

JKR: Encounters with China Podcast

Episode 1 – Lists & Dialogues: The Prisoner Information Project

Transcript

Erik T

Good day and welcome to the podcast. Today we are sitting down with John Kamm, a businessman-turned-human rights activist and founder of the Dui Hua Foundation. The Dui Hua Foundation conducts a unique form of advocacy for at-risk detainees in China and is the only NGO in the world that is able to submit prisoner lists to the Chinese government and receive written responses. For over 2 decades, the Dui Hua Foundation has collected the names of at-risk detainees and maintained a human rights dialogue with the Chinese government. Currently they have one of the world's largest databases on political and religious prisoners in China. The event that kick-started everything happened when John was a prominent businessman in Hong Kong. It was just after the Tiananmen incident in 1989, the United States Congress was debating whether to revoke China's Most Favored Nation status. John went to Washington and spoke before the Congress in favor of extending China's MFN status, arguing that cutting China off would only devastate economies without ushering in progress in human rights, while maintaining ties would provide incentive for China to maintain dialogue and release political prisoners. At the hearing, he declared that he would use all capital as a result of giving market access to China to further his work of freeing prisoners of conscience in China. After China's MFN status was successfully extended, John was hailed as a hero in Hong Kong and even given the nickname Mr. MFN. For the next few decades, he has made good on his word to advocate for at-risk detainees in China, many of whose cases received better treatment or clemency.

I'd like you to welcome our very own John Kamm to the podcast today. Hi, John. How are you?

John Kamm

I'm fine. Thank you, Erik.

Erik T

Can you first talk about how this work started and what was the impetus for you personally to engage in the issue of human rights and prisoner rights in China?

John Kamm

The decision to begin was made. Very much in a flash. I was hosted to a lavish banquet by a very senior Chinese official in Hong Kong in May of 1990, May 9th to be precise, and it was at that banquet that I raised the name very spontaneously, I'd heard the fellow's name, on the radio, in the car, over to the banquet. What I remember was that his mother came on the radio, and she was obviously very upset. She had heard that her son was being tortured in a Shanghai detention center. It got to the point in the evening where I challenged the Chinese official to do something to improve the relations, and he said, "Well, we've done everything we can to improve the relations," and I said, "No, I don't think you have." And he put down his glass - he was toasting me at the time - and he said, "well, what would you have us do?" At that point, I remembered what I had heard on the radio. But again, I didn't know the guy's name. So I asked an official across the table what the name was, and he very bravely told me. If he had not told me I don't know what I would have done. But anyway, he gave me the name Yao Yongzhan, so I turned to the minister. I said, "Well, that's it. Why don't you release Yao Yongzhan?" Of course, he erupted in anger and made a big deal out of it. But finally I told him I was going to go to Washington and testify whether or not China released the prisoner or not. And I always remember this, I said, "Do you know why? And he said, "No." And I said, "Because I love Hong Kong. Do you love Hong Kong?"

Now, that was pretty brazen. And at that moment he just dropped it. He said, "All right, all right. I'll see what I can do." From there, I began to ask about prisoners and actually, my very first prisoner list was really a piece of paper on which I had handwritten a number of names. And I brought that up to Guangzhou and was able to hand it over. And so it was accepted. After that I thought, hmm, maybe I should expand this and begin submitting prisoner lists, which I began in 1991 and over time, until I established Dui Hua actually, I began submitting lists to Ministry of Foreign Affairs, Ministry of Justice, State Council Information Office, Ministry of Public Security, Religious Affairs, Bureau and so on. I was really manufacturing and handing over prisoner lists, and they were accepted.

Erik T

Can you walk us through the process?

John Kamm

Well, first of all, you can't ask about a prisoner without knowing the name. So the first step would be to gather the names. I've always tried to get names from official open source, well open sources because it's easier to ask about them. Now. If you go to a Chinese official and submit a list of names that you have gotten from a human rights group, they will most likely not accept it. They will say, "Well, that's a, that's prejudice, that group is biased against China so we're not going to take it." So I focused on and have to the present day focused on information in open sources. And they include: judgements issued by courts, indictments issued by what's called the Supreme People's procuratorate and books. So when I submit a prisoner list, that list goes to Beijing. And what does Beijing do? Well, they asked the Ministry of Justice or the Public Security or the State Security and they will ask about this person. The ministries don't have that information either. So what do they do? They ask the prison. Tell us about Mr. X, Mr. XYZ. Now when the ministry submits that information they don't tell the prison why they want it. They don't say, "Well, we've got this crazy American guy who is asking this question." No no no, they they

certainly don't say that. So what is the prison to think? Why is the Ministry of Justice so interested in this person? That results in better treatment. Because then they realize somebody in the ministry is interested in this guy. So right away they start to treat them better because you know, hell, they can't let this guy out on death's bed. They may have done it a few times, but generally speaking, treatment improves, you know: take him to the Infirmary - each prison has a hospital - check him out, maybe give him an extra blanket. Or, and I've seen this too, by the way. Put a fan in. In the southern areas where it gets hot. I went to into a prison one time in the eastern Guangdong province. I go in there and in the cells I could see they had put up fans, recently! So just by asking about a prisoner. You can help him.

