

Union Calendar No. 176

105TH CONGRESS
1ST Session

H. R. 2358

[Report No. 105-305]

A BILL

To provide for improved monitoring of human rights violations in the People's Republic of China.

OCTOBER 6, 1997

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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To provide for improved monitoring of human rights violations in the People's Republic of China.

IN THE HOUSE OF REPRESENTATIVES

JULY 31, 1997

Ms. ROS-LEHTINEN (for herself, Mr. KING, Mr. ROYCE, Mr. COX of California, Mr. GIBBONS, Mr. GILMAN, Mr. HUNTER, Mr. SAM JOHNSON of Texas, Mr. MCINTOSH, Mr. ROHRABACHER, Mