



THE DUI HUA FOUNDATION

2022 Annual Report

Advancing rights through dialogue



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Our Team

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Luke Wong

Research Manager

Flora Lee

Administrative Associate

Misson and Approach

DUI HUA 对话 MEANS DIALOGUE

WE ARE a nonprofit humanitarian organization seeking clemency and better treatment for at-risk detainees through the promotion of universally recognized human rights in well-informed, mutually respectful dialogue with China.

Our work rests on the premise that positive change is realized through constructive relationships and exchange.

WE FOCUS ON:

Political & Religious Prisoners

Juvenile Justice

Women in Prison

Issues in Criminal Justice

"I made a commitment, I promised I would use all the capital I gained by helping save China's access to the US market to press for the release of political prisoners. I promised that, and I've done my best to fulfill it."

- John Kamm, Founder and Executive Director, The Dui Hua Foundation

OUR APPROACH



ADVOCACY through respectful, well-informed dialogue with China both directly and via the UN and government bodies.



RESEARCH into internet and library resources to uncover relevant cases, regulations, and trends.



EXPERT EXCHANGE among criminal justice practitioners and experts, including China's Supreme People's Court.



PUBLICATIONS on prisoner cases and analysis of developments in criminal justice and human rights.



COMMUNITY ENGAGEMENT to apprise the global community of research findings and practical experience.

Message from the Executive Director



“The United States can help, but we can determine neither the cause nor the timing of change in China. We can help by promoting transparency and accountability, a strengthened legal system that safeguards due process, and humanitarian treatment for those in prison who seek change through nonviolent advocacy.”

- John Kamm, Executive Director, The Dui Hua Foundation

2022 saw relations between China and the United States deteriorate to their **lowest point in fifty years**. Since its founding almost 25 years ago, Dui Hua has played an important role as an intermediary between China and the United States. When relations are bad, the **significance of Dui Hua’s role as interlocutor is magnified**. My quote above is from *Americans in China*, Terry Lautz’s book published in January 2022. I stand by that statement now more than ever as we reflect on 2022 and look for signs of progress on human rights in China. Despite strong headwinds and an ever-growing lack of trust between Beijing and Washington DC, Dui Hua scored notable successes in 2022.

We overcame shrinking transparency that accompanied a purge of judgments and indictments from the websites of the Supreme People’s Court (SPC) and the Supreme People’s Procuratorate. By using new search tools and sources, we were still able to uncover hundreds of names. As you review the statistics in this report remember **that each name we add to our database is a person** – a person that can now be included on our prisoner lists and possibly receive clemency or better treatment in part due to their inclusion.

Despite challenges, we have met our goals in every area of our work apart from fundraising. Support for Dui Hua was greatly affected by the war in Ukraine, the Covid pandemic, and the shaky economies of the United States and European governments from whom we have regularly received grants in the past. As you read through this annual report, I ask you to recognize the value of Dui Hua’s unique approach and the strength of our ongoing human rights work in China.

With your support and through diligent research coupled with discreet and persistent inquiry, we hope to continue the dialogue and realize positive changes.

Finding Prisoner Names, Requesting Information

The Dui Hua Foundation remains **the only organization** able to submit prisoner lists directly to the Chinese government and to receive written responses in reply

Dui Hua was established in 1999 to carry on the Prisoner Information Project launched by founder and Executive Director John Kamm after the 1989 Tiananmen protests. Kamm testified to Congress in support of Most Favored Nation (MFN) trade status for China and pledged to use whatever capital gained as a result of giving market access to China to advocate for political and religious prisoners.

One of the most important goals for human rights diplomacy in China is forming an accurate account of the number of people believed to be imprisoned for the non-violent expression of their political and religious beliefs.

It is a humanitarian act to monitor a foreign government's population of political and religious prisoners, especially those "without names, in cells without numbers" (to borrow Jacobo Timerman's phrase), and to let that government know that you are doing so. Requests for information on prisoners in China often prompt improved treatment for those prisoners.

