to control all Chinese-language media in this country.

It recounts how proxies for the Chinese government bought control of both the Sing Tao newspaper group and the *Ming Pao Daily News*, two of the four largest Chinese-language newspapers prior to the emergence of *The Epoch Times*. Both newspapers changed their editorial stance toward China. With the Taiwan-based *World Journal*, the P.R.C. has used the promise of business ties inside China to influence the paper’s editorial content. *China Brief* concluded that a majority of Chinese-language media in the U.S. are either directly run by or heavily influenced by the P.R.C.

In June 2005 the magazine *Chinascope* (“How the Chinese Government Came to Dominate Chinese Language Media in the United States”) revisited this topic and expanded on the treatment given in the *China Brief* article. The *Chinascope* article in particular discusses the context for China’s domination of the Chinese-language media. It notes the huge disproportion between the aggressive, purposive actions of the P.R.C. to take advantage of the U.S.’s free institutions and the U.S.’s largely passive response. The U.S. has neither effectively defended U.S. institutions here at home against the P.R.C.’s challenge nor effectively projected into China media informed by the principles of a free society.

Mr. Chen Yonglin, the 1st Secretary of the Chinese Consulate-General in Sydney who announced his defection from China on June 4 this year, commented in an exclusive interview with *The Epoch Times* on the strategies the CCP uses to control Chinese-language media outside China.

“Chen highlighted the three main avenues of media control: direct sponsorship, advertisements, and purchase of front-page coverage and broadcast time.

“Some Chinese language newspapers publish editorial articles written by CCP members, showcased on special pages set aside for this purpose. This format has been well received by Beijing, and has become a frequently used propaganda tool. The head of the Publicity Department of the CCP Central Committee has visited Australia and been very pleased by the media situation that he observed—that the voice of the CCP is reaching far into the Chinese communities. There is also an element of economic advantage for these CCP compliant media, as they are granted special privileges and access to markets in China.” <http://english.epochtimes.com/news/5-7-14/30335.html>

Mr. Chen made headlines around the world by revealing that his job at the Sydney Consulate-General involved running a network of 1,000 spies, one of whose primary tasks was monitoring and interfering with Falun Gong practitioners and dissidents. We can be sure the work of such P.R.C. spies includes keeping tabs on the staff of *The Epoch Times*. Consider that the NSB agents in far-off Guangzhou knew how many children Ms. Jun Guo had, and where they went to school.

The domination of Chinese-language media by the P.R.C. helps assure that its hostility to democratic institutions is constantly reinforced in Chinese-language populations. This hostility to the West should not be underestimated. After the terrorist bombs exploded in London on July 7, chat rooms in the P.R.C. featured individuals cheering the terrorists. (see <http://english.epochtimes.com/news/5-7-17/30366.html>) The same shocking behavior of celebrating catastrophe occurred when the shuttle Columbia broke apart in the skies over Texas and when the twin towers came down on September 11.

U.S. policy toward China has proceeded on the basis of a profound faith in the institutions of a liberal society. The U.S. may perhaps have been too confident that exposure to our institutions and way of life will lead automatically to a liberal transformation of the P.R.C. What we see in the harassment of *The Epoch Times* is the inveterate hostility of the P.R.C. to our free institutions, and a sustained effort by the P.R.C. to transform those institutions through threats, intimidation, and economic leverage.

In rebuffing the Chinese Embassy’s attempt to lock out *The Epoch Times* from the National Press Club, John Donnelly, the Club’s Chairman, said, “We practice and defend freedom of speech, and that applies equally to all, regardless of their views . . . Whenever that freedom of speech is restricted for anyone or to any degree, it is imperiled in full.”

The testimony of *The Epoch Times* here today is a warning. The principle asserted by Mr. Donnelly is one familiar to all friends of constitutional government. The rights of U.S. citizens and residents have been abridged and have been under attack here in the U.S. by a foreign state for sometime now. Rights here in the U.S. are already "imperiled in full."

The hostility of the P.R.C. to *The Epoch Times* is plainly visible, as Embassy staffers publicly oppose the paper. However, the hostility of the P.R.C. to free media poses other more insidious threats. U.S. companies, such as Cisco Systems, have worked to censor the Chinese internet and to enable China's internet police instantly to track down anyone who dares to try to reach independent sources of information. Yahoo! has agreed willingly to censor its own content inside China in order to have access to the China market. Google has agreed to deceive the Chinese people by redirecting searches to approved Chinese government sites.

In all of these cases major western media companies have become the handmaidens of tyranny. These actions break a crucial psychological barrier. How long before the habits of mind and the business practices learned in Beijing appear in the decisions made directly affecting business done here in the U.S.? Is the U.S. transforming China, or is China transforming us?

This hearing is an opportunity for the U.S. Congress to begin looking long and hard at the assumptions that underlie our policies toward China and to ask the question whether those assumptions enable us to protect the rights of the American people and to advance American principles around the world.

In response to the problems discussed in today's testimony, *The Epoch Times* urges Congress to:

1) Find a formal means to advise the Chinese Embassy that interference with the freedom of the press in this country will not be tolerated.

2) Advise the F.B.I. to identify and investigate vigorously non-registered agents of the People's Republic of China operating in the U.S.

3) Speak out and condemn attacks on freedom of the press here in the United States, and find means to encourage independent, Chinese-language media. By encouraging *The Epoch Times* and other independent, Chinese-language media, the Congress will defend the principle of the freedom of the press in this country, and help further the promulgation of democratic principles among Chinese-language populations inside the U.S., throughout the Chinese diaspora, and in mainland China. Strong support for the freedom of the press is absolutely necessary for the continued health of the United States.

Thank you.

Mr. SMITH. Mr. Gregory, thank you very much for your testimony and for the extraordinary work you are doing. I would also say the same thing to Mr. Zhou.

As you know, many of us did mount a letter back in April on behalf of your company and your programming, and we took great issue, as did President Bush, with the French as well as the Chinese for trying to deny you the satellite access that you need. We will continue that vigilance, I can assure you.

