

# Commentary



APRIL 2021

## A Way Forward, Part II: Defending human rights in China

The world is waking up to the nature of a crony capitalist enterprise operating as a government in charge of 1.3 billion Chinese people. But it has been an uphill challenge for defenders of human rights. The Chinese Communist Party has been successful in co-opting many of the political and business elite in the free world. The West has been preoccupied by economic opportunity in China, with massive human rights abuses often swept to the side.

Building on the global impact and success of our event on how the free world could respond to the crisis in Hong Kong, the Macdonald-Laurier Institute, European Values, Hong Kong Watch, Optimum Publishing, the China Democracy Foundation and the Inter-Parliamentary Alliance on China (IPAC) convened an online conference on January 14, 2021 to tackle the broader range of human rights abuses perpetrated by the regime in Beijing.

Some of the world's top thinkers on human rights and international affairs joined us to discuss:

- The nature of human rights abuses including the Xinjiang detention camps, the throttling of democracy in Hong Kong, and China's long history of abuses and intimidation from Tibet to Mongolia.
- How governments in the free world, and the United Nations and its various agencies, have been complacent and, in some cases, complicit in allowing these practices to go unchecked.
- Proposals for a co-ordinated global response.

We are pleased to release an edited transcript of the presentations and discussion from this event.

**Charles Burton:**

Welcome to the second of this series of webinars titled: *The Way Forward Part II: Defending Human Rights in China*. We have three consecutive panels scheduled for the next two hours, with eight very distinguished speakers. Panel one is on the topic of “What Happened with China Human Rights in 2020, and the Current State of Affairs,” panel two is on “Defending Human Rights,” and finally panel three will examine “How Governments Can Hold China to Account for China’s Gross Violations of the Norms of the International Rules-Based Order, and the Way Ahead for Democratic Nations Engagement of the PRC Regime.”

This event is sponsored by the Macdonald-Laurier Institute, Optimum Publishing International, Hong Kong Watch, the China Democracy Foundation, the International Parliamentary Alliance on China, and last but certainly not least, the European Values Center for Security Policy. I am Charles Burton, a Senior Fellow at the Macdonald-Laurier Institute and the European Values Center for Security Policy.

To start off, I’d like to introduce my co-chair for these *A Way Forward Conferences*, the CEO of Optimum Publishing International and Chair of the China Democracy Foundation, my dear friend and collaborator, Dean Baxendale, to say a few words of welcome.

**Dean Baxendale:**

Thank you, Charles. In September of last year, we launched *The Way Forward* series with the event: *Hong Kong: How the Free World Responds to China’s Crackdown*. We had an outstanding group of speakers, including Ben Rogers, Miles Yu, Nathan Law, and Mareike Ohlberg. The conference received global press from Toronto to London and from Washington to Beijing.

In an article that I co-wrote with Ben Rogers, we spoke of Canada’s unique role as a leader within the global community of nations as an advocate for gender, LGBTQ, civil, human and religious rights worldwide.

For many years, Canada and our supposed allies seemed to have been sizing up the devil’s bargain, diplomatically trading off the economic and commerce opportunities with Beijing for our silence on well-documented systemic abuse of ethnic and religious

minorities within China's own borders, as well as the suppression of free speech and civil liberties.

These problems are not new, and in fact date back to the formation of the PRC in 1949 and the treatment of the peoples of Tibet. How did we get here?

When the People's Republic of China replaced the Republic of China at the United Nations in 1971, Beijing reaffirmed its acceptance of the UN Charter and the *Universal Declaration of Human Rights*. China subsequently signed on to all manner of conventions, including ones that call for the elimination of racial discrimination, prohibit torture and cruel punishment, enshrine minority rights to culture and social practices, establish civil and political rights, and more.

However, despite China's status as a signatory on these conventions and its supposed acceptance of the UN's rights doctrine, the Chinese Communist Party established itself as amongst the worst human rights violators in the world.

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As authors Mareike Ohlberg and Clive Hamilton point out in *Hidden Hand*, Beijing has been so successful in its co-optation of global leaders in business, academia, and politics that they have all but turned a blind eye to its actions. In fact, this was on full display in late December, as the European Union gleefully announced its trade deal with the PRC. As usual, they chose a devil's bargain, as the agreement has little to no safeguards against forced human rights abuses, including slave labour. What is so terrible is that over 83 corporation or corporations or global brands are profiting from these forced-labour practices. This is pointed out in Ben Rogers' report, *The Darkness Deepens*, which he will highlight here this morning, as well as the report this week by the US Horizon Advisory on the use of forced labour in the solar industry.

How can we be so righteous about climate change initiatives if we are to allow the major players to use slave labour? I call on citizens to demand that the brands they buy from adhere to their corporate social responsibility commitments and say no to Chi-

nese partnerships that endanger and enslave minority classes. I call on parliamentarians and world leaders to drop their hypocrisy and stop selling out to corporate interest or to say no to financial inducements from Beijing, to which so many are beholden to.

Of course, there's much more to the story, and as a publisher I have a front seat to the Communist Party of China's global ambitions and their criminal enterprise. This year, Optimum will publish three sensational books on transnational organized crime, cover and overt espionage, bribery, political influence, Mexican/Columbian drug cartels, terrorism, money laundering, luxury homes, fast cars, and gambling. The catch is, they all roll up to the Communist Party of China.

In May, we will launch *Wilful Blindness: How a Network of Narcos Tycoons and CCP Agents Infiltrated the West*, by investigative reporter, Sam Cooper from Global News. A book like no other, it documents China Incorporated, and the entire criminal apparatus that they have used to infiltrate all democracies. If the world leaders believe they are bargaining with people of principle and mutual respect, please dispense with that notion.

Today, you will hear from some of the foremost experts on human rights abuse in China. You will hear from co-chairs of the Inter-Parliamentary Alliance on China, Reinhard Butikofer and Irwin Cotler, as well as advisors to the Alliance, Ben Rogers and Mareike Ohlberg. I would like to thank my co-chairs, Charles Burton and Ben Rogers, for their tireless contributions to bringing forward the stories that no one wanted to hear, and to Hong Kong Watch, the China Democracy Foundation and IPAC. Thank you, and enjoy our webinar.

**Charles Burton:**

Thanks very much, Dean. Now, we'll start off with the first panel, titled "What Happened with China Human Rights in 2020 and the Current State of Affairs." Our next speaker is Carolyn Bartholomew, the Vice Chairman of the US-China Economic and Security Commission. Bartholomew has worked at senior levels in the US Congress, serving as council, legislative director and chief of staff to now the Speaker of the House, Nancy Pelosi. She was a professional staff member on the House Permanent Select Committee on Intelligence and has served as legislative assistant to then US Representative Bill Richardson.

**Carolyn Bartholomew:**

Thank you very much, Charles. Just briefly, I want to talk a little bit of history on the US-China Economic and Security Review Com-

mission. The US Congress established two separate commissions when it was voting on permanent normal trade relations in 2000, which of course was paving the way for China to join the World Trade Organization. The other China commission is the Human Rights Commission. We were tasked with looking at the national security implications of the US-China economic relationship.

What's been interesting over time is, when we first started, those issues were really in stovepipes. There were people concerned about economic issues, and people concerned about military issues. We've really seen a merger of those issues, which is one of the reasons that we were really created. Freedom of information, of course, is one of the things that we have been mandated to talk about, and what I have found particularly fascinating as somebody who has worked on China human rights issues since June 4, 1989, the Tiananmen Square massacre, is how these issues have all interconnected and have implications for human rights. Human rights is really an important piece of all of this.

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*The surveillance technology that's being used against the Uyghurs should be a wakeup call for everybody.*

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I'd point particularly, of course, to corporate social responsibility, what's going on with the slave labour, and the treatment of the Uyghurs as China. Xi Jinping's government is becoming more and more repressive, and we're seeing crackdowns on other ethnic minorities, including the Mongolians. It's an issue of great concern. Over the past year, it's really impossible to get away from thinking about what has happened with Hong Kong and also the threats to Taiwan, and for the US, all of this has national security implications, economic implications, and human rights implications.

I wanted to point out where I think these issues are really emerging is in the digital realm. The surveillance technology that's being used against the Uyghurs should be a wake-up call for everybody about the use of technology for repression and the downsides of this interconnected world.

The commission's job is to advise the US Congress. I should note too that we are a strictly bipartisan in my commission. There are 12 commissioners, six of us appointed by the House and Senate Democratic leadership, six of us appointed by the House and

Senate Republican leadership, and we switch between our leadership. One year we have a Democratic chair and a Republican vice-chair, and vice versa.

