

**Testimony of Congresswoman Marcy Kaptur**  
**"Taming the Dragon: Can Legal Reform Foster**  
**Respect for Human Rights in China?"**  
**Hearing of the Congressional-Executive Commission on the People's Republic of**  
**China**  
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Thank you, Senator Baucus and Congressman Bereuter, and thank you to each of our witnesses. We appreciate your dedication to this issue and your participation today.

Our Commission was charged with two main responsibilities: to study the human rights situation in China and the rule of law procedures as well. As we focus on rule of law today, our spotlight should be broad. We must consider the legal system from the ground up, including: legal education training, legislative development, law enforcement training, access to legal assistance, and a fair and open judiciary. This will be crucial to the development of a working rule of law.

Chinese citizens must know that the law is in place to punish violators, but also to protect citizens from abuse. The law should not be something that the Chinese should fear. Instead, it must be a vehicle for labor, environmental, and human rights enforcement. I hope that someday soon the citizens of China will be able to trust the lawmakers, enforcement officials, and the judicial appointees as guardians of the people.

By now, the Chinese people know the difference between "rule of law" and "rule by law." Today, all too often, law is used as a weapon. Alleged "enemies of the state" are imprisoned for violating internationally recognized rights, such as freedom of speech and the freedom to organize.

The increase in the number of people studying law in China is encouraging. My only concern is limits and registration requirements placed on practicing attorneys and law school professors. Access and government support should not vary by region - every citizen must have equal protection under the law.

In order for China to interact with other nations, whether through trade or diplomatic means, a functioning and just system for the rule of law is necessary, both in their domestic and international relations. Businesses and foreign governments must be able to rely on a sound legal framework protecting worker, investor, and employer rights. Recent media reports show that even large, multinational corporations like, FedEx, UPS, and DHL have to initiate negotiations to gain even the slightest portion of the marketplace. An active member of the global economy must be ready to "play by the rules." This will offer China many challenges.

I look forward to a future for China that will allow freedom to flourish and will adopt a system of laws that will bring liberty to every citizen.