Mr. ZHOU. Thank you Mr. Chairman. It has been of tremendous help for Mr. Chairman and Members of this Committee to sign the letter to President Bush.

Mr. SMITH. Thank you.

Mr. SMITH. Ms. Spiegel.

**STATEMENT OF MS. MICKEY SPIEGEL, CHINA AND TIBET
EXPERT, HUMAN RIGHTS WATCH**

Ms. SPIEGEL. Thank you for holding this hearing and for inviting Human Rights Watch to testify on the right to freedom of thought, conscience, religion, and belief in China. The following remarks are a summary of what has been submitted for the record.

The Chinese Government does not permit the continued existence without restriction of any organization or activity that challenges the party's control over aspects of society it deems critical. Religious groups are not exempted. Just 2 days ago, for example,

the chairman of the Tibet Autonomous Region stated that the next Dalai Lama will be chosen by the Tibetan Government on the basis of alleged historical precedence.

In my testimony, I will highlight the legal and practical machinery of control, emphasizing that it is particularly stringent when the government views a religious belief or practice as reinforcing problematic ethnic, cultural, or political activity.

Although the Chinese Constitution asserts that all citizens enjoy freedom of religious belief, the devil is in the details. The applicable constitutional article applies only to the five religions officially recognized in China, and it does not even include groups who believe in a recognized religion but who organize outside state control. A number of Protestant and Catholic groups are in this category. Should they decide to abide by the regulations limiting their independence, the possibility of shedding their legal status does exist. Such an option is not open to those the government classifies as cults. Among them obviously, Falun Gong.

For groups that do gain recognition, they must give up control over a number of activities, all of which, again, are in the longer version of this testimony. Gaining official approval is even more limited in Tibetan areas and for Uighurs in Xinjiang. In the Tibetan areas, again, the government has several modes of restrictions which makes it almost impossible for Tibetans to follow their own religious beliefs. Human Rights Watch, for instance, has been told that the government appoints paid informants in the monasteries and in villages near the monasteries to keep an eye on monks. China also pursues a policy of denigrating and imprisoning charismatic monastic leaders and claims the right to vet all reincarnations. Human Rights Watch has published on this as it has published on Uighurs also.

In addition, Chinese authorities interfere with scholarly Buddhist studies and with the transmission of Buddhist practices to a new generation of students and would-be scholars. Most critically, in many areas there are few if any scholars or teachers, but there are restrictions on inviting monks from elsewhere to give teachings, and monks cannot go on long privileges to obtain the education they need and want. University and public school students have told Human Rights Watch they are barred from performing rituals and from observing holidays on pain of expulsion.

The situation is much the same for the predominantly Muslim Uighurs in Xinjiang, and our report, based on firsthand accounts and previously undisclosed government and party documents, shows that religious and cultural policy in Xinjiang, as in Tibet, is crafted at the highest party and government levels.

The Chinese Government also imposes strict limits on religious observations in inner Mongolia. There, too, China continues its attempts to destroy a distinctive culture. Hada, a Mongolian, who tried peacefully to lead a movement to preserve that culture, is now in the 10th year of a 15-year prison term. Falun Gong and certain Protestant groups have fared even worse.

In 1999, after listing the characteristics of so-called heretical sects, the Chinese Government insisted that Falun Gong had met the definition and represented a danger to its members and a threat to the stability of the state. It subjected its leaders to crimi-

nal sanctions and members willing to recant after enforced reeducation, faced trials heavily influenced if not dictated by party and government authorities. The government even insisted that law firms could not act as consultants or counsels to practitioners unless they received explicit permission from the party.

In addition to judicial trials, these ex post facto rules have made it possible for the police and other agencies authorized to send people to reeducation-through-labor without any kind of judicial input. It has made it possible for them to send thousands of Falun Gong practitioners and also Protestant and Christian practitioners for terms ranging from days to years.

Police often prefer reeducation to criminal prosecution, one, because evidence necessary for a judicial conviction is hard to come by, and because, as in the case of Falun Gong, the numbers were considerable and the party was determined to quickly stamp out the perceived threat to its authority.

Although it is impossible to know how many people were rounded up or how they were treated, not one Falun Gong member should have spent 1 minute in detention or, for that matter, in a police van, for believing what he or she believed or for peacefully meditating or for practicing the variety of qigong exercises promulgated by the group. Certainly no one should have been subjected to the brutal transformation techniques used to reeducated them or to reincarceration in psychiatric institution. Remember, no religious growth, whether orthodox or heterodox, should be banned, persecuted, or prosecuted for its beliefs alone or for associated peaceful activities.

We have several recommendations that we would urge the U.S. Government to continue to urge. One is that they urge immediate release from any form of detention of all those held for peaceful practice of activities associated with religious belief.

Cessation, obviously, of holding people in nonjudicial methods, to hold people for years of reeducation of people through labor camps.

They should affirm that the independent practice of religion does not constitute a criminal act.

There should be permission for Falun Gong practitioners to resume public and private sessions.

There should be removal of all references to sex and evil religious organizations from the PRC criminal code, and there should be rescinding of all applicable explanation, interpretations, and decision.

Finally, there should be adoption of an explicit provision guaranteeing freedom of belief for those under 18 and for the right of parents to educate their children in the belief system of their choice.

In addition, Human Rights Watch urges that the U.S. Government continue to resist Chinese pressure to limit the right to free assembly for religious believers or for those who define themselves as spiritualists as provided for under international human rights standards.

Thank you.

[The prepared statement of Ms. Spiegel follows:]

PREPARED STATEMENT OF MS. MICKEY SPIEGEL, CHINA AND TIBET EXPERT, HUMAN RIGHTS WATCH

Thank you for inviting Human Rights Watch to testify about the right to freedom of thought, conscience, religion and belief in the People's Republic of China.

The Chinese government does not permit the continued existence of any organization or activity that has the potential to challenge the Chinese Communist Party's control over aspects of society it deems crucial. To the extent that religious groups and organizations have an agenda different from what the Chinese government demands or organize themselves in ways that circumvent Party and government control, they face strict, and often harsh, restrictions. Human Rights Watch will briefly highlight the legal and practical machinery of the system of control, and will emphasize that controls are particularly stringent when the Chinese government views a religious activity as coinciding with, or reinforcing, problematic ethnic, cultural, and political activity.