One of the issues that we focused on this year is China's export of its techno-authoritarianism. People who were willing to turn a blind eye to China's terrible human rights practices within China itself are now having to confront the fact that China is trying to export a bunch of those practices abroad. I think that provides a lot of opportunities for the human rights community, for the corporate social responsibility community, and for people concerned about national security to work together.

We have also focused some attention on finance and investment, of course. What are US investment banks, hedge funds, and private equity investing in? In China, what are the Chinese investments that are coming into the United States? What are the consequences of that investment for our national security, our economic security, and for human rights? Every year we have between 20 to 30 or 40 recommendations for the US Congress to consider.

There are three recommendations that I would like to point out from our 2020 report. The commission recommended that Congress adopt the principle of reciprocity as foundational in all of its legislation, and we specifically pointed to the ability of journalists and online media to operate without undue restriction, the ability of non-governmental organizations to conduct meaningful engagement with civil society, and access for diplomatic personnel. All of those have consequences for tracking what is happening inside of China particularly on human rights issues.

We also recommended that Congress direct the Department of State to produce an annual report detailing China's actions in the UN and its subordinate agencies that are subverting the principles and purposes of the UN, including on human rights issues.

Finally, when we sanctions an entity in the PRC for actions contrary to the economic and national security interests of the US or for violations of human rights, we recommended that Congress direct the administration to sanction the parent entity.

One last thing I wanted to say in closing is that I am hopeful the Biden administration will be able to repair the relationships that the United States has with countries around the world, and that that will help provide a platform for everybody to move together on these issues. Thank you, Charles.

**Charles Burton:**

Thank you very much. Next, we have Reinhard Butikofer, who is a member of the European Parliament for the Greens. He sits on the European Parliament's committee on foreign affairs, where he serves as the Green Foreign Affairs Spokesman, and he is the Chair of the European Parliament's Delegation for Relations with the People's Republic of China. Mr. Butikofer, please.

**Reinhard Butikofer:**

Thank you first of all for having me, and it's a pleasure to share this podium with Ms. Bartholomew. Obviously, the authoritarian and totalitarian repression in China has been increasing over recent years. On the human rights front, basically everything has been turning south in China, and this has been combined with the development of more aggressive opportunism in its foreign policy.

Obviously, China is a much more powerful reality than it had been just a few years ago, and the regime in Beijing is showing its arrogance. For instance, in the form of the so-called "Wolf Warrior" diplomacy with which they shamelessly defend the most terrible oppression, I would argue that the European Union today is probably more united on China than it would have been five years ago, but this is not a comprehensive reality. There still is quite a lot of compartmentalization in its China policy.

A case in point is the one decision late last year that was probably the single most important China policy-related decision: the political agreement on an investment deal with China. As I see it, this investment deal had been dealt with as if it could be separated from China's human rights reality and from other geopolitical perspectives. I think that is unacceptable, and we are seeing a controversy developing about the content of the deal, about the timing of the deal, and its geopolitical message.

One issue sticks out in this debate is the issue of force labour or, maybe we should say, modern slavery. Here, the European Parliament has taken a very tough stance, and obviously the agreed investment deal falls far short of those criteria. I should remind everybody that no deal is a deal until the European Parliament says it is, because we are the authority that has to ratify such a trade or investment agreement.

I think the debate in the public is just beginning. I would add that this is not going to be the only front that we will be dealing with China in 2021.

**Charles Burton:**

We seem to have lost Mr. Butikofer, but perhaps we could move to some questions until he comes back.

My first question is for Ms. Bartholomew, and it relates to the recent measures with regard to China in the dying days of the Trump administration. For example, the statement that the provisions on Taiwan, the restrictions on access to Taiwan that the United States had previously enforced, would be removed. I think just yesterday the US Customs and Border Protection also announced a ban on tomatoes and cotton over allegations that these goods are made with forced labour from detained Uyghur Muslims in Xinjiang; that these items would be stopped from entering the United States. They're going quite a bit farther than the British and the Canadians have with regard to measures to restrict the import of products of forced labour.

I'm wondering what your view is, Ms. Bartholomew, is there a difference between the outgoing Republican administration and the consensus in Congress with regard to the way forward for US-China relations?

**Carolyn Bartholomew:**

That's an excellent question Charles. Let me make the point by going back to June 4, 1989. US-China policy, or concerns about US-China issues, have really been bipartisan. I have been an equal opportunity critic of both Democratic and Republican administrations about what I see as weaknesses or problems in their China policies. It is my expectation that, despite the terrible mess we're going through here in Washington, DC, there will continue to be bipartisan interest in Congress and bipartisan action.

I will credit – and for those of you who don't know, I'm a Democrat – the Trump administration for one thing and that is for raising the visibility of these ongoing concerns in the US-China relationship. I think they've played a very important role in raising the interest in and the concern about a lot of these issues. There's a difference not in recognizing the concerns, but in terms of tactics, and I think that's what we will wait to see in terms of the Biden administration. I hope they will accept and continue some of the policies that the Trump administration has done, but I would expect there will be some modifications.

In terms of what the Trump administration has done, some of the actions that they are taking are really embedded in principles that have to do with our interest and support for basic freedoms in China and for making sure that China's rise onto the global stage is not just about promoting authoritarianism worldwide.

But, again, with regard to some of the tactics, I'm not sure what will happen with some of the tariffs. I'm also encouraged that the Biden administration, with people that have a lot of experience and expertise, will help us re-establish some of the relationships with countries in Europe and elsewhere in the world that have been reduced to tatters in some places. I think that that will help us put together a global alliance to allow everybody to move forward.

**Charles Burton:**

Thank you very much. I have another larger question, which is with regard to the upcoming China Winter Olympics. Do you think that the United States would participate in an Olympics in China under the current conditions?

**Carolyn Bartholomew:**

You know, again, that's an excellent question. I certainly don't feel like I can speak for the Biden administration. We are a congressional advisory body, and don't know that I could even say that there would be unanimity within the Congress about what people should do going forward. This is an important issue where we need to work together with other countries in the world to come to some sort of unified position. It's also really important that citizens in all of our countries get engaged to speak out. It's been interesting to watch the athletes that have gotten more political, but there's a lot of money at stake for some of these people – that's the balance of the tension that we see playing out elsewhere between economic interests and all of the rest of our concerns, the human rights concerns.

I don't know, Charles. I'm just going to admit that I don't know the answer to your question. It is certainly something that the human rights community needs to be organizing toward and about. Personally, I don't know how we could move forward with the Olympics in a context where we know that this kind of oppression is taking place. But I think it's a challenge for all the people of conscience in all of our countries to make sure that we are weighing in and putting together campaigns to address that question.

**Charles Burton:**

Yes, it seems like the Olympics sort of contains all the elements of the difficulties that we have with regard to China as a rising power.

Mr. Butikofer, do you have any views on the European attitude towards the upcoming Olympics?

**Reinhard Butikofer:**

As far as I have heard, there has only been one person in public office, a liberal legislator from the European Parliament, who has openly advocated for boycotting the Olympics. It's hardly a debate at all in the European public, and frankly I can't see that there would be a major push around Europe for boycotting the Olympics. I can't see the US doing that either. Maybe politicians might not travel there, but as far as I heard from Members of Congress, in particular members from the Senate, nobody thinks that it is realistic to pursue such an agenda.

That should, of course, not imply that we should be resigned to just letting the Chinese leadership celebrate while they oppress their own people, but I think we should find other ways of addressing that. In particular, no democratic politician should join the celebrations if the atrocities continue in China.

**Carolyn Bartholomew:**

I wanted to add one thing to Reinhard's comments. We're often asked how can grassroots citizens in our countries do something, right? People want to know what they can do. They read these stories about the Uyghurs. They read stories about crackdowns on freedom of religion and concern about Tibet and all of the human rights lawyers who are being arrested, what's happening in Hong Kong where these young people who have had the courage to speak out are being thrown in jail. I just think that it is something specific that we can point people towards to have some impact on. People, again, they want to know what is it that they can do, and I think that the Olympics are really a forum that people can start organizing around.

**Charles Burton:**

Thank you very much. We're just about to finish off the panel, but I have one question that's rather pressing. You've made references to US concerns around digital censorship in China, the Great Firewall, and also the restrictions on the ability of non-governmental organizations and civil society to function in China. I can certainly see that the Chinese restrictions against these are a violation of the *Universal Declaration of Human Rights* and related covenants.

What can the United States do to address this violation of the human rights of Chinese citizens with regard to their freedom of

expression and freedom of assembly?

