

107TH CONGRESS
1ST SESSION

H. RES. 160

Calling on the Government of the People's Republic of China to immediately and unconditionally release Li Shaomin and all other American scholars of Chinese ancestry being held in detention, calling on the President of the United States to continue working on behalf of Li Shaomin and the other detained scholars for their release, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2001

Mr. SMITH of New Jersey (for himself, Mr. LANTOS, and Ms. ROS-LEHTINEN) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Calling on the Government of the People's Republic of China to immediately and unconditionally release Li Shaomin and all other American scholars of Chinese ancestry being held in detention, calling on the President of the United States to continue working on behalf of Li Shaomin and the other detained scholars for their release, and for other purposes.

Whereas in recent months the Government of the People's Republic of China has targeted, arrested, and detained several scholars and intellectuals of Chinese ancestry with ties to the United States, including at least 2 United States citizens and 3 permanent residents of the United States;

Whereas according to the Department of State's 2000 Country Reports on Human Rights Practices in China, and international human rights organizations, the Government of the People's Republic of China "has continued to commit widespread and well-documented human rights abuses, in violation of internationally accepted norms";

Whereas the targeting of intellectuals and scholars for harassment, arbitrary arrest, detention, and criminal charges has created a chilling effect on the freedom of expression, in contravention of internationally accepted norms, including the International Covenant on Civil and Political Rights, which the People's Republic of China signed in October 1998;

Whereas the Government of the People's Republic of China frequently uses torture and other human rights violations to produce coerced "confessions" from detainees;

Whereas the Department of State's 2000 Country Reports on Human Rights Practices in China has extensively documented that human rights abuses in the People's Republic of China "included instances of extrajudicial killings, the use of torture, forced confessions, arbitrary arrest and detention, the mistreatment of prisoners, lengthy incommunicado detention, and denial of due process", and also found that "[p]olice and prosecutorial officials often ignore the due process provisions of the law and of the Constitution . . . [f]or example, police and prosecutors can subject prisoners to severe psychological pressure to confess, and coerced confessions frequently are introduced as evidence";

Whereas the Government of the People's Republic of China has reported that some of the scholar detainees have "confessed" to their "crimes" of "spying", but it has yet

to produce any evidence of spying, and has refused to permit the detainees to confer with their families or lawyers;

Whereas the Department of State's 2000 Country Reports on Human Rights Practices in China also found that "police continue to hold individuals without granting access to family or a lawyer, and trials continue to be conducted in secret";

Whereas Dr. Li Shaomin is a United States citizen and scholar who has been detained by the Government of the People's Republic of China for more than 100 days, and was formally charged with spying for Taiwan on May 15, 2001;

Whereas Dr. Li Shaomin has been deprived of his basic human rights by arbitrary arrest and detention, and has not been allowed to contact his wife and child (both United States citizens), or his lawyer;

Whereas Dr. Gao Zhan is a permanent resident of the United States and scholar who has been detained by the Government of the People's Republic of China for more than 114 days, and was formally charged with "accepting money from a foreign intelligence agency" on April 4, 2001;

Whereas Dr. Gao Zhan has been deprived of her basic human rights by arbitrary arrest and detention, and has not been allowed to contact her husband and child (both United States citizens), her lawyer, or Department of State consular personnel in China;

Whereas Wu Jianmin is a United States citizen and author who has been detained by the Government of the People's Republic of China, has been deprived of his basic human

rights by arbitrary arrest and detention, has been denied access to lawyers and family members, and has yet to be formally charged with any crimes;

Whereas Tan Guangguang is a permanent resident of the United States and researcher who has been detained by the Government of the People's Republic of China on suspicions of "leaking state secrets", has been deprived of his basic human rights by arbitrary arrest and detention, has been denied access to lawyers and family members, and has yet to be formally charged with any crimes;