China's government, through a series of Party policies and government regulations, including the March 1, 2005 "Regulations on Religious Affairs," sharply curtails both freedom of religious belief and the freedom to express one's belief. Religious activities that are banned include publishing and distributing texts, selecting leaders, raising funds and managing finances, organizing training, inviting guests, independently scheduling meetings and choosing venues, and communicating freely with other organizations. In China today, all such activities are subject to regulatory state interference and even imprisonment and severe mistreatment of offending believers and practitioners.

Article 36 of the Chinese constitution asserts that all Chinese citizens enjoy freedom of religious belief, but the devil is in the details. The article applies only to the five religions officially recognized in China. It does not include other belief systems, nor does it include people who identify themselves as belonging to one of the recognized religions, but organize outside state control and are, thus, outlaws. A number of Catholic and Protestant groups fall outside the official state designation. Should the groups decide to abide by the regulations limiting their independence the possibility of shedding their illegal status exists. Such an option is not open to those the government classifies as "cults."

Gaining official approval is even more limited in geographical areas, such as Tibet and Xinjiang, where official control of religion is tighter than in predominantly ethnic Chinese areas. In the Tibet Autonomous Region (TAR) and in areas in provinces with concentrated Tibetan populations, the government limits the number of monasteries, the total number of monks, and the number at any given monastery; vets all applicants wishing to join a monastery or nunnery; interferes with the independent selection of the monastic leadership at all monasteries; prohibits the performance of traditional rites; conducts ongoing re-education campaigns; limits large religious assemblies; periodically sends work teams to monasteries to check on adherence to all rules; and as Human Rights Watch has been told, "appoints paid informants in the monastery as well as villages near to the monastery to keep an eye on monks." There is a permanent police presence in the larger monasteries. As is well known, the police will search for contraband, such as photos of the Dalai Lama or tapes of his speeches.

The political aspects of re-education, centering on opposition to the Dalai Lama, admission that Tibet has always been a part of China, and recognition of the Chinese-chosen Panchen Lama (second in importance to the Dama Lama), are well-known. China also pursues policy of denigrating and imprisoning charismatic monastic leaders and claiming for itself the right to vet all reincarnations. The case of Tenzin Delek, examined in the February 2004 Human Rights Watch report *Trials of a Tibetan Monk: The Case of Tenzin Delek*, clearly encapsulates these abuses.

Just two days ago, on July 19, 2005, the Chairman of the TAR, Qangba Puncog, stated that Beijing will choose the next Dalai Lama, a critical example of blatant interference with religious belief and practice.

In addition, Chinese authorities have interfered with scholarly studies of Buddhism and the transmission of Buddhist practices to an upcoming generation of students and would-be scholars and monks. Most critically, in many areas there are few, if any, master scholars and teachers, and there are restrictions on inviting monks from other areas to give teachings. In at least two areas, monks cannot go on pilgrimages outside their own region for longer than five days. As one monk reported, "The monastery is helpless, as it is the order from higher authorities." University and public school students have told Human Rights Watch that they have barred from observing rituals and holidays, and in some cases threatened with expulsion.

The situation is much the same for the predominantly Muslim Uighur people in Xinjiang province. China limits religious practice; methodically campaigns to re-educate religious leaders; restricts publication of Uighur literature; discourages displays of religious attire or appearance, such as beards or veils, for those Uighurs holding government jobs or seeking university admittance; regulates the use of written and spoken Uighur; and discourages traditional celebratory occasions. In April 2005,

Human Rights Watch released *Devastating Blows: Religious Repression of Uighurs in Xinjiang*, a report based on firsthand accounts and undisclosed government and Party documents. It shows beyond a doubt that religious and cultural policy in Xinjiang, as in Tibet, is carefully and deliberately crafted at the highest Party and government levels. Since the events of September 11, 2001, Beijing has suggested that its crackdown in Xinjiang is part of the “global war on terror,” erasing the distinction between small pro-independence groups who in the past espoused violence and vocal but peaceful activists.

The Chinese government also imposes the same strict limits on religious observance in Inner Mongolia, another ethnic region with a history of Chinese attempts to destroy a distinctive culture. Hada, a Mongolian who tried peacefully to lead a movement to preserve that culture is now in the tenth year of a fifteen-year prison sentence.

Against this backdrop of religious intolerance, Falungong, which refers to itself as a spiritual organization, and certain Protestant groups have fared even worse. In 1999, after listing the characteristics of so-called heretical cults, the Chinese government insisted that Falungong met the definition. The government held that Falungong represented a danger to its members and a threat to the stability of the state and subjected its leaders to criminal sanctions. Members unwilling to recant after re-education were to face trials heavily influenced, if not dictated, by Party and government authorities. The government even went so far as to forbid law firms from acting as consultants or as counsel to practitioners without first obtaining what amounted to government permission.

The ex post facto rulings cleared the way for the Ministry of Public Security and police at the provincial and local levels to arrest, detain and interrogate Falungong members and members of other so-called cults and unregistered groups. The police—along with other agencies authorized to send people to re-education through labor camps for up to three years without trial or other judicial input—have sent thousands of Falungong members to labor camps for periods ranging from days to years. Police often prefer re-education through labor to criminal prosecution, for a variety of reasons: for example, because evidence necessary for a judicial conviction is hard to come by or because, as in the case of Falungong, the numbers were considerable and the Party determined to quickly stamp out the perceived threat to its authority. There was hardly any time for trials, even truncated ones that came nowhere near complying with international standards of openness and fairness. In other cases, Falungong members have been forcefully sent to psychiatric institutions.

Although it is impossible to know how many people were rounded up or how they were treated, not one Falungong member should have spent one minute in detention, or for that matter, in a police van, for believing what he or she believed, or for peacefully meditating, or for practicing the variety of *qigong* exercises promulgated by the group. Certainly no one should have been subjected to the brutal “transformation” techniques used to re-educate them or to incarceration in psychiatric institutions.