**Carolyn Bartholomew:**

Well, I think our officials need to be raising those issues. We have always encouraged the parliamentarians in any discussions that they have with Chinese government officials – I’m not going to say counterparts – to raise the visibility of these issues. I know the incoming national security advisor said that human rights are going to be one of the pillars and themes that they make important. It’s incumbent again on all of us, and in the human rights community, to come up with new tools.

I always think what’s important is mobilizing our citizens to put pressures on politicians to do things. Reinhard had made reference to Wolf Warrior diplomacy – the Chinese government has really overplayed its hand in terms of the tactics that it is employing around the world diplomatically, including economic coercion. A lot of people in the world are recognizing that what happened with COVID-19 – including the restrictions on Chinese freedom of information and the censorship that they did on this issue – helped to unleash COVID-19 on all of us.

There’s opportunities for people to step up, to make sure that there is some focus and that we hold our elected officials accountable to raising these concerns and getting some action on them.

**Charles Burton:**

Thank you very much. We just have a couple of minutes left, and I’d like to give it to Mr. Butikofer. I wonder if you could expand a bit on your views on coming up with an alliance of democracies to challenge China’s violations of the international rules-based order as has been proposed by President-elect Biden?

**Reinhard Butikofer:**

Well, this idea is not originally an idea that came up with Joe Biden. If my memory doesn’t fail me, the late Senator John McCain had advocated similar ideas more than 10 years ago. It’s a pertinent proposal, and it is not just an organizational idea. What is most important is the practical dimension of having each other’s back between countries. Just look at what the Chinese are trying to do to the Australians at the moment. It should be a sacred obligation of any other democratic country to support the Australians, or to support Canada when two Canadian citizens are still held hostage in China. When the Chinese foreign minister spoke very arrogantly and very aggressively about a Czech politician visiting Taiwan, the German foreign minister in the shared press conference took him to task for that and told him off.

This willingness to not tolerate China's umbrage to separate and divide European and other democratic nations and to go for them one by one – this is a practical necessity, apart from holding a big conference or organizing maybe a new organization. If we don't live the solidarity between democracies in everyday life, it doesn't exist.

**Charles Burton:**

Thank you very much. That's a very inspirational point. I wanted to thank you Mr. Butikofer and you Ms. Bartholomew for your very insightful presentations. Now, we'll move on to panel two on "Defending Human Rights."

First up is Benedict Rogers. Benedict Rogers is the co-founder and Chief Executive of Hong Kong Watch. He's a member of the advisory group of the Inter-Parliamentary Alliance on China. He's a member of the Advisory Committee of Stop Uyghur Genocide, and a deputy chair of the United Kingdom Conservative Party Human Rights Commission, and a leading contributor to the Conservative Party Human Rights Commissions report on China, *The Darkness Deepens*, which Dean alluded to. The report was just launched yesterday, and I certainly urge all of us listening to read this very important document. Ben, please tell us your views on everything about what's wrong with China.

**Benedict Rogers:**

Thank you very much. It's a great privilege to be with you all today to contribute to this incredibly important discussion. Indeed, this is the key challenge of our time at a moment when the world, of course, faces many challenges.

I will start specifically with the situation in Hong Kong and then broaden out into the wider range of issues. The dismantling of Hong Kong's freedoms, autonomy, and the rule of law, the conversion of what was once one of Asia's most open cities into a closed, repressive territory in flagrant breach of an international treaty, the *Sino-British Joint Declaration*, should be a wake-up call for the free world.

A glimpse into the real character of the Chinese Communist Party regime, a regime that has always been repressive, but over the last decade has become increasingly more intensively repressive and one whose words cannot be trusted.

In the past six months since the imposition of the draconian National Security Law in Hong Kong, we have seen that whatever remains of Hong Kong's freedoms have effectively disappeared.

To paraphrase the famous words of Martin Niemoller in Nazi Germany, “They came for the protestors, but then they came for the legislators,” and now the legislative council has no pro-democracy members and is a total puppet of Beijing.

Then, they’ve been coming for the media, with the particular targeting of Jimmy Lai. Academia and schooling, the judiciary, religious freedom, and civil society are targeted in Hong Kong, a place where all these things were almost taken for granted until recently.

Every week in Hong Kong activists have been arrested. On January 6, 53 pro-democracy figures – former legislators, candidates, and activists – were arrested in one go for the simple “crime” of having conducted a primary election to choose their candidates last summer. Yet again today, 11 arrests have been made in Hong Kong.

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Why does all this matter? Well, firstly, if we allow the destruction of a free city to take place with impunity, then it is not only a threat to the people of Hong Kong, it’s a threat to freedom itself, and we can be sure that the regime will not stop with Hong Kong. Taiwan is already in its sights, and our own freedoms as well.

Secondly, what is happening in Hong Kong is just a fraction of the atrocious human rights crack down throughout China. Last night, as you’ve already mentioned, in London the Conservative Party Human Rights Commission launched this important new report, *The Darkness Deepens*, which details the Chinese Communist Party’s violations across the board: the persecution of Uyghurs, which is increasingly recognized as a genocide, the persecution of Christians that have been described as the worst that they’ve faced since the Cultural Revolution, intensifying repression in Tibet, the persecution of Falun Gong, forced organ harvesting, the development of the surveillance state, the crackdown on human rights defenders, civil society, bloggers, citizen journalists, whistle blowers, and any form of dissent.

The report is from the Conservative Party Human Rights Commission, but it ought to be a report that should be of interest to

people regardless of party politics. It's not a party political report. It's a human rights report, and it reinforces the points that have been made in the first panel. It calls on the democratic world to unite, to stand up to the regimes increasing oppression at home and aggression beyond its borders.

It sets out a range of recommendations, which we could perhaps explore in the discussion, and it calls for a long overdue response to what it describes at the end of its concluding chapter, and with these words I conclude, it describes as “the mendacity, brutality, inhumanity, insecurity, and criminality of the Chinese Communist Party regime.” Thank you.

**Charles Burton:**

Thank you very much for that excellent presentation that raises many questions that we'll try and address in the discussion period.

Our next speaker is Teng Biao. Mr. Teng is really China's most distinguished human rights defending legal scholar able to be active today. Mr. Teng has courageously defended cases in China involving freedom of expression, religious freedom, the death penalty, Tibetans and Uyghurs. He has taught at the University of Politics and Law in Beijing, and has been a visiting scholar at Yale, Harvard, New York University, and the Institute for Advanced Study in Princeton. Mr. Teng was one of the initiators of the Charter 08 Document, and has been recognized by numerous international awards, including the Human Rights Prize at the French Republic in 2007. He is currently Grove Human Rights Scholar at Hunter College and the Pozen Visiting Professor at the University of Chicago. Mr. Teng, please.

**Teng Biao:**

Thank you very much. I teach a course titled “Human rights in China,” and we talk about political and civil rights, as well as culture and economic rights. The Chinese government violated every fundamental human right. China is one of the three countries that people cannot access Google, Facebook, Twitter, and YouTube. China is the biggest prison of bloggers, journalists, writers, and human rights defenders.

After Xi Jinping came to power in late 2012, the crackdown on civil society and the human rights movement became especially more and more brutal. Not only human rights lawyers and dissidents were targeted, but also everything in civil society, like the Internet, underground churches, universities and non-government organizations, everything. Leading human rights lawyer Gao

Zhisheng has been disappeared for more than three and a half years.

Another friend of mine is not an activist but an entrepreneur willing to help other activists and political prisoners, and then she was arrested and charged with an illegal business. We found that it's not only the frontline defenders being persecuted, but other activists and organizations focusing on labour rights, the environment, LGBT, and others.

Of course, we know more than 1.5 million people are being detained in the Xinjiang concentration camps and in Tibet more than 500,000 Tibetan farmers are detained in military-style labour camps. In Mongolia, the Chinese government is trying to eliminate the identity, culture, and religion of the Mongolian people, like they did in Tibet and East Turkistan.

By the way, many Western scholars say China is authoritarian. But my argument is that since 1949, China has been a totalitarian system – and what's even worse, now the Chinese Communist Party is establishing high-tech totalitarianism. They are using all these high-tech systems like social media, the Internet, the Great Firewall, telecommunications, the social credit system, as well as DNA and artificial intelligence to tighten its total control.

This is an unprecedented high-tech totalitarian system, and it's becoming more and more aggressive on the international space. The Chinese government kidnaps people in Thailand, Burma, and Vietnam; there have been several such cases. Tibetan activists, Uyghur activists, Chinese dissidents in other countries – the United States, Canada, Europe – have been harassed, monitored and even physically attacked.