Whereas Teng Chunyan is a permanent resident of the United States, Falun Gong practitioner, and researcher who has been sentenced to three years in prison for spying by the Government of the People's Republic of China, apparently for conducting research which documented violations of the human rights of Falun Gong adherents in China, has been deprived of her basic human rights by being placed on trial in secret, and by being forced to undergo three months of "thought re-education" while she awaited an appeal to the Beijing Higher People's Court, which was denied on May 11, 2001;

Whereas Liu Yaping is a permanent resident of the United States and a businessman who was arrested and detained in Inner Mongolia in March 2001 by the Government of the People's Republic of China for alleged failure to pay income taxes, has been deprived of his basic human rights by being denied any access to family members, by being denied regular access to lawyers, is reported to be suffering from severe health problems, and has yet to be formally charged with any crimes;

Whereas because there is documented evidence that the Government of the People's Republic of China uses torture

to coerce confessions from suspects, and because there is no evidence that any of the detained scholars and intellectuals are spies, there is reason to believe that the “confessions” of Dr. Li Shaomin and Dr. Gao Zhan may have been coerced; and

Whereas the arbitrary imprisonment of United States citizens and residents by the Government of the People’s Republic of China, and the continuing violations of their fundamental human rights, demands an immediate and forceful response by Congress and the President of the United States: Now, therefore, be it

1 *Resolved*, That—

2 (1) the House of Representatives—

3 (A) condemns and deplores the continued
4 detention of Li Shaomin, Gao Zhan, Wu
5 Jianmin, Tan Guangguang, Teng Chunyan, and
6 other scholars detained on false charges by the
7 Government of the People’s Republic of China,
8 and calls for their immediate and unconditional
9 release;

10 (B) condemns and deplores the lack of due
11 process afforded to these detainees, and the
12 probable coercion of confessions from some of
13 them;

14 (C) condemns and deplores the ongoing
15 and systematic pattern of human rights viola-
16 tions by the Government of the People’s Repub-
17 lic of China, of which the unjust detentions of

1 Li Shaomin, Gao Zhan, Wu Jianmin, Tan
2 Guangguang, and Teng Chunyan, are only im-
3 portant examples;

4 (D) strongly urges the Government of the
5 People's Republic of China to consider carefully
6 the implications to the broader United States-
7 Chinese relationship of detaining and coercing
8 confessions from United States citizens and
9 permanent residents on unsubstantiated spying
10 charges or suspicions;

11 (E) urges the Government of the People's
12 Republic of China to consider releasing Liu
13 Yaping on humanitarian grounds; and

14 (F) believes that human rights violations
15 inflicted on United States citizens and residents
16 by the Government of the People's Republic of
17 China will reduce opportunities for United
18 States-Chinese cooperation on a wide range of
19 issues; and

20 (2) it is the sense of the House of Representa-
21 tives that the President—

22 (A) should make the immediate release of
23 Li Shaomin, Gao Zhan, Wu Jianmin, Tan
24 Guangguang, and Teng Chunyan a top priority

1 of United States foreign policy with the Govern-
2 ment of the People's Republic of China;

3 (B) should continue to make every effort
4 to assist Li Shaomin, Gao Zhan, Wu Jianmin,
5 Tan Guangguang, and Teng Chunyan, and
6 their families, while discussions of their release
7 are ongoing;

8 (C) should make it clear to the Govern-
9 ment of the People's Republic of China, that
10 the detention of United States citizens and resi-
11 dents on unsubstantiated charges or suspicions
12 of spying, and the infliction of human rights
13 violations upon United States citizens and resi-
14 dents, is not in the interests of the Government
15 of the People's Republic of China because it will
16 reduce opportunities for United States-Chinese
17 cooperation on other matters; and

18 (D) should immediately send a special,
19 high ranking representative to the Government
20 of the People's Republic of China to reiterate
21 the deep concern of the United States regarding
22 the continued imprisonment of Li Shaomin,
23 Gao Zhan, Wu Jianmin, Tan Guangguang,
24 Teng Chunyan, and Liu Yaping, and to discuss

- 1 their legal status and immediate humanitarian
- 2 needs.