And no member of any religious group, whether orthodox or heterodox, should be banned, persecuted, or prosecuted for its beliefs alone or for peaceful activities associated with religion or belief.

RECOMMENDATIONS

Human Rights Watch recommends that the U.S. government in any and all human rights dialogues and in any and all meetings of high-level U.S. officials with their Chinese counterparts urge the following:

- immediate release from any form of detention all those held for peaceful practice of activities associated with their religious beliefs. It should be noted that Chinese authorities insist that no one is incarcerated for their religious beliefs but for breaking the law. U.S. officials should urge abandonment of that fiction and seek explicit affirmation by senior Chinese government and Party officials that the independent practice of religion does not constitute a criminal act.
- cessation of the practice of using non-judicial methods to hold people for years in re-education through labor camps.
- adherence to international fair trial standards when trying those accused of crimes associated with religious practices. Permit public hearings, including attendance by foreign observers, as provided for under international human rights standards.
- permission for Falungong practitioners to resume public and private sessions.

- removal of all references to “sects” and “evil religious organizations” from the PRC Criminal Code and rescind all applicable explanations, interpretations, and decisions.
- adoption an explicit provision guaranteeing freedom of belief for those under eighteen and the right of parents to educate their children in the belief system of their choice,

In addition Human Rights Watch urges that the U.S. government continue to resist Chinese pressure to limit the right to free assembly for religious believers or those who define themselves as spiritualists as provided for under international human rights standards.

Mr. SMITH. Ms. Spiegel, thank you very much for your testimony and the good work the organization does on this issue and other freedom rights issues around the world. I deeply appreciate it.

Ms. SPIEGEL. Thank you.

Mr. SMITH. I would like to begin with Mr. Chen. In your testimony, you made the point that Falun Gong is one of the main tasks of the Chinese missions overseas. I would just note that this is a systematic promotion of hate crimes when you so mistreat people of their belief system.

In appendix 1, you have the profiles of members of a special group struggling for Falun Gong in the Chinese consul in Sydney, and with great precision detail, you have names of individuals and what their work assignment was; perhaps still is.

I wonder if you could answer a couple of questions that I have. One is: Why the obsession with prosecuting the Falun Gong in particular, and why the obsession with crushing religious belief in general in China, unless it is part of the officially recognized patriarchic church or some of the other free self-movements where the government has such extensive control? Why are they so fearful in Beijing about people peacefully practicing such things as Falun Gong? Why the obsession?

Mr. CHEN. Yes, Mr. Chairman. The CCP prosecutes the Falun Gong practitioners for at least two reasons. One is the belief that Falun Gong is a threat to communism. As the Chinese people are aware, communism has collapsed in the Eastern European countries. There has been a serious crisis in China. You look at China, in China only 8 percent of the population has certain beliefs. So actually there are actually no religious freedom in China at all. The second reason is that the Falun Gong poses a threat to the Chinese Communist regime.

In 1999, the 25th day of April, about 10,000 Falun Gong practitioners launched a peaceful demonstration, sir, in front of the CCP headquarters in Beijing. That was a shock to the CCP leaders. Later, they found that the practitioners in China actually has a huge number that is about 10 millions of practitioners. So at this time, the political bureau of the CCP immediately decided to persecute the Falun Gong and passed a law in the National People's Congress to ban the Falun Gong. So the real purpose is to eliminate the threat to the CCP.

Mr. SMITH. You mention that the Australian model for the war on Falun Gong is exactly the same in the United States and other countries where the Falun Gong is active. We obviously have a very large Chinese Embassy and a number of their people and consular services here in the United States.

From your work with the North American Affairs Department, and Oceania in the Ministry of Foreign Affairs, do you know how many people here in the Chinese Embassy are doing this? Do you have any sense of how many people have this as their portfolio?

Mr. CHEN. In many small missions, Chinese overseas missions, there must be at least one official in charge of Falun Gong affairs. In the United States and Australia, both countries are considered the base of the Falun Gong overseas. So there will be more than one in each mission, sir, in these.

Mr. SMITH. You have four or five in Sydney, Australia alone. Do you know how many might be here?

Mr. CHEN. Should be more than that.

Mr. SMITH. Let me ask you in terms of acts of violence. Certainly what they are spewing in their campaign is a hate crime mentality. Do they also resort to physical violence? We know that they torture Falun Gong practitioners to death inside the PRC. Are there acts of violence committed outside of the PRC?

Mr. CHEN. The persecution of the Falun Gong is a systematic campaign. All the departments of the Chinese Central Government are involved, including the intelligence collection departments such as the Minister of State Security and the Minister of Public Security. They are all involved in it.

So there is the possibility that they have staged some campaign overseas in Australia, in the United States, to monitor the activity of Falun Gong. As I was working in the Chinese Consulate General in Sydney, we often received a report from Beijing to give us the latest information about the activities of Falun Gong in Australia and in the world.

Mr. SMITH. Finally, Mr. Chen, is there any sense that the persecution is abating, or is it getting worse? When Mr. Hu made his visit to the United States, I and others raised serious human rights issues with him, which I am sure he did not appreciate. However, there are those, especially people like Henry Kissinger and others, who offered a venue for him. This happened also when Jiang Zemin came to the country. Again, I and others raised human rights issues with him, only to have others in the business community kind of smooth over the impoliteness of those of us in Congress—Republican and Democrat—who feel that human rights should be at the core of our relationship and not how much money we should make and how many profits we should glean.

I know with Mr. Hu, there is that sense—I don't share, but I might appreciate your view—that in some sense he may be different. Do you have any sense that he may be different?

Mr. CHEN. When the Western world looks at China, a lot of people like that—China is an emerging economic power and can get a lot of economic benefit from—and developing close relations with the Chinese Communist regime. But I want to mention that the Western people should not forget that the CCP, the Communist regime in China, is a dictatorship, is a system that persecutes its own people, and it has committed serious crimes in the past half a century. About 80 million innocent lives have been deprived by the CCP in China.

When the CCP revealed its history of cultural revolution and it tried to convince the Chinese people that it is not the Communist

Party who committed such a crime, it is some individuals. Of course, it is not Mao Tse-tung who commanded such a campaign against the Chinese people, only some scapegoat from within the party.

So when people in the Western world that do business—people should always remember that it is a Communist regime. It is important that the Communist regime—it is an evil cult from the beginning. It has been used for a group of people, a group of politicians to use their powers in China and in some less-developed countries. But it is not a democratic power. It is a dictatorship. So the Western world should be aware that if the people—businessmen continue to deal with such government, and—we are raising a wolf, we are raising a wolf with sheep skin, and it is dangerous. We should look from the long-term point of view.

Someday when the American people wake up, it will be too late, that the wolf has been strong enough to destroy the democracy.

Mr. SMITH. That is a very strong warning to the Western countries. Your point about Mao and the Communist Party being excused by the West, and certainly the propaganda inside of China as to the atrocities committed by Mao Tse-tung, reminds me of what happened during the Nazi regime when there was a common refrain: If only the Fuhrer knew, if only Hitler knew, things would be different. However, the hate and the killing and the murder was emanating from the Fuhrer himself.

You know, I have read a number of books on China, but two of them stand out in listening to your conversation. Stephen Mosier wrote one called *Hegemon* and another called *Misperceived*. He talks about the double standard that the West applies to China when it comes to human rights abuse, including how quickly we look askance, perhaps because of self-interest and profit that can be gleaned by doing business with China.

However, this naiveness seems to make us get so easily snookered and taken in. We want to stay with the oppressed, not the oppressor. It seems that we, time and time again, regardless of who is in power in Western countries, stay with the oppressor, while we render to a footnote our concerns about human rights.

If anyone else would like to answer any of these questions, I yield the floor to you.

I would like to ask Mr. Zhou one specific question. When we wrote our letter on April 12th, we pointed out to the President that we understand the Chinese and French Government strongly pressured Eutelsat last spring to stop broadcasting NTDTV. Only counterpressure to the U.S. Government, Eutelsat's top customer, succeeded in keeping the channel on the air. Eutelsat is the largest supplier of satellite services to the U.S. Government, enjoying over 40 percent of our total contracts—and it goes on from there.

Has there been any change from the French Government and the pressure that they have brought to bear in the negative?

Mr. ZHOU. Yes, the French Government, as far as we know, they did give some pressure to Eutelsat last year at some critical point. But for this year, we don't have any specific information on the French Government side that have given any pressure.

However, we do know that they had recently made some really huge business deals with the Chinese Government, that is for sure,

but I don't know whether there is a deal involved in that negotiation regarding the Eutelsat. We are not sure.

Mr. SMITH. Mr. Gregory.

Mr. GREGORY. Mr. Chairman, I think there are two questions regarding the subject of today's hearing and *The Epoch Times* that we should consider. One is: Why is the Chinese Communist Party so threatened by *The Epoch Times*? And the second is: What should the United States learn from that?

A very quick answer to the first question: The Chinese Communist Party is creating a new kind of society. They are, to an extent that no one had ever thought possible, successfully controlling all the information that goes into China and all the information that comes out of China. *The Epoch Times*, simply by doing the job of an honest newspaper, covering the real stories and getting them into the hands of the Chinese speaker, and the Chinese diaspora in Hong Kong and in Taiwan and inside mainland China itself—threatens the very fundamental basis of the CCP's regime. The CCP's regime depends on controlling the minds of the Chinese people inside China, inside Hong Kong, and here in the United States.

So *The Epoch Times* is a direct threat to the CCP. This is not because *The Epoch Times* has a political motive. *The Epoch Times* has an interest in human rights. *The Epoch Times* has an interest in covering the news honestly. Simply those interests, those things, are a threat to the CCP.

Very quickly, what can the United States learn from this? I think there are very strong implications here for how the United States should regard its public diplomacy, how it should regard the speech not only of the Members of this Committee, but of the Executive. I have been very interested to hear the Members of this Committee speak about the mixed messages we have been sending. I think if we would take Mr. Yonglin Chen's warnings seriously, it is time to stop those mixed messages and to speak honestly and directly about what is happening in China with one voice.

Finally, I think we need to recognize the importance of independent Chinese-language media for helping the Chinese people have a chance to take responsibility for themselves and to understand better the situation inside China. That itself would be a tremendous change.

Thank you.

Mr. SMITH. Chairman Rohrabacher.

Mr. ROHRABACHER. Thank you very much, and thanks for holding this hearing. I hope that we will hold many such hearings jointly between our Subcommittees.

Let me just state for everybody to understand here, and whoever is listening abroad, that as long as the Government of China persecutes people for their religious ideals, that regime which holds power in China will be considered a tyrannical and criminal regime by all decent and honest people in the world, especially people here in the United States of America.

Can we be any clearer than that? If people want to—if the Government of China wants to prove that they are changing their ways, it is very easy for them to do so. People in China who want to reach out to the people in the United States and say we are not part of this evil regime, it is very easy. They should become advo-

cates for the Chinese Government to refrain from the persecution of the Falun Gong and other religious groups in China.

I have had overtures to me personally from various people in China who think that I got it all wrong. I have given them that option. I said, "Well, fine, if you want to prove to me that things are different that I believe in, then I would like to hear you publicly condemn the policy of persecution of religious believers in China." You know what, Mr. Chairman? They never do come through. They never do make that demand or that public proclamation.

We are not asking about something that is hard to do here. This would be very easy for those people in China that support the government and those people in the government to prove to us that they are benevolent people. The first step is ending this senseless persecution of people for their religious convictions. Step two might be they are senseless, although to them it probably makes sense to control the information flow going into China. But we aren't even asking that as a first step.

So if you are listening, whoever is listening overseas and here, that is what we are looking for. Let us have a first step, and then let us talk seriously about developing new relations between the people of the United States and the people of China.