When Dui Hua submits prisoner lists and requests information about a prisoner, we are engaging in the cultural equivalent of seeking clemency on that prisoner's behalf.

Dui Hua's Political Prisoner Database (PPDB)

- One of the world's largest databases of Chinese political and religious prisoners
- Documents the treatment of prisoners in the criminal justice system
- Informs dialogue with government officials inside and outside China
- Forms the basis of prisoner lists

Names in the database:

- Political and religious prisoners incarcerated in China since 1980
- Ethnic minorities
- Foreign nationals under coercive measures
- Petitioners

2022 Results

In 2022, Dui Hua continued advocating for at-risk detainees across several theaters. After spearheading the use of messaging apps for the submission of prisoner lists, Dui Hua continued to raise names with the Chinese government.

The year also saw the resumption of in-person meetings, albeit haltingly. In January 2022, Dui Hua met in person with the Consulate General of the People's Republic of China in San Francisco and handed over a prisoner list. During the meeting, Kamm and the consular staff discussed US citizens, permanent residents and their relatives undergoing coercive measures in China.



Kamm and San Francisco Consul General Wang Donghua at a meeting on January 5, 2022. Image credit: Consulate General of the People's Republic of China in San Francisco

	Year 2022	1999 to 2022
Names added to the PPDB	1,650	47,518
Lists submitted to the Chinese government	21	463
Unique names raised with the Chinese government	87	2,165
Unique Prisoners about whom responses were received	42	1,049
Acts of clemency learned of	23	425

Death Penalty

China remains the world's top executioner. However, disclosures of death penalty judgments are low. Frustratingly, transparency around China's use of the death penalty has declined further in recent years.

Dui Hua established a Death Penalty Log (DPL) in 2009, to track China's use of the death penalty. Dui Hua's estimates of China's death sentences and executions are among the most reliable figures available.

At the end of 2022, the DPL had recorded more than 6,000 death sentences and logged 3,500 executions in China. Every quarter, Dui Hua sends a summary report to governments who support our work.

Consultation for At-Risk Detainees



“It’s not just the depth and breadth of his knowledge and experience...it’s also the thought and care that goes into developing a strategy to free a particular person, and the incredible tact and support to that person’s family and friends.”

- Sophie Richardson, China Director at Human Rights Watch, quoted in "John Kamm: Negotiating Human Rights" in *Americans in China* by Terry Lautz

In addition to finding prisoner names and seeking clemency, an important part of Dui Hua’s work is providing consultations to family members of detainees including foreign nationals and American permanent residents who are undergoing coercive measures in China. Coercive measures include detention, imprisonment, residential surveillance at a designated location, and exit bans. These consultations give hope and comfort to people sorely in need of support and guidance which their own governments are often unable to provide.

“John’s reputation and connections through The Dui Hua Foundation played a key role in facilitating my son’s journey home. His was the first voice I heard with knowledge and empathy for what I was going through. It felt like he threw me a life preserver after being thrown overboard in a sea of chaos, panic and grief.”

- Mother of a recently released American prisoner

Dui Hua provided nearly 100 consultations to 38 detainees in China, their families, or supporters. Detainees include foreign nationals held in China under coercive measures, the number of which has been on the rise in recent years. Dui Hua is committed to doing all it can to support families going through this difficult experience.

2022 Numbers

99 Consultations with 38 detainees, their families, or supporters

Outreach and Publications

Outreach

Dui Hua shares its work with the public through outreach events. Highlights from our in-person and virtual outreach events of 2022 include:

- A discussion with Bay Area China experts and consular officials on human rights in China
- “China and the United States: A Troubled Relationship”, a virtual panel hosted by the School for Advanced Research in Santa Fe, New Mexico
- “China, Russia, Ukraine: What’s Going On (...and should we worry),” an in-person talk at the San Francisco University Club



Publicity for the January 20 event featuring Kamm. Image credit: School for Advanced Research

Publications & Media

Dui Hua’s research findings are shared through our publications, including the *Digest* newsletter, *Human Rights Journal* blog, prisoner updates and press releases. In 2022, Dui Hua released 37 publications, and our work was cited in 124 news and magazine articles including *Politico*, *Associated Press*, *Voice of Asia*, the *International Business Times*, *Radio Free Asia*, and the *Wall Street Journal*, among others.