Finally, I think my point is we should strip Beijing of the 2022 Olympics. It's a challenge to everyone's conscience if we give Beijing the opportunity to host the Olympic Games and to travel to Beijing to celebrate the Olympic Games when the genocide is ongoing.

**Charles Burton:**

Thank you very much, Mr. Teng. Our next speaker is Rahima Mahmut. Ms. Mahmut is a Uyghur singer, a human rights activist, award-winning translator of the poignant prison memoir, *The Land Drenched in Tears*. Ms. Mahmut was consultant and translator for the ITV documentary, *Undercover: Inside China's Digital Gulag*, shown in July 2019, which won many major awards, and I urge everyone to have a look at that. Currently, she is the

UK project director of the World Uyghur Congress, and serves as an advisor to the Inter-Parliamentary Alliance on China. Ms. Mahmut, please.

**Rahima Mahmut:**

Thank you very much. It is a great privilege to be with you here today. I was born in the city of culture in the north of Uyghur region. I was brought up in a large religious family. The discrimination and the persecution of the Uyghur people has a long history. From my childhood until I left my homeland in 2000, as a Uyghur, I experienced frequent discrimination and witnessed brutal crackdowns on any moderate dissenting voices, including the Tiananmen massacre in 1989 and the Ghulja massacre in 1997.

Since coming to the UK in 2000, I have been unable to return to my homeland because of my activism against the Chinese government in support of my people. The last time I spoke to my brother in January 2017, he told me in a trembling voice, “Please leave us in God’s hands.”

My work as an interpreter and a translator brings me into contact with first-hand accounts of suffering in the notorious 21st century concentration camps, as well as the heart wrenching tales of mothers and fathers who have lost their children, young and old. Every Uyghur family has a similar store, each one more horrifying than the other, of the effects of the brutal ethnic cleansing and the genocide that have taken place since 2017, while the world closes its eyes to their suffering.

The most painful part of the job is not being able to offer words of comfort and hope in the midst of the torment.

Since August 2018, when the UN acknowledged that there were up to one million Uyghurs and other Turkic Muslims interned in what the Chinese called re-education camps, a growing number of courageous individuals have been working towards exposing the truth of life behind their walls.

One of the camp survivors Gulbahar Haitiwaji, whose testimony was published on the *Guardian* on Tuesday, said, “They had tortured my body and brought my mind to the edge of madness... Women like me who emerge from the camp are no longer who we once were. We are shadows. Our souls are dead.”

I worked as a consultant and translator for the documentary, *Undercover: China’s Digital Gulag*, by Robin Barnwell. I was horrified when a Chinese official was asked whether he felt Uyghur’s human rights were being violated, and he responded by saying, “They don’t have human rights. It’s not about violation; they just

don't have human rights.”

The IT expert who worked for a state-controlled high-tech surveillance company stated that everyone was fearful, whether those already taken inside, or those who are waiting to be taken in. Our relatives under the influence of the state terror, they're not even greeting one another openly without fear. It is unbearable to describe life there, as a knock on the door from anyone would bring extreme anxiety and fright.

This is a situation from my own experience as a Uyghur. Uyghurs, whether they are living in my own country or in exile, we are suffering. We really need the world to act and to protect our very basic rights and our identity. Thank you.

**Charles Burton:**

Thank you very much for that. I wanted to ask you some questions, Ms. Mahmut, with regard to some recent developments, including Canada joining Britain to ban the import of goods being made by forced labour in Xinjiang. First, do you think Canada and the UK have gone far enough to ensure the enforcement and accountability of importers for the products of this forced labour? Second, if the US bans all imports of cotton and tomato products from Xinjiang, and the other countries start to follow suit, will this have a negative impact on the livelihood of Uyghurs in China who are engaged in production of these products? Could it increase their suffering if they're left unable to export their agricultural commodities that they produce there?

**Carolyn Bartholomew:**

Thank you very much. First of all, we welcome the move – this action is very important. It's a small step, a very first step from the UK and Canada. But we do feel sanctions, especially clear sanctions on individuals and the companies that are abusing the rights of the Uyghurs, are very important. The US has already sanctioned officials and entities, and why not the UK and Canada. That is a very important measure. We expect the free world should follow suit.

To your second question regarding the products that are banned and whether Uyghurs will suffer as a result – Uyghurs are already suffering, their very basic human dignity is being stripped off, and the only way that we can hurt CCP is to punish using these kinds of sanctions. I know my people, apart from very small minorities, have never benefitted from this economic development and economic gains from the CCP regime. Thank you.

**Charles Burton:**

Thank you for the answer. I have a series of questions from the audience that I'd like to direct to Ben. First, do you have any advice for young people who want to get involved, and what can they do? What is the best way to help the situation, both in terms of policy with regard to Hong Kong or Taiwan, and in terms of private life? How can grassroots Canadian citizens help to prevent or even stop these dreadful human rights based issues. Finally, what can the Chinese diaspora outside the PRC do to help on these issues.

Clearly, Ben, a lot of people are interested in getting involved to try and make a stand against China's violations of the international rules-based order and the defence of human rights in Hong Kong and Taiwan. What do we suggest that they can practically do to bring this about?

**Carolyn Bartholomew:**

Well, I'm very heartened by these questions, and I think there are a number of ways that people can get involved. Firstly, they can make contact with advocacy organizations. Hong Kong Watch is one, but I know there are a number of organizations in Canada, the United States, and around the world. Wherever listeners are, they can make contact with those groups and get involved.

One of the things about our democratic systems is that our elected representatives might respond to pressure from the constituents, so I would encourage people to really engage their members of parliament, their members of Congress in the United States, their elected representatives. We can help provide more information on that. Certainly, anyone who wants to get in touch with me can do so on Twitter. I think lobbying your elected representatives, and also looking at what consumer action could be done, are important.

Lastly, some countries, particularly the United Kingdom and Canada, are very likely to welcome quite a number of Hong Kongers in the coming months. There are ways to engage with them, make them feel welcome, and work with them in this struggle.

**Charles Burton:**

Thank you very much for those suggestions, and I think a lot of people will take up your offer to connect with you to collaborate in this kind of grassroots movement.

Finally, one last question from the audience is to Mr. Teng Biao. What would be the best strategies for European countries, Cana-

da, and the United States to employ to weaken the Chinese Communist Party's power in China and abroad?

**Teng Biao:**

Thank you. First, the free world should realize the failure of its engagement policy. Of course, China had made progress under this engagement policy, but when the Chinese Communist Party says that there's a threat from the civil society using legal channels and free information, they decided to eliminate all these freedom elements. I think one strategy is to link human rights to everything that the Chinese authorities care about.

For example, Beijing cares about the trade of their technology, but it also cares about hosting the Olympic Games. If the world links human rights to the opportunity to host the Olympic Games and other important international forums, that would be effective pressure.

Another thing is sanctions. In the United States, there is a *Global Magnitsky Act*, and last year it passed the *Hong Kong Human Rights and Democracy Act* and the *Uyghur Human Rights Policy Act*, and to sanction the corrupt officials and the people involved in the violation of human rights, that would be powerful. I know other countries also adopted similar acts. If democratic countries all have Magnitsky-style sanctions, that will be very powerful indeed.

**Charles Burton:**

Thank you very much. We have time for closing statements. Perhaps we could start with Ms. Mahmut, do you have a few more words to say to close off?

**Rahima Mahmut:**

Thank you very much. During this month, the world will mark the Holocaust Memorial Day after World War II and the full revelation of the extent of the Holocaust. The crime reverberated around the world, and we all said never again. Despite this, the world has repeatedly seen genocide occur. There is no doubt that we Uyghurs are facing genocide, as in all other genocide, women are a prime target. Most women of childbearing age face forced sterilization and birth control. Rape is systematic in the camps, and forced marriage to Chinese men is a common practice.

I cannot repeat more what is happening to my country. But we know how global citizens and the leaders of the world should act. It is still not too late to act and to fulfill the promise of never again. Thank you.

**Charles Burton:**

Thank you very much. Some final words from you Mr. Teng.

**Teng Biao:**

The Chinese government has posed an increasing threat to global human rights, freedom, and democracy. We are focusing on human rights issues in China but it's not only a Chinese issue, it's a global issue. The Chinese government has threatened Western academic freedom, freedom of speech, and democratic values, such as through their Confucius institutes, where Chinese students and scholars are associated, and through Huawei and other Internet technology companies. As I repeatedly said, unprincipled engagement amounts to appeasement. If the world continues to appease the Chinese government, then there will be a disaster for everyone. Western values, labour and democracy, and open society will be in danger. We need to fundamentally change our thinking of the Chinese Communist Party.

**Charles Burton:**

Thank you very much, and a final word on this panel to you, Ben.