Let us make this clear also. Communism is a disrupt, discredited failure, and the Government of China, the people who run China right now, they themselves understand that what they are doing is not communism, although communism is based on this type of repression. Leninism, after all, is the terrorist state strategy.

Where under communism do you have all of this private investment and this deal-making between big businessmen and the government? I don't think that is part of what communism is supposed to be all about. What is happening is communism is still being used as a vehicle by those in power, in order to ride roughshod over the people of the world's most populous country. It is nothing more than slogans and cliques to cover up what is nothing more than a criminal regime we can call—in fact, the Government of China has much more to do with communism and fascism than it has anything to do with communism at this point.

By the way, I hate communism, don't get me wrong; communism is an evil system. But what we have heard today verifies all of this here. In particular this testimony that there were over 1,000 people whose job it is in Australia to reach out and engage in repressive activities in Australia in order to do this criminal bidding of the regime in Beijing. That in and of itself is very disconcerting.

I think, Mr. Chairman, the fact that there were 1,000 people in Australia, and there are at least 1,000 people here, according to testimony, who have that same job, this should be a matter of concern to anybody who loves freedom and justice, anybody who believes that we have to hold ourselves at a higher standard than the United States. Because this is a force within our society that is contrary to everything this country believes in.

Falun Gong, again, by the way, your explanation of why the leadership is so paranoid—Communist is so paranoid about the Falun Gong. I mean, this is an organization that believes in meditation and yoga. It is almost—and we heard some laughs—it is almost

comical that you have got these vicious, criminal, powerful dictators worried about some people who are engaged in yoga and meditation. This speaks volumes as to what type of people that we are up against. Now, President Hu seems more sophisticated than some of the cut-throats that he replaced.

So let us challenge President Hu to start making some of these changes. It is easy. I am so happy that you are here today to help enlighten us, to show us that there is a threat, even within our own society, and even newspapers from outside the area of authority are being pressured and censored in their own way by the government that holds power in Beijing. We cannot make this a better world unless the people of China are free.

The long-term hope of all humankind rests on the freedom of the Chinese people. In this struggle to create a better world, the greatest ally of the people of the United States has got to be the people of China. So that is the message that we send today. We all deserve, as our Founding Fathers said a long time ago, the rights that are granted by God—or just the way things are naturally, if they don't believe in God—but these are natural rights that we have that every person, whether they are Chinese or whether they are American or whether they are Latin American or African or whatever they are, all of us have these rights. And we will live in a better world, the more people who live in societies where those rights are respected.

So I want to thank all of you for your testimony today, and I especially appreciated your warning to the American people. You know, I don't call China "a wolf in sheep's clothing." China is a Frankenstein monster that American businessmen have helped create, that now instead of just repressing its own people, now reaches out and involves itself in other societies and threatens the peace of the world because it doesn't take for granted or it doesn't take seriously that we do believe in our ideals here.

So one way to make the situation better is to make sure we are siding with the good and decent people there who don't want to live under such tyranny.

Thank you very much, Mr. Chairman. If you want any comments on that—I am sorry, I sort of monopolized on that, but if you have any comment or have anything back, go right ahead.

Mr. ZHOU. Yes. So I want to echo Congressman Rohrabacher. China's people, that kind of refers to an engagement policy we need to do, we need to have with China. If we believe in the democracy and the freedom at all, we know democracy and freedom will prevail. The last century is a living example and proof of such rule of history.

However, we also note that such prevalence cannot only depend on the people of China, cannot only depend on the Chinese people, but also depends on every one of us in the democratic world. If we see the last century and respectively, we have successes and we also have failure. But whenever we have a success, then the democratic vote has really taken a first stand on our ideals and principles, so we can make things a success; however, when we have encountered difficulties, that we have compromised our ideals and principles.

However for China today, if nothing wrong—there may be nothing wrong, I don't know, people have different opinions to engage with the dictatorship, the government there, by bringing government on technology to the capital or the society that they develop with the economy. However, I think there is absolutely nothing right, to do that in pure pursuit of profits, but compromising our principles and ideals.

So, besides, you know, the dictatorship will be gone sooner or later if we believe in freedom and democracy at all, but the freedom of the people will always be there just to engage with the government.

Besides that, we also have to engage with the people there. The way to engage with the people, which in a sense this may be Congressman Rohrabacher's comments; we will have two possible ways as far as I know. One way is that whenever there is a violation of human rights and democracy in such countries, we have to take a firm stand on this and speak out for those people without a voice. This can give people hope there.

Secondly, we really need to strongly support the free flow of information into such countries to get those people informed, educated, so they know what the outside world is and what democracy and human rights is. That is why they can have a change in their mind and heart and help the change of the country.

Mr. ROHRABACHER. Thank you very much.

Thank you very much, Mr. Chairman.

Mr. SMITH. Thank you very much, Chairman Rohrabacher.

Mr. Fortenberry.

Mr. FORTENBERRY. Thank you very much, Mr. Chairman, for holding this important hearing.

Mr. Chen, is your life in danger?

Mr. CHEN. You mean right now?

Mr. FORTENBERRY. That would be my answer, too. I hope not.

Mr. CHEN. In China, of course. Of course. Right now I feel safe. I feel that this is a democracy and a free world. I have confidence in this world, as I was in a desperate state while I was in Australia, because I—as I disclosed that there are some kidnapping cases happened, even in Australia.

As I disclosed to the public—the public is aware of that case, and I believe the Australian Government has already noticed the situation and some measures must have been taken. So I believe that democracy and freedom is the basic sense of the society in the Western world but not in China.

Mr. FORTENBERRY. What was the moment in your conscience that fundamentally pushed you to seek asylum?

Mr. CHEN. Because of the persecution by the CCP; as I have worked in the Communist regime for a long time, and this is a government that strictly controlled its people. And as I worked inside, I have actually no freedom at all, even in working in the consulate. We were told that for diplomacy, we have, even for any trivial matters, the diplomats have no right to decide. They have to seek instruction from the central leaders.

I worked in the consulate. Even I, when I went out of the consulate, I have to seek approval from my superior. When I return, I have to report who I have met.