Erik T

Can you talk a little bit about founding Dui Hua?

John Kamm

In 1994, a book by David Remnick called *Lenin's Tomb* came out. And in that book there is an account of a young man in Moscow who worked in the Supreme Court's archives. And he would put on a note card, 12 pieces of information: last name, first name, middle name, year of birth, year of death, nationality, party status, social background, education, last place of work before arrest, facts of the arrest and interrogation and repression and facts of rehabilitation. In other words, you know, how was he after he was put in prison? That's basically the inspiration for collecting this information and putting it on note cards. And pretty soon I had hundreds of note cards. In 1999 I got a grant from an American foundation to ask about and get information on prisoners, and I began looking for the names initially in libraries in Hong Kong and then later at universities in the United States. One was, of course, Harvard, but I also got names from Stanford, Berkeley. We looked everywhere. Also, I, I did find some names in, I found names in Stockholm and we gathered together these names and I as soon as I got the names. And found out as much as I could about them. I would put them on lists and submit the lists. Now I had in those days something which evolved actually into our database today. I have what was called the Prisoner Information Project.

Erik T

What were some of your critiques on how the US had been handling the situation?

John Kamm

OK, so in 1991, Secretary Baker traveled to Beijing and he brought with him a long prisoner list. And you know it was, I mean, they didn't put the Chinese characters in the list. It was all hodgepodge. There were, like, more than 800 names. And they finally came back with a response. And I cracked the code of the response. They actually put everybody's name and they just ran it together, one province by 1 province. The first was Beijing and then Shanghai and then Guangzhou. They did give information of a sort - very primitive - on that list, but the list itself, it was flawed. So I think one of the things I did was to make them more rigorous. You know, you just can't hand over a name. You have to, first of all, you have to know what the name, the correct name is and in Chinese. If you say, oh, you know Mr. Lee Bin, for instance, well, there are different characters for bin. To ask about "Wong" in Shanghai is, is not

gonna get you very far, you know I remember one official said to me, “You know how many Wongs there are in Shanghai?” And so yes, I had to nudge them, shall we say, urge them, to do a better job on their list, and pretty soon of course, I was writing the lists, not only by the way for the US over the years, but I have written the lists for quite a few other countries that have human rights dialogues.

Erik T

How do you respond to critics that say that dialogue doesn't work, or that prisoner lists are not effective anymore?

John Kamm

Well, of course, they are effective because I can point to specific examples of how asking about a prisoner has helped. But As for the dialogues, my argument is very simple: if the Chinese Government refuses to accept lists, refuses to talk about prisoners, then you, you should not have the dialogue. Very simple, I say, as long as they will accept the list and hopefully provide answers. But you know, even if they don't provide answers, as I've said, once the list is handed over. That name, inside the system, it has an impact. So I I have made that point over the years and gradually I don't hear that anymore. Of course, there are very few dialogues left, so I wouldn't have a chance to hear it. The US stopped its dialogue in 2016. I think both countries at the time decided. Now, of course it's very unlikely the US will resume the dialogue. That said, they do. I understand they don't always ask me, but they do hand over names. Whether the Chinese accept it, I don't know.

Erik T

So in the past there were somewhat of a progression of different organizations and ministries that you had to be in touch with in China. Is that something that's diminished?

John Kamm

Oh yes, absolutely. So now I submit lists to the Ministry of Foreign Affairs through their consulate or embassies and then they provide the list to the ministries in Beijing, that's how it works. It used to be I could go directly to the Ministry of Justice, but no more.

Erik T

What are some of the concepts from your efforts and methods that others should pick up on?

John Kamm

Say the names. Focus on individual prisoners. Right now there's a very strong emphasis on American citizens in Chinese prisons, and we have identified, named three people who we have determined as the US government to be unjustly detained. Late last year, a senior American official had a meeting. With a senior Chinese official in which the American official raised Americans who were in prison in China. Unfortunately, the American official did not say their names. Should be simple. But you need to say the name, the names, as correctly as possible, with as much detail as possible. And that is so important. Say the names. That's what I, I advocate, and I think it's had an impact.

Erik T

That was John Kamm, founder of Dui Hua. If you want to find out more about the foundation and our work, visit us at www.duihua.org.