**Benedict Rogers:**

Thank you. The report that we launched yesterday is titled, *The Darkness Deepens*, and one of the reasons for the title was that in 2016 we published a previous report that was titled, *The Darkest Moment*. That title came from some words of a Chinese dissident who said then, in 2016, that it was the darkest moment since Tiananmen. When we saw in this inquiry that the situation has worsened even further, we had the linguistic challenge of how to title the report as a follow-up to *The Darkest Moment*. That's why we came up with this title, and I would simply say that if we continue to appease and kowtow to Beijing and fail to act in response to this human rights tragedy, then the darkness will continue to only deepen, and it will engulf us as well sooner or later.

I very much echo what the previous two speakers have said. I think it's time for unity. I think the free world needs to stand together. That doesn't necessarily mean conformity. There's room for a diversity of approaches, but I think the free world needs to coordinate and be seen to be standing together in defence of these values. Also, it's time for real concrete action. We've seen more strong statements, and they're welcome. But it's very clear that strong statements alone no longer cut it.

**Charles Burton:**

Yes, I must say I couldn't agree with you more on that. Certainly, in the case of the Canadian government, it seems that our attitude towards China is moving from concern to serious concern to very serious concern. But, practically speaking, we're not seeing any measures to give the Chinese authorities incentive to come more into compliance with the international norms of diplomacy and human rights.

We will now move to panel three: "How Governments Can Hold China to Account for China's Gross Violations of the Norms of the International Rules-Based Order, and the Way Ahead for Democratic Nations Engagement of the PRC Regime."

Our first speaker is Mareike Ohlberg. She is a senior fellow in the Asia Program of the German Marshall Fund. Previously she worked at the Mercator Institute for China Studies, where she co-authored the landmark report, *Authoritarian Advance Responding to China's Growing Political Influence in Europe*. Her articles have been published in the *New York Times*, *Foreign Affairs*, and *Neue Zürcher Zeitung*. Her recent book with Clive Hamilton, *Hidden Hand: Exposing How the Chinese Communist Party is Reshaping the World*, released last year, has become an international best-seller. She has enormous influence on this public awareness and debate over how to address the Chinese Communist Party's geostrategic intentions and malignant geostrategic intentions throughout the world.

**Mareike Ohlberg:**

Thank you very much for the introduction, Charles. I'm very honoured to be on this panel. I will probably focus first on the situation that we're facing, and then hope to address more of the way forward in the Q&A.

We've been in this prolonged phase of trying to find a new approach to China policy after it has become clear that engagement, which is called change through trade in Germany where I live, is clearly no longer working. It may have been an honest approach in the 1990s or even 10 years ago. But whatever the legitimacy of this approach – based on the notion that if we engage China, it will automatically change – it's clear now that this did not happen, and it's actually resulted in the opposite. I don't think I have to tell anybody on this call that not only has the Chinese Communist Party become more repressive at home, but it has also been trying a lot harder to export its norms globally.

Chinese human rights ultimately concern us all. To give just one example, Hong Kong's new National Security Law has a global

reach in an attempt to get people around the world to censor what they say and do. US citizens are wanted under the National Security Law. Just recently, Hong Kong authorities discussed the possibility of prosecuting Danish parliamentarians for helping Hong Kong lawmaker Ted Hui escape to Denmark. It probably won't happen, but this is supposed to have a chilling effect.

We have seen more and more people in various countries across the world waking up to the challenge. Nonetheless finding good policy on China often feels like one-step forward and two steps back. One example that Reinhard Butikofer already brought up earlier on this call is the most recent European commission's decision, very much led by Germany and France, to commit to the investment agreement with China. That is premised on the idea that China is so powerful, any potential access is good access. It also has incredibly weak language on holding China to account on labour rights – it just acknowledges that China will continue to make efforts to ratify the convention, which is the weakest kind of language you can have.

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*Finding good policy on China  
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If it actually does go through and is not stopped at the European Parliament, this kind of agreement would signify 10 steps back. But it does not come out of nowhere. This is the result of an increasingly sophisticated propaganda apparatus on the part of the CCP that is convincing more and more people of its narratives and its talking points – the idea that the world needs China so much, it cannot afford to confront it. It's the result of aggressive influence efforts to win over political elites and pretty much any country in the world. It's the result of business lobbies with an interest in the Chinese market that pushed governments in a direction that makes it incredibly difficult to come up with a solid China policy – one that might not change China, but at least would limit our own complicity in human rights violations and raise the cost for the CCP to continue its human rights violations.

To that, you have to add a good dose of defeatism, the idea that China is too economically important – it's just a fact we have to accept. It also reflects quite a bit of cynicism as well – let's face it,

nobody really cares about human rights, it only affects minorities, Hong Kongers, and Taiwanese, it will never affect us (despite very clear evidence to the contrary). I'm very happy to have this panel here look at what can actually be done, and all of these parliamentary alliances like IPAC and parliamentary campaign on Hong Kong, Xinjiang, and Tibet stand out as one of the few truly good developments in recent years.

Parliaments can help draw attention to issues by simply raising them. There is some good executive action too. I am not known as a friend of Donald Trump. I thoroughly dislike him. Nonetheless, some action such as banning cotton and tomatoes from Xinjiang is good action and will have good consequences. This is hard work. It's difficult work. It's frustrating work. But it's continuing, and I'm really looking forward to hearing what my co-panelists, who are more directly involved in that work, have to say. I look forward to the discussion. Thank you so much.

**Charles Burton:**

Thank you very much. Our next speaker is Stephen Kinnock. Since 2015, Mr. Kinnock has been the Labour Member of the Parliament of the United Kingdom for Aberavon in the House of Commons. In April 2020, he was promoted to Shadow Foreign Office Minister with responsibility for Asia and the Pacific. Mr. Kinnock is the author of *A New Nation: Building a United Kingdom of Purpose, Patriotism and Resilience*. It came out in 2015, and he is the co-author of *Spirit of Britain, Purpose of Labour*, published in 2018. Mr. Kinnock, please.

**Stephen Kinnock:**

Thank you very much, and many thanks to the Macdonald-Laurier Institute for organizing such an important meeting today.

I wanted to start by saying that the issue we are discussing today is not a question of left or right. It's a question of right or wrong, and that's why I think the parliamentary and political cooperation that we're seeing on this issue on both sides of the Atlantic, and indeed in many other democracies, particularly in the Indo-Pacific region, demonstrate that the issue of human rights and our basic liberal democratic values transcend the day-to-day back and forth of party politics. It's very good to see people such as Benedict Rogers on the panel. We've been working closely together, because this issue does transcend normal political boundaries.

Having said that, I think we need to be honest about the fact that over the last 10 years or so, there's been a lot of naivety and complacency in the way the UK been dealing with China. Successive

Conservative governments have pursued this so-called golden era strategy based on increasing trade and economic interaction with China. In return, China would slowly but surely align with the norms and rules of the international order, and clearly that strategy has been a spectacular failure.

Instead, we see China increasingly violating human rights. We see what's happening in Hong Kong. We see what's happening in Xinjiang. Also, we're not seeing any real change in terms of the way that China behaves commercially, with an increasing amount of industrial espionage and stealing of intellectual property. We still have that trade-based issue as well.

What we need to do is to look at two strategic pillars for our strategy and a number of specific actions. Strategically, we need to reduce our dependence on China's supply chains. That means building our own technology base and working across democratic countries to do that. We need to also become an alliance maker rather than an alliance breaker. Whatever your opinion on Brexit, we have to recognize that the United Kingdom has burned a lot of bridges over the last four years, and we've got to find a way of rebuilding those bridges.

I think, in fact, working on the issue of how to respond to the rise of China, which is the primary issue the global community faces at the moment, is a way for the United Kingdom to start rebuilding some of those alliances – to become a transatlantic bridge between the United States and European Union, and also reach out to the democracies in the Indo-Pacific region. Two strategic pillars: reduce strategic dependence so that we're no longer compromised by such economic reliance on China, and secondly, start rebuilding some of these alliances.

Then, in terms of specific measures, I would like to just briefly mention three (though there are many, many that could be taken). First, Magnitsky sanctions. It's completely outrageous that the British government has still not included a single Chinese Communist Party official on any of the Magnitsky sanctions that have been deployed in the last six to eight months. That has to change. We've been pressing very hard for that, and we will continue to build alliances with Conservative members of parliament who agree with us.

Second is on human rights, due diligence, and supply chains. Our *Modern Slavery Act* is not fit for purpose. We should be looking at the best practice of France's *Vigilance Act*. We need much more teeth, so the companies can be sanctioned for failing to have human rights due diligence in their supply chains.

