

## HOUSE COMMITTEE ON FOREIGN AFFAIRS

### The Global Magnitsky Human Rights Accountability Act

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I am very honored to be here today and I wish to express my profound appreciation to Representative Chris Smith for inviting me to testify. Representative Smith has been a champion in Congress for those who suffer from human rights abuses and has spoken out on behalf of the Uyghur people when many others would not.

The Sergei Magnitsky Rule of Law Accountability Act of 2012 was a commitment to defend universal human rights standards and to hold egregious human rights violators in Russia responsible for their acts. The U.S. Congress should be praised for passing this historic legislation on human rights and President Obama should be commended for signing it into law. The Magnitsky Act highlighted the profound injustice surrounding the case of Sergei Magnitsky and demonstrated that proactive measures targeting human rights abusers can have immediate results.

Therefore, The Global Magnitsky Human Rights Accountability Act is an important milestone in the protection of human rights worldwide. Applying the Magnitsky Act universally to include all officials, not just Russian one, who order or commit gross human rights violations is critical and urgently needed. We see authoritarian states all over the world more aggressively limiting the fundamental human rights of their citizens.

Across the globe, people are in dire need of the kind of protection the ‘Global Magnitsky’ Act will afford. State officials who engage in egregious human rights abuses often rob their citizens of public money and invest it overseas. Kleptocrats and autocrats have become one and the same. It is right to deny these officials access to the United States financial apparatus and the territory of the United States.

In China, the Uyghur people face massive, systematic and gross human rights violations on a daily basis. This pattern of human rights abuses has long been in place. The Annual Reports of Human Rights Practices in China issued by the U.S. State Department have detailed a broad range of rights concerns regarding Uyghurs, including: enforced disappearances; jailing of political dissidents, journalists and webmasters; repression of independent religious leaders; forced abortions; destruction of cultural heritage; restrictions of movement and formidable obstacles in obtaining a passport; tight controls on freedom of expression, particularly on the internet; marginalization of the Uyghur language in education and society; pressures exerted on foreign governments to refoul refugees; targeted surveillance; and suppression of non-state sanctioned religious association and assembly.

Since Xi Jinping became China's President two years ago, human rights violations of the Uyghur people have intensified. Excessive force and extrajudicial killings are a feature of the Chinese state's security approach to the region. The disproportionate use of force during house-to-house searches, at security checkpoints and during peaceful demonstrations has led to state-initiated violence; credible allegations of state violence in Hanerik, Alaqagha and Siriqbuya merit further investigation. Furthermore, the Chinese state's persecution of Uyghur academic Ilham Tohti and his family demonstrates the highly vindictive and paranoid nature of the Chinese regime. Using legitimate and peaceful means to initiate a meaningful dialogue with the state on the deplorable conditions facing the Uyghurs, Ilham Tohti was targeted by the Chinese authorities and sentenced to life in prison in a legal process that was highly politicized.

The expansion of the Magnitsky Act to apply universally to all officials who have directed, ordered or committed gross human rights violations will show strong American leadership to protect the fundamental human rights of all people around the world. If this Act becomes law, it will have a profound ripple effect, because merely listing some of the most well-known human rights violators in authoritarian states like China will send a powerful message to low-ranking officials that their criminal actions will not be immune to international scrutiny, condemnation, and consequences.

International scrutiny is imperative to achieve tangible results in human rights. My case is an example of what can be done when human rights violators are publicly named. Without international pressure and concern, I could have been tortured, or even killed in prison. However, not everyone is as lucky. Many Uyghurs face cruel and unusual torture and punishment in the Chinese prison system every day.

Authorities rounded up thousands of Uyghurs suspected of participating in a 1997 demonstration in Ghulja. Amnesty International documented a pattern of arbitrary imprisonment, torture in detention and unfair trials in relation to those rounded up. A number of Uyghurs were executed for their alleged role in the incident.

Furthermore, Human Rights Watch documented the disappearance young Uyghur men and youths after the July 5, 2009 unrest in Urumchi. Human Rights Watch described how Chinese security conducted large-scale sweep operations in the Uyghur neighborhoods of Erdaoqiao and Saimachang of Urumchi. Further troubling aspects of post-July 5 detentions are reports of minors arbitrarily detained, tortured, sentenced or simply disappeared.

Enacting a Global Magnitsky Act will protect the fundamental human rights of the oppressed and save the lives of many peoples, including the Uyghurs. They will be grateful to the U.S. for taking an important step in the global protection of human rights around the world. The oppressed peoples will be grateful to the U.S., because the U.S. will be standing with them, and they will have more reason to hope that human rights violations will stop when the U.S. government lists the perpetrators' names.

There may be concerns that such an Act will directly impact bilateral relations with authoritarian states. It must be noted that this Act doesn't specifically target a particular country or head of a state. It only targets individuals who are the most egregious human rights violators, or are the most corrupt officials, and who commit such violations under his or her official capacity. Therefore, the negative impact of this Act on bilateral relations would be minimal, while its positive impact on improving global human rights and creating a model for other countries to follow would be huge.

Once the U.S. takes the lead enacting such legislation, other democratic states will most likely follow suit. When all democracies enact similar legislation to protect universal human rights standards, then the world will indeed become a much better place with fewer human rights violations.

Therefore, I want thank Representative Smith for holding this important hearing and urge the U.S. Congress to pass the legislation.