Normally if we attend any functions, there must be two people to monitor each other. And the place that we live, the consulate premise, we live together and monitoring each other. There is no privacy at all.

They would often open my letters, open my letters, wouldn't give any excuses. They consider that you are a part of the government machine. You have no privacy. You should have no friends while you are working overseas.

My father was persecuted during the Cultural Revolution. That has been a shadow over my heart.

In 1989, I have witnessed the Tiananmen massacre and I have accepted the democracy concept and I have read a lot of books about the democracy. I know that the political system is the root of all of these tragedies in China, of the serious violation of human rights in China. So I left the Chinese consulate.

I left the consulate to seek freedom and to hope that my action will waken up some people still working for the Communist regime to do the same thing that I did, and I would hope that some day my country can be a democratic country. Then I can return to my country.

Mr. FORTENBERRY. Well, sir, you are a man of great courage.

Mr. CHEN. Thank you.

Mr. FORTENBERRY. It has been said that one glorious moment is worth more than an age without name. I suggest to you that this is your moment; that your sacrifice, your willingness to say what you have, has brought tremendous honor to your name and to the Chinese people, particularly those who labor under the oppression of the tyranny of an unjust regime.

Thank you for your appearance here today.

Mr. CHEN. Thank you.

Mr. SMITH. Before concluding the hearing, I want to ask if there is anything else any of our very distinguished witnesses would like to add. You have been extraordinary and have provided us with so much information and, really, a moral imperative to do more. We can do more. We must do more. The Executive Branch and the Congress must do more.

Your testimonies have really given us, I think, so much to launch from. I deeply appreciate that.

I would like to recognize that Yeong-Ching Foo—fiancee of Dr. Charles Li, who, as we mentioned, is a United States citizen and in prison in China—is back in the corner. Thank you for joining us today and for bearing witness to the wrongful imprisonment of your fiancee. Thank you for being here.

Is there anything else that our distinguished panel would like to add before we adjourn?

Chairman Rohrabacher, is there anything else you would like to add?

Mr. ROHRABACHER. Thank you all very much. God bless you.

Mr. SMITH. On that note, God bless you and thank you so very, very much. The hearing is adjourned.

[Whereupon, at 4:43 p.m., the Subcommittee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

RESPONSES FROM MS. GRETCHEN BIRKLE, ACTING PRINCIPAL DEPUTY ASSISTANT SECRETARY, BUREAU FOR DEMOCRACY, HUMAN RIGHTS AND LABOR, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY AND CHAIRMAN, SUBCOMMITTEE ON AFRICA, GLOBAL HUMAN RIGHTS AND INTERNATIONAL OPERATIONS

Question:

Did Secretary Rice specifically bring up the persecution of Falun Gong in her July 2005 meetings with Chinese leaders, and request that it stop? What response did she receive?

Response:

Religious freedom for all religious groups featured prominently in Secretary Rice's meetings with her Chinese counterparts during her July 2005 visit to Beijing. Secretary Rice also stated publicly during her visit that she had raised human rights and religious freedom, and urged China's leaders to take concrete steps to improve respect for religious freedom. Unfortunately, Secretary Rice did not receive a response from her Chinese counterparts.

We meet with Falun Gong representatives regularly, and when we learn of specific abuse cases we press those cases with Chinese officials. As we said in the preface of the last annual Report on International Religious Freedom, "The arrest, detention and imprisonment of Falun Gong practitioners continued. Practitioners who refuse to recant their beliefs are sometimes subjected to harsh treatment in prisons and reeducation-through-labor camps, and there have been credible reports of deaths due to torture and abuse." We are always pressing the Government of China to release Falun Gong members, lift the ban on the Falun Gong, and cease its persecution of practitioners who are peacefully pursuing their beliefs.

President Bush has observed that "successful societies guarantee religious liberty," and the Administration's National Security Strategy declares that the U.S. will "take special efforts to promote freedom of religion and conscience and defend it from encroachment by repressive governments." Religious freedom is a high priority for this administration. Deputy Secretary Zoellick, Ambassador Randt, Ambassador Hanford, and other senior U.S. officials will continue to press China to permit religious and political expression, and respect the fundamental human freedoms of the Chinese people.

Question:

Can you please update the Subcommittee on the status of Bishop Su Zhimin, the underground Roman Catholic Bishop of Baoding, Hebei? In January 1994, I met privately with Bishop Su. He was immediately arrested after my departure. The bishop has been arrested at least five times and has spent nearly 30 years in prison so far. In Nov. 20, 2003, the Cardinal Kung Foundation, which monitors and campaigns against Chinese persecution of Catholics, said it had received information that Bishop Su Zhimin was taken to the Officers' Ward of the Baoding Central Hospital in Baoding, Hebei province, for an eye operation and for heart ailments. He was heavily guarded by about 20 plainclothes government security personnel. Su Zhimin was not officially registered in the hospital record, the group said.

Response:

Bishop Su Zhimin has been and continues to be one of our highest priority prisoner cases.

Acting Assistant Secretary for Democracy, Human Rights and Labor Glyn Davies traveled to Beijing last month and during his visit he pressed Chinese Ministry of Foreign Affairs officials for Bishop Su's release. We regret to tell you that the Chinese Government did not provide information on Bishop Su's whereabouts or welfare.

In our last annual Report on International Religious Freedom we reported that, "Underground Bishop Su Zhimin, who had not been seen since his reported detention in 1997, reportedly was hospitalized in November 2003 in Baoding, Hebei Province. Reports suggest that he had been held in a form of "house arrest." The Government continued to deny having taken "any coercive measures" against him and stated he was "traveling as a missionary."

We will not rest until Bishop Su is released. We will raise Bishop Su's case with the Chinese Government at every opportunity and will urge other countries to take up his case. We will use public statements to raise international pressure and attention on Bishop Su's case. We will continue to make clear to the Chinese the importance we attach to the Bishop's welfare in our public statements.

Our policy on religious freedom is clear: no one should be arrested or persecuted for their religious beliefs.