Thirdly, there's a big opportunity coming up in the British Parliament next week where the Trade Bill is coming back. We are tabling amendments to that bill, which would enable courts to create a preliminary determination of genocide, and where that preliminary determination exists, any trade negotiations with any country that's guilty of genocide would have to be discontinued.

There's a big opportunity for cross-party cooperation there. We're in active discussions around the Trade Bill and amending the Trade Bill. I hope that that gives you a sense of first of all a kind of two key strategic elements to the fundamental reset we need in our China strategy, and then three concrete actions, and specific actions that need to be taken. Thank you very much.

**Charles Burton:**

Thank you very much for your presentation of Mr. Kinnock.

Now, we turn to Irwin Cotler. Mr. Cotler is the Chair of the Raoul Wallenberg Centre for Human Rights. He is an Emeritus Professor of Law at McGill University, former Minister of Justice and Attorney General of Canada, and an international human rights lawyer. He was a member of the international legal team for Chinese Nobel Peace Prize Laureate Liu Xiaobo. He has also acted as lawyer defending very well-known prisoners of conscience such as Andrei Sakharov, Natan Sharansky, and Nelson Mandela.

I can say without question to my mind that Mr. Cotler is the most respected Canadian living today. It is a great honour for us to have him with us at this event. Mr. Cotler.

**Irwin Cotler:**

Thank you, Charles, for those very kind words. I still recall your expert testimony before our parliamentary committees.

The issues under discussion, and related witness testimony and documentary evidence as we've heard in this panel, has really sounded the alarm on the multi-pronged assault by Beijing on the rules-based legal order. Xi Jinping's China, and I use that term to distinguish from the people of China who are the targets of that mass oppression, has emerged as the greatest threat to international peace, security, and human rights today.

The deepening darkness, as it has been referred to, has included the targeting of what they have called the five poisons. In other words, the mass atrocities against the Uyghurs, the draconian National Security Law criminalizing fundamental freedoms in Hong Kong (really an assault not only on protestors but on democracy

itself), the ongoing persecution and prosecution of Falun Gong, the intensification of the repression of Tibetans, the threatening of Taiwan, and it doesn't end there.

We have also coercive organ harvesting (characterized as crimes against humanity), the war on law and lawyers, the jailing of journalists, the suppression of information, the disappearance of doctors and dissidents (which precipitated and account for the spread of the novel coronavirus to begin with), massive forced labour that has been correctly characterized as enslavement, the endemic widespread systematic torture that is being engaged in (something that is not always acknowledged and appreciated), the corruption of UN agencies, covert and overt penetration of espionage internationally, the development and deployment of a mass surveillance state, and as you had mentioned, the arrest and abductions and practice of hostage diplomacy.

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*We should enhance and support the work of the Inter-Parliamentary Alliance on China.*

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Given all this, what then must we do? For reasons of time, I offer a series of one-liners in terms of action.

Number one, we should enhance and support the work of the Inter-Parliamentary Alliance on China, whose very founding and initiatives has served as a wake-up call to Beijing's brutality, and no less important an antidote to its bullying.

Two, establish a parallel intergovernmental alliance of democracies to secure justice and accountability.

Three, enhance the parliamentary determination of the mass atrocities against the Uyghurs as acts constitutive of genocide, as the Canadian Parliament has done, and support judicial determinations of genocide, as made possible by the UK legislation and initiatives.

Four, support global justice for Sergei Magnitsky sanctions. The very recent adoption by the EU of a Magnitsky sanctions regime enhances the capacity for that purpose.

Five, strong statements, as has been mentioned, are not enough. One needs actions on all fronts, whether it be actions to prohibit

the import of produce of slave labour, or actions to hold Beijing accountable for its mass atrocities. Words are not enough; action must be taken on all fronts.

Six, call for the UN to appoint an international independent impartial investigative inquiry regarding the mass atrocities in Xinjiang, one that is part of a comprehensive strategy to combat Beijing's corruption and a decriminalization of the conduct of UN agencies, and in particular also the UN Human Rights Council.

Seven, invoke the panoply of legal remedies to hold Beijing accountable for its responsibility in the spread of the novel coronavirus.

Eight, institute immigration and refugee safe harbour initiatives regarding Hong Kongers and Uyghurs fleeing persecution and prosecution.

Nine, protest against the export of the surveillance state, including its penetration, espionage, and not to be forgotten, the persecution and harassment of the Chinese diasporas, in particular Uyghurs, Falun Gong, etc.

Ten, mobilize the International Bar Associations, the American Bar Association, to unmask and expose the assault on law and lawyers.

Finally, with regard to the Olympics, I think it is unconscionable to participate in the Olympics when a regime is engaged in such widespread systematic mass atrocities, including genocide. We need to explore alternatives to that. In a word, we have to mobilize a global constituency of conscience and action to hold Beijing accountable, securing justice for its victim and accountability for the violators.

**Charles Burton:**

Thank you very much for that very powerful statement, Mr. Cotler. Now, we move to the question period, and we have a lot of questions.

First of all, I'd like to engage Mr. Kinnock a bit more. I gather from what you say that the Labour Party would be supportive of the Conservative Party Human Rights Commission's China report, *The Darkness Deepens*. There isn't a lot of sunshine between the two of you. Basically, there is a consensus between your faction of the Labour Party and Mr. Benedict's faction of the Conservative Party. I heard you talking about the proposal of Magnitsky sanctions due diligence in supply chains.

Finally, you discussed the genocide amendment. I'm wondering whether this would mean that the United Kingdom should go beyond banning tomatoes and cotton produced in Xinjiang, as the United States has done. Do you really mean that until China ceases its genocidal policies in Xinjiang, the Labour Party supports much more comprehensive trade sanctions against the People's Republic of China, and would they be implemented if the Labour Party comes to power in the next British general election?

**Stephen Kinnock:**

Thank you very much. Just to clarify, the amendment to the Trade Bill seeks to prevent the United Kingdom government from entering into any trade negotiations with a country where the High Court of the United Kingdom finds that there is a predetermined *prima facie* case of genocide. Where the court does find that, there's still some debate as to whether it would then need to come back to Parliament. I think the amendment is still being refined, but we expect the bill to come to the Commons on Tuesday.

It's not so much about sanctioning ongoing trade. It is about preventing trade negotiations from taking place. For example, if an amendment like this was in place within the European Union, then the EU negotiations of this investment deal with China would not have been possible for them to go ahead. What it's about is saying we're not going to get into the business of lifting trade barriers through further trade negotiations, reducing quotas and tariffs, etc. with a country where there is a *prima facie* case of genocide taking place.

**Charles Burton:**

You wouldn't go back to the World Trade Organization (WTO), which China is clearly not compliant with the spirit and much of the letter of the WTO?

**Stephen Kinnock:**

Well, I think that's something which would be in the next phase of discussion. Nobody in the UK Parliament is talking actively about sanctions or banning products in terms of current trade. There is a very clear view now that we need to draw a line in the sand and that further trade negotiations – what would lead to, of course, deeper and more frictionless trade – between the United Kingdom and China, or indeed any other country that has predetermined case of genocide, should not be allowed to take place. Now we are leaving the European Union, of course, and are outside the Customs Union of the European Union, we are able to negotiate, and the government is desperately trying to do trade deals with

countries all over the world. That's why it's so important that we urgently put down this line in the sand, because we know that the government will be very keen to do a deal with China, and we need to stop that from happening.

**Charles Burton:**

How do you feel about the United States recent change in policy towards engagement with Taiwan? Do you feel that the global community should continue to shun Taiwan's participation in international organizations and prevent government officials from meeting with their Taiwan counterparts?

**Reinhard Butikofer:**

Taiwan is, of course, always a difficult line to tread, because we want to make sure that we work in a way that is supportive of the Taiwanese government. I know that they are very worried, and of course their priority is to protect their own citizens. They're worried about doing anything that pokes the hornet's nest too hard. Frankly, the Chinese air force made over 330 intrusions into Taiwan's airspace last year, and they're doing that in Taiwanese airspace every day. China has sent its aircraft carrier into Taiwanese waters, and are constantly intruding into Taiwanese territory.

There is a real need for closer cooperation. I think we should be offering very close support and cooperation on things like cybersecurity for Taiwan. They're constantly coming under cyberattack from Beijing, and we should certainly support fully Taiwan's campaign to get observer status at the World Health Organization. When you look at the outstanding performance of Taiwan in terms of dealing with the COVID-19, it's absolutely ludicrous and outrageous that Taiwanese expertise is not able to be brought to bear in the WHO.