Dui Hua's online presence includes our main site (duihua.org), the *Human Rights Journal* blog, and a second site dedicated to our expert exchanges as well as our social media spaces on Facebook, Twitter/X, and LinkedIn. Dui Hua’s websites attracted 21,959 visitors with 44,978 page views in 2022.

Read our publications here:
<https://duihua.org/resources/>

2022 Numbers

37 publications published, including a report on the persecution of unorthodox religious groups

Work cited in **124** news and magazine articles

Advocacy and Promoting Dialogue



Image credit: Salya T on Unsplash

Advocacy on the International Stage

United Nations

Dui Hua is the one of the very few overseas NGOs focused on human rights in China that is in Special Consultative Status with the United Nations Economic and Social Council. Acting in this capacity, Dui Hua made submissions to Working Groups and other special procedures.

Expert Exchanges

In 2022, Dui Hua held its 8th exchange with China's Supreme People's Court (SPC) on child welfare laws, The SPC's willingness to participate demonstrated that dialogue is still possible. Focusing on juvenile justice reflects Dui Hua's continued commitment to push for meaningful change and reform in areas of shared concern between China and the United States (more details on next page).

The expert exchange is part of the collaboration with SPC that began in 2008, when Dui Hua expanded its focus to include juvenile justice reform. Since then, the exchanges have covered different topics including non-custodial measures, record sealing, and girls in conflict with the law.

Other International Advocacy Initiatives

Dui Hua made a presentation to 10 consular representatives in Beijing, discussing unorthodox religious prisoners. We also continued providing advice and research to various international NGOs and companies at the intersection of geopolitics, business, and human rights.

Highlights from the Joint Program on Child Welfare

On April 7, 2022, Dui Hua hosted the “Joint Program on Child Welfare,” an online expert exchange with the SPC. The event brought together legal experts from the United States and China who gave presentations on child welfare laws in their respective countries. The participants were:

Moderators

John Kamm - Dui Hua Founder and Executive Director



Dr. Jiang Jihai - Director of Juvenile Justice Guidance Division of the SPC



Judge Leonard Edwards (retired) - Legal Consultant and Educator, retired Superior Court Judge



Panelists

Howard Himes - Consultant, Former Director of Social Services, Napa County



Li Chen - Deputy Director, Division of Supervision of Minors' Protection, Child Welfare Department, Ministry of Civil Affairs



Judge Roger Chan - Judge, San Francisco County Superior Court



Chen Haiyi - Standing Member of the Adjudication Committee, Guangzhou Intermediate People's Court, Guangdong



Judge Jerilyn Borack - Presiding Judge, Sacramento County Juvenile Court



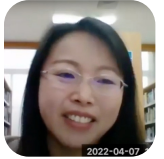
Song Ying - Deputy Chief Judge, Juvenile Division, Beijing High People's Court



Judge Marian Gaston - Assistant Presiding Judge, San Diego County Juvenile Court



Wang Wei - Deputy Chief Judge, the First Criminal Division, Jiangsu High People's Court



"We are pleased to brief our American colleagues on the latest developments in the field of juvenile justice in China, and we look forward to learning about your experiences and practices as well. I hope to see your open and enthusiastic discussions in this forum, so that we can join hands to contribute wisdom to the further innovation and development of juvenile justice in China and the United States."

- Dr. Jiang Jihai (SPC side moderator)

"We hope this exchange is only a beginning, as child welfare is complex, challenging, and best practices are being developed on a regular basis. We hope we can learn from you, and we hope we can give you some suggestions that might be of use."

- Judge Leonard Edwards (ret.) (US side moderator)

Summarized Audited Financial Statements

These statements are summarized from the financial statements audited by Lindquist, von Husen & Joyce LLP, San Francisco, California. All amounts are in US dollars.