Question:

Please update the Subcommittee regarding the most recent efforts of the Department to secure the release of the Panchen Lama and obtain information confirming his whereabouts and well-being.

Response:

As we previously mentioned, Glyn Davies, Assistant Secretary for Democracy, Human Rights and Labor, went to Beijing last month to press the Chinese for human rights reforms. During his visit, he pressed for the release of the Panchen Lama and strongly urged that international observers be given access to the boy and his family.

The Chinese government-imposed seclusion of the Gendun Choekyi Nyima, the boy recognized by the Dalai Lama as the Panchen Lama, is a particularly troubling example of PRC efforts to control the selection of reincarnated Buddhist lamas and restrict the religious freedom of Tibetan Buddhists. Regrettably, there is no new information on his case and the Government of China continues to deny international access to Gyndun Choekyi Nyima, the boy recognized as the Panchen Lama by the Dalai Lama. As we reported in the International Religious Freedom Report:

"The Panchen Lama is Tibetan Buddhism's second most prominent figure, after the Dalai Lama. The Government continued to insist that Gyaltzen Norbu, the boy it selected in 1995, is the Panchen Lama's 11th reincarnation. The Government continued to refuse to allow access to Gendun Choekyi Nyima, the boy recognized by the Dalai Lama in 1995 as the 11th Panchen Lama (when he was 6 years old), and his whereabouts are unknown. Government officials have claimed that the boy is under government supervision, at an undisclosed location, for his own protection and attends classes as a 'normal schoolboy.'

"All requests from the international community for access to the boy to confirm his well-being have been refused. While the overwhelming majority of Tibetan Buddhists recognize the boy identified by the Dalai Lama as the Panchen Lama, Tibetan monks have claimed that they were forced to sign statements pledging allegiance to the boy the Government selected. The Communist Party also urged its members to support the 'official' Panchen Lama."

We share your deep concern for the Panchen Lama, and will raise his case in every possible forum. The release of the Panchen Lama and religious freedom for Tibetans has featured prominently in human rights discussions with the Chinese Government, including the formal Human Rights Dialogue. We will continue to press vigorously for his release, request information on his whereabouts, and urge that international observers be granted access. We will also press vigorously for full religious freedom for all Tibetans.

Question:

What steps has the Department taken to document and stop the inappropriate interference by the Chinese Government in Tibetan Buddhist religious practices, and specifically the Government's practice of conferring authority on Tibetan lamas?

Response:

Under Secretary Dobriansky, the Special Coordinator for Tibetan Issues, has urged the Chinese Government to respect religious freedom and allow Tibetan Buddhists to practice their faith freely.

In addition, officials in Washington, at the U.S. Embassy in Beijing, and the U.S. Consulate General in Chengdu, have consistently urged both Chinese Central Government and local authorities to respect religious freedom in Tibetan areas. We have pressed for an end to interference in religious affairs. We have called for the release of Tibetan prisoners of conscience. We have asked for access to Gendun Choekyi Nyima, and urged the Chinese Government to meet with the Dalai Lama and his representatives.

We also carefully document Chinese Government interference in Tibetan Buddhist religious practices in the Country Reports on Human Rights Practices and the Report on International Religious Freedom.

Regrettably, the Chinese Government has failed to live up to international accepted human rights standards and norms.

We will continue to apply pressure until they do. We will continue to maintain contacts with a wide range of religious leaders and practitioners in Tibetan areas. We will establish development and exchange programs administered by USAID and State to strengthen Tibetan communities in China and reserve their cultural heritage. We will also look for ways to use visitor exchange programs to the benefit of the Tibetan communities in China.

Question:

China has been designated a Country of Particular Concern under the International Religious Freedom Act every year since the U.S. began making such designations in 1999. Can you tell the Subcommittee which of the long menu of Presidential actions have already been employed to encourage China to improve its observation of religious freedom? What further measures are being considered? Is some sort of agreement, such as was recently signed with Vietnam, under consideration for China?

Response:

The Secretary has designated China a Country of Particular Concern every year since 1999.

Economic and export sanctions, required for China under CPC designation, including the restriction of exports of crime control and detection instruments and equipment, are already in effect against China and have not been lifted since they were imposed after the Tiananmen Square Massacre (Foreign Relations Authorization Act, FY 1990 and 1991, P.L. 101-246).

In addition to these sanctions, additional actions under Section 405 have been taken to encourage China to improve religious freedom including: diplomatic messages, public statements, and expressing our views in multilateral organizations.

Unfortunately, the Chinese Government has shown little willingness to remedy the human rights abuses for which it was designated a CPC. We continue to press the Chinese Government to respect human rights and religious freedom.

Secretary Rice and Senior Department Officials will continue to press the Chinese Government to take concrete steps to improve respect religious freedom.

Question:

The 2005 State Department Country Report on China indicates that hundreds, if not thousands, of Falun Gong practitioners have died in prisons and forced labor camps in China as a result of the Chinese government's crackdown on Falun Gong practitioners. Some human rights organizations, such as GMR (Global Mission to Rescue Persecuted Falun Gong Practitioners), have already submitted comments about the plight of the children of persecuted Falun Gong practitioners to the Bureau of Population, Refugees and Migration. They estimate the actual numbers of children, whose parents were killed in the persecution or whose parents are alive but could not provide parent care due to the detention of other kinds of persecution, could be in the range of thousands.

In the spirit of Operation Peter Pan (assisting Cuban children with coming to the United States), the kindertransports in Europe and the babylift in Vietnam, what can the State Department do to protect these orphaned children under current refugee and immigration law policy? Would legislation help or be necessary to facilitate such efforts?

Response:

As we press the Chinese Government to respect the freedoms of belief and expression of its citizens, we are concerned by the many hardships faced by some family members of Falun Gong practitioners, especially young children.

We care deeply for the welfare of these children. Unfortunately, because Chinese adoption law only permits adoptions initiated and fully completed in China, an adoption campaign such as the one that occurred in Vietnam would only be possible

with the cooperation of the Chinese Government. To date, there is no sign that China is willing to cooperate.