I think the other real area of opportunity is cooperation on technology. Taiwan is one of the largest producers of semi-conductors in the world, and I think that the real opportunity here for the Five Eyes, the G7 and democracies in the Indo-Pacific region to pool their resources on technology – from 5G mobile networks to Internet standards, artificial intelligence, and quantum computing. Taiwan can make a major contribution to that, so we can compete against China on technology, reduce our strategic dependence on China, and also improve our security.

Let's make sure we work in concert with Taiwanese authorities. We shouldn't do anything which makes life more difficult for them than they want it to be, but I think big opportunities in cybersecurity, military cooperation, and technology.

**Charles Burton:**

Thank you very much. Turning now to Mareike, we have a number of questions here about Chinese influence operations. To what extent is Wall Street helping fuel Beijing's human rights abuses? What can be done to highlight this publicly, shame those involved, and ultimately stop it? More broadly, what can be done to counter China's peddling of soft influence through universities, company executives, and even elected officials? With regard to Canada, has the Chinese Communist Party got a hold of top Liberals, and has that informed their actions since taking office? So, what do you think, Mareike?

**Mareike Ohlberg:**

Thank you for these questions. In the United States I would say that Wall Street is definitely one of the actors, collectively speaking, pushing against better policy on China. I think they would very much like the United States to return back to the status quo or even engage in more appeasement towards the Chinese government, mainly because of financial interest and desire for market access. They have an interest in staying on the good side of the Chinese government and making some money there.

That's been a huge problem in terms of getting US policy right. There was a bit of a policy window in recent years to push through some good action that would have otherwise probably been derailed by Wall Street.

What can be done to expose it? One way is to honestly just talk about it more. I think it's very fair to talk about it collectively in our debate on Chinese influence. We'd really like to focus on much smaller actors that have less power, because that's also less risky. There is this great aversion to take on the big players, which I think is one of our biggest obstacles to actually tackling this problem.

Of course, individual companies can sue you. You need to be a lot more careful. That said, there's been some good investigative journalism done on some of the scandals, on some of the links to China, and some of the problematic action that has resulted from this. This more in-depth work, alongside the bigger picture of pointing this out again and again as one of the major US issues, will help get attention onto this issue. It will also help people become more aware of it so that they'll be more interested in holding these actors to account.

In terms of political influence, the CCP connects with anybody. They're kind of an equal opportunity liaison club. They will try to win over friends in pretty much any party, so that those parties

that are not in power are parties that are in power eventually, so that when a new government comes into power, they will already have friends in that government. That's part of the strategy, so I don't think it will be fair to say that they focused on the Liberal Party or on any specific kind of party. Anybody who is perceived to have any impact will be targeted.

Finally, what can be done at universities? For every country, there will have to be a set of rules around better transparency, better accountability, better China knowledge to get actors to enable universities and others to understand who they are dealing with. Some of those can be the same across different countries. Others will have to be country specific. But this is a very detailed thing that need to be done in every country to increase transparency, and thereby actually make it a lot harder for anything that is happening in the shadows to have impact at those universities. Again, long, hard work but very much worth it.

**Charles Burton:**

Are you saying that, for example, Australia's *Foreign Influence Transparency Scheme Act* would not be applicable, more or less, to many different countries? Are there legislative barriers, say charters of rights and freedoms that inhibit the potential adoption of this legislation in different political contexts?

**Mareike Ohlberg:**

It depends on the country. It may be in some. In many countries I don't see anything immediate, other than there being resistance toward it that will be context specific. I don't have any example of any specific barriers in the particular country against adopting a similar scheme. It's a scheme that's been criticized a lot. I think it's good to raise transparency on those issues, so I am actually quite supportive of it by and large.

In the field of universities, it's been very difficult to find university-binding approaches, because each country's university system works quite differently. Germany has a lot of public universities that don't depend on tuition fees, but we have other problems. That's kind of more what I was thinking. I was not trying to suggest that there is no way for countries not to learn from one another and to look for examples of legislation they can adopt.

It might have to be adapted a little bit. I think that's always going to be the case. But absolutely, we should go and look at what other countries are doing and what might work in your country as well.

**Charles Burton:**

Thank you very much. If I could turn to Mr. Cotler and ask a similar question: do you think that there are legislative difficulties in implementing legislation in Canada like the *Foreign Influence Transparency Scheme Act* in Australia. This is opposed by some members of the Canadian government, particular Senator Yuen Pau Woo, who has posted on his website a strong series of reasons why he doesn't think that legislation would be appropriate for Canada. Are there barriers to requiring that current and former policy-makers should report any benefits they receive from a foreign state, or is this just not consistent with Canada's constitutional framework?

**Irwin Cotler:**

No, I don't see it as being inconsistent with our constitutional framework, and we already have in place reporting mechanisms for purposes of disclosure. All this is seen as being part of a code of conduct for responsibility by the parliamentarians in these matters. No, I don't see that being a problem, and I think we need to both have enhanced transparency and accountability.

**Charles Burton:**

What about post-career? We see a phenomenon where politicians and senior civil servants who, while they were in positions of public trust, appear to have been resistant to adopting policies that would challenge the interest of the People's Republic of China. Then, after retirement, you see them benefiting significantly from positions on China-related boards or law firms.

Charlie Parton, from the Royal United Services Institute in Britain, referred to this phenomenon in terms of China providing life transforming amounts of money. Is there any way that we can get what you might say a smoking gun - where the Chinese ambassador says to a Canadian foreign minister, if you don't challenge us on the South China Sea, human rights, or genocide, or whatever, we'll take care of you in retirement. That does seem to be something that appears to be the case, with senior Canadian policy-makers benefitting enormously from relations with China after retirement. And there doesn't seem to be any requirement that they either report this source of income or be constrained from receiving income from foreign powers once they've left public service.

**Irwin Cotler:**

Well, you know, we've instituted in Canada certain restraints and regulations with respect to parliamentarians being able to lobby

the Canadian government after their retirement from office. We have those kinds of initiatives with respect to domestic lobbying. I think we can certainly explore how at the very least to have transparency with regard to engagement with foreign countries, particularly when we are dealing with countries that may be part of a pattern of gross human rights violations. You can't on the one hand have Magnitsky sanctions seeking justice and accountability, but at the same time have former parliamentarians, or even worse a government minister, instantly begin to engage with those that are being targeted for Magnitsky sanctions.

I think this is something that is worth exploring, perhaps to develop codes of conduct in that regard.

**Charles Burton:**

If I could ask you one further question. You've strongly endorsed the IPAC, which is a wonderful organization, but we see governments around the world who are reluctant to engage in effective legislation or regulations to disincentive agents of the Chinese regime from harassment and menacing of citizens.

Is it possible that countries like Canada that are reluctant to engage in these kinds of measures against China do so because there's concern that it would impact on Canada's promotional prosperity through more trade and investment with China? Do you think that if we were able to get together with a common group, a D10 or something led by the United States, that Canada would then feel embolden to engage in these many important points that you've raised in your presentation? If so, if that's possible, how would this work? Is it likely that Canada would give up sovereignty to a multilateral institution that would require that Canada change its domestic policies towards China and other countries that are engaged in such gross violations of the international rules-based order?

**Irwin Cotler:**

Well, number one, I think what Beijing has been able to successfully do is to leverage itself as an economic superpower to target and bully countries one by one, whether it be Australia, Canada, Japan, and the like. That's why I felt that the founding of IPAC was a game changer, because it began to reverse the asymmetrical relationship, certainly on a parliamentary level. More importantly, it would represent an intergovernmental alliance of the community of democracies. That was not possible under Trump's leadership, because it was going the other way, as it had been described earlier. I do believe that the Biden administration, which has an-

nounced its desire to hold a summit on democracy, wants to bring together the community of democracies.

We are already engaged in the community of democracies, if you will, regarding justice with the Sergei Magnitsky sanctions. There's no reason why that shouldn't be broadened where we have a comprehensive multilateral set of initiatives by the community of democracies. That would reverse the asymmetrical relationship that would dramatically increase the economic leverage of the community of democracies. It would counter the bullying of Beijing, and I believe that that could be a game changer.

I think IPAC was the beginning of a parliamentary game changer. A community of democracies on a multilateral level would be a game changer internationally, and Canada could feel more secure in being part of the necessary initiatives that can be taken. That way, China couldn't bully Canada as it has done with its hostage diplomacy with Michael Spavor and Michael Kovrig; we would be able to reverse the situation and hold Beijing accountable.

**Charles Burton:**

Now, we turn to closing remarks, and I invite Mareike Ohlberg to say a few final words.

