



Tom Lantos Human Rights Commission Hearing
Counter-Terrorism and Human Rights: Striking the Right Balance

Tuesday, October 26, 2021
10:00 a.m. – 12:00 p.m.
Virtual via Cisco WebEx

Co-Chair Chris Smith

Excerpt of Remarks

I'd like to thank my colleague and co-chair Jim McGovern for convening today's hearing on the important topic of how to balance legitimate counter-terrorism concerns with serious respect for human rights, and the related question of how does one counter not just terrorism, but also the tendency by governments – including our own – to overreact in such a way that actually exacerbates the terrorism problem while simultaneously weaponizing counterterrorism laws against legitimate political dissent.

At one end of the spectrum is the model which China has cynically deployed against its own minority populations, in particular the Uyghurs and Kazakhs, predominantly Muslim ethnic minorities in Central Asia.

While there were certain minor segments of these populations had become radical Islamists – some of whom our troops had encountered in Afghanistan – and there was a horrific incident in 2014 in Kunming, China, where knife-wielding terrorists targeted ethnic Han

Chinese at a train station, these relatively isolated occurrences became a pretext for implementation of a policy which has amounted to wholesale high-tech control of vast populations, concentration camps and even genocide.

We have learned, thanks to reporting in the New York Times and in particular, one of our witnesses today, Adrian Zenz, the magnitude of the repression in China against the Uyghur, Kazakh and other Central Asian minorities under the guise of countering terrorism.

And we have learned where this genocidal policy originated – with Xi Jinping himself, who has said we must “show absolutely no mercy” towards people of Uyghur descent. While some may say that was directed at those who had committed or had a propensity to commit actual acts of terror, what subsequent developments have shown is that in Xi Jinping’s eyes, the entire Uyghur people are implicated, in particular if you are male and under 40, as Dr. Zenz has points out in his testimony.

And that includes some of the best and the brightest.

When the Lantos Commission earlier this year held our hearing on the upcoming Beijing genocide Olympics, we heard compelling and moving testimony from a young woman, Rayhan Asat, who [spoke out on behalf](#) of her imprisoned brother, Ekpar, a Uyghur entrepreneur whose only QUOTE UNQUOTE “crime” had been to come to the United States at the invitation of our State Department and to participate in our International Visitors Leadership Program.

I call upon Xi Jinping to release Ekpar Asat, and I also call upon our State Department to redouble its efforts to seek his release. By inviting Ekpar to participate in our IVLP program, we had adopted him as one of our own, and the State Department should instruct all of its diplomats, at every level, to raise freeing Ekpar with their Chinese counterparts at every meeting they have with them.

We have also seen in Burma how the Burmese regime, backed by the Burmese military, or Tatmadaw, has used Counterterrorism as a justification for denying civil and political rights to those who call for democracy.

In [May of this year](#), the regime labeled and banned the legitimate National Unity Government, or NUG, as a QUOTE UNQUOTE “terrorist group,” and the State-controlled MRTV fabricated allegations of bombings, arson and killings attributed to NUG. An anti-terrorism law not only bans the NUG as well as pro-democracy lawmakers ousted from the legislature, but also bans any contact with them.

We also see in Nigeria, the selective use of Counterterrorism laws to attack political opposition. Nigerians on a daily basis witness the impunity which so-called “Fulani herdsmen” – extremists who share an ethnic and religious identity with President Buhari and the Fulani-elite which now dominates all key institutions in Nigeria – attack predominantly Christian villages in the Middle Belt. State security forces which are obligated to protect civilians are at best indifferent, or at worst allegedly complicit, in the ongoing and sustained attacks.

Meanwhile, the government has no qualms about labeling groups agitating for separatism, such as the Indigenous People of Biafra, or IPOB, “terrorists,” and using this label as justification for repression.

The fact that there are multiple groups now agitating for dissolution of the federal republic of Nigeria, especially among the Ibo and Yoruba people, be they Christian or Muslim, lays directly at the feet of the Buhari government, which appears intent upon destroying the balance between North and South and denying the many ethnic groups that had comprised Nigeria’s rich mosaic representation in government.

By labeling those with legitimate grievances “terrorists,” and while turning a blind eye to those so-called “herdsmen” who actually commit terror, the Buhari government is furthering the eventual dissolution of Nigeria.

Finally, as this hearing recognizes a legitimate role in fighting terrorism and acknowledges the need to balance legitimate concerns, we need to address how terror groups have utilized civil and political rights protections provided by constitutions to acquire power, and once in power, upend constitutional order and institute repressive regimes.

The rise of the Islamist Muslim Brotherhood in Egypt a decade ago provides an example of this, of how once power was acquired through democratic means, the Brotherhood began to dismantle the constitutional order and threaten in particular religious minorities and deny equal citizenship to whole classes of people, including women.

I hope that one of our witnesses, Bahey eldin Hassan, from the Cairo Institute for Human Rights Studies, might address this issue. I also want to point out that Mr. Hassan is himself *not* an Islamist, and is committed to human rights and legitimately calling the government to account for its abuses of human rights. I simply ask this question out of genuine curiosity.

With that, I look forward to hearing from our witnesses.