STATEMENT OF FINANCIAL POSITION (as of December 31, 2022)		
	Assets	Liabilities & Net Assets
Cash & cash equivalents	287,181	
Investments	834,735	
Deposits & prepaid expenses	22,147	
Contributions & accounts receivable	214,639	
Property and equipment - net	3,047	
Right-of-use asset - operating lease	219,346	
Accounts payable		68,606
Operating lease liability		219,346
Net assets		1,293,143
Without donor restrictions		885,041
Board-designated reserve fund		400,000
Undesignated		485,041
With donor restrictions		408,102
Total	\$1,581,095	\$1,581,095

STATEMENT OF ACTIVITIES (year ended December 31, 2022)			
	Without Donor Restrictions	With Donor Restrictions	Total
Support & revenue:			
Government grants	41,365	130,521	172,156
Private foundation grants	-	390,000	390,000
Individuals & corporate contributions	326,330	10,000	336,330
Other income	9,553	-	9,533
Foreign currency exchange net realized gain	(553)	(52,431)	(52,984)
Foreign currency exchange net unrealized loss	219	16,788	17,007
Net assets released from restrictions	683,838	(683,838)	-
	1,061,002	(188,960)	872,042
Expenses:			
Program services	891,842	-	891,842
Supporting services			
Management & general	151,209	-	151,209
Fundraising	74,193	-	74,193
	1,117,244	-	1,117,244
Change in net assets	(56,242)	(188,960)	(245,202)
Net assets, start of year	941,283	597,062	1,538,345
Net assets, end of year	\$885,041	\$408,102	\$1,293,143

Our Generous Contributors

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Federal Department of Foreign Affairs, Switzerland
Ministry of Foreign Affairs, Denmark
Ministry of Foreign Affairs, Norway
Smith Richardson Foundation
Swedish International Development Cooperation Agency

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(In Memory of Tom Gorman)
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Qualcomm Matching Grant Program
Salesforce.com, Inc.

Additional Gifts were received through the AmazonSmile Foundation.

**Dui Hua Sustainer who gives recurring donations.*

**WITH OUR
DEEPEST GRATITUDE**

Recognition and Highlights



The Harvard GSAS Centennial Medal

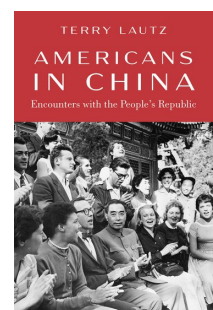
First awarded in 1989, the Harvard GSAS Centennial Medal has been awarded to around 140 GSAS degree-holders as of 2022.

Kamm Recognized by Harvard for Making “Outstanding Contribution to Society”

Each year, Harvard University Graduate School of Arts and Sciences (GSAS) presents the **Centennial Medal** to recognize alumni who have made contributions to society, “the roots of which are based in their graduate education.” In a ceremony held on the Harvard campus, John Kamm was recognized as one of the recipients for 2022. When presenting the medal, GSAS **cited Kamm’s “tireless, personal commitment to opening mutually respectful dialogues with Chinese officials about at-risk prisoners, an innovative approach that has spared and improved the lives of so many.”**

Kamm featured in *Americans in China: Encounters with the People’s Republic* by Terry Lautz

Published in January 2022, Terry Lautz’s book *Americans in China* profiles 13 Americans who have helped shape US-China relations in the 20th century. One chapter of the book is devoted to Kamm and the work done by Dui Hua on political prisoners in China. Interventions on behalf of several prisoners are highlighted, as are Kamm’s testimonies to Congress.



The front cover of *Americans in China* by Terry Lautz. Image credit: Oxford University Press

"Kamm brought two particular sensibilities to his encounter with the People’s Republic; the pragmatism of a down-to-earth businessman and the high-minded idealism of a man of principle. He saw no contradiction between the two. Rather he harnessed them in tandem."

- Terry Lautz

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