**Mareike Ohlberg:**

Thank you, Charles. A lot has been said. A lot of proposals are in the making if we can push them all through. It will be hard work, but I am cautiously optimistic that we are slowly but steadily making headway on all of those.

One thing that hasn't come up as much, but that I want to raise in my final remarks, is to really to raise more awareness among the public on these issues – to make sure that Chinese human rights do not stay an issue that is only discussed among a few people, but that there is broad public awareness. With that, we will be able to raise pressure on government, on parliament, to make sure that there is plenty of public support to pass good action. That would lead to good China policy and also prevent the kind of action that takes us back. We shouldn't underestimate the role of the public in this, and we should keep working to raise awareness of these issues in all of our societies. Thank you.

**Charles Burton:**

Thank you very much. Mr. Kinnock.

**Stephen Kinnock:**

Thank you very much. It's been such a fascinating discussion. I think in terms of a strategy, we know that we have to be tough and robust. We have to confront China on the issues of human rights and the violation of the rule of law, for example. What's happening with Hong Kong and the undermining of the *Sino-British Declaration*. We know we also have to compete with China. We know that they will soon become the world's largest economy. It's a technology powerhouse.

In order for us to be able to confront them more effectively, we have to be able to compete more effectively, because so many economies and governments around the world are compromised by their economic overreliance on China. We've also seen the vital role that China's Belt and Road Initiative has played, creating a kind of debt trap diplomacy with so many countries around the world, and that has also led to a dominant position for China in the United Nations and other international arenas.

In order to be able to confront more effectively, we have to compete. We've got to reduce our economic dependence, and we also don't need to cooperate. It's the UN Climate Change Conference (COP26) next year, chaired by the United Kingdom. Climate change is an existential process facing the planet. China is still building far more coal-fired power stations than any other place in the world. If they don't come to the table at COP26 and agree to act effectively, there's not really much chance for dealing with climate change, unless China moves with a similar direction. It's got to be confront, compete, and cooperate.

A final point on this issue around building international alliances and the idea of a D10, so the G7 plus India, Australia, and South Korea. The United Kingdom is chairing the G7 this year, and it's a real opportunity for the United Kingdom to show leadership. We should create a D10, and it should specifically be about pooling our resources and investment into technology, so that we can actually compete on 5G, on Internet standards, and on a range of other issues. We need a grand bargain within the transatlantic and with the Indo-Pacific democracies to be able to compete more effectively, because I think that's the key to enabling us to confront China more effectively and ultimately to cooperate more effectively as well. Thank you very much.

**Charles Burton:**

Thank you, and last word on this panel to Mr. Cotler.

**Irwin Cotler:**

As Ben has characterized it so compellingly, the darkness has been deepening, but at the same time we have been witnessing wake-up calls, a sounding of the alarm increasingly by parliamentarians and civil society. This finds reflection in the dramatic changes in Canadian public opinion. In Canada, for example, over the last five years there has been a dramatic change in the increase in the mistrust of Beijing by over 80 percent of Canadians.

In a word, we've reached an important inflection point where governments, parliaments, civil society, and international institutions know that they will not only be supported, but will be encouraged to take the necessary actions.

I've always referred to Beijing as an authoritarian state, but I think what we are increasingly seeing it becoming a totalitarian surveillance state that is repressing its citizens at home and exporting that repression abroad. We have therefore individually and collectively an international responsibility, as I've said, to secure justice for the victims, to hold them accountable, and I hope we will witness the community of democracies coming together for that purpose on all levels.

**Charles Burton:**

Thank you very much. This has been a wonderful three panels. We'll have some closing remarks, and I'd like to call upon Ms. Bartholomew to give her final take on things.

**Carolyn Bartholomew:**

Thank you very much, Charles, and thank you again for the invitation to participate, especially with such a distinguished group of people. There are so many points that people have raised. I'll just focus on a few. Since last Friday, I've been asked to speak on China technology in Africa in one place, on China and 5G at our National Defence University, and then in front of the government relations people for a group of our American universities who are grappling with the issues. All of these things touch on human rights in one way or another. I think there's a lot of outreach, even within the China-interested community, to engage and broaden the coalition of people.

I think with Xi Jinping's tactics, particularly the bullying, the economic coercion, the way the Chinese government initially responded to COVID-19 are all opportunities that we can working together across countries, across parties, there's a lot of concern in public opinion in a number of countries around the world

about what China's rise means.

I will put a plug in for countries that don't have some sort of *Foreign Agent Registration Act* and the significance of that. Here in the United States, we had a former US senator who signed up to represent the interests of the US subsidiary of Hikvision, the Chinese surveillance company. The Biden administration found out about that because of the *Foreign Agent Registration Act*, and has since returned her contribution to the inaugural team. That kind of transparency is really important in countering Chinese influence.

I think what Stephen Kinnock mentioned in terms of reducing dependence on Chinese supply chains is certainly a huge issue here in the United States. People are thinking about it, talking about it, and wanting to do something about it. Rebuilding alliances is also critically important.

I am hopeful that with the inauguration of a new president here in the United States will provide a reset. Again, the Biden administration has been quite clear that they are interested in re-engaging with US partners, alliances, friends around the world, and I think that that's critically important.

My final comment is, having done this now for 30 years, the biggest barrier to action on human rights is the power of the business community. We all need to figure out a way to counter that. One of the ways to do that, of course, is the mobilization of civilian populations and citizens, as mentioned by Mareike. I just want to emphasize that people should not presume politicians know what you know, and you should not presume that your elected officials will automatically do what you think is right. They need to hear from you in order to make what we think are the decisions that need to be made.

I liked Stephen Kinnock's comment; it's not a right or left. It's not Democratic or Republican. These issues are a matter of right and wrong, and I think working together we can really get some influence and sway in terms of the decisions that are being made and how we move forward.

**Charles Burton:**

Thank you very much. Our final speaker at this event is Benedict Rogers.

**Benedict Rogers:**

Thank you very much. I just want to pay tribute to everybody

who has spoken. I think the degree of unity and agreement, but also the diversity of interesting ideas, is especially valuable. I also wanted to echo what's already been said about this being a right or wrong issue, not a left or right issue. I'm first and foremost a human rights activist. My own party politics is secondary, and so I really pay tribute to Stephen Kinnock and Lisa Nandy, the Shadow Foreign Secretary, for what they're doing in the UK to push our government, and the similar thoughts that have been expressed from Canada and the United States, and beyond.

That bipartisan unity, but also that international unity, is incredibly important. I think a number of us have talked about the importance of international cooperation, the D10, or other forms of democratic alliances across the free world, and I think that's absolutely vital.

Within that, you can have a unity of spirit in terms of being united and confronting this regime, but the diversity of approaches is fine as long as they are coordinated. Some countries may take a more punitive approach. Other countries may take an approach that uses diplomatic mechanisms, perhaps mechanisms of accountability and monitoring through the United Nations. It's interesting that last year over 50 UN special rapporteurs called for the creation of a UN rapporteur, and that's something we didn't touch on, but I think could be considered.

Also, standing with Australia and Canada at this time is really important. There was a campaign last month to buy Australian wine throughout the month of December, which I strongly supported, and I think we should do the same whether you are wine drinkers or not in that spirit.

The very last thing I wanted to end on, and I'm sure everyone would share this view, is that it's really important that that we are critical of the Chinese Communist Party regime's repression, that does not mean we are anti-China or the Chinese people, in fact on the contrary. I've spent most of my adult life, as have many on this panel, in and around China. I have many Chinese friends. I lived in Hong Kong. I first went to China when I was 18 years old. I'm pro-China, I love the people of China and the culture, and I want China as an ancient civilization to succeed. I want the people of China to have the human rights that we in our countries take for granted and that they for too long have been denied.

**Charles Burton:**

Thank you very much, Ben. We're drawing this to close now. I think that all of us agree that the people of China are entitled to

the human rights as defined by the United Nations, and that certainly our event is to support people in China who are suffering under a repressive and arbitrary regime.

I think that the main message that we relay here is that we can no longer give tacit consent to the kinds of activities that the Chinese regime has been engaged in, domestically and internationally, that are so in violation of the universal norms of the international rules-based order. Therefore, it's incumbent on us to speak out, and I cannot more amplify what Ms. Bartholomew said, which is that it's important for all of us who are concerned about our government's collaboration with China for economic purposes to make it clear to our elected officials that China matters to us, and that it will impact our electoral choices.

Finally, I'd like to thank once again Optimum Publishing International, Hong Kong Watch, the China Democracy Foundation, the International Parliamentary Alliance on China, the European Values Center for Security Policy, and of course, most of all, the Macdonald-Laurier Institute for sponsoring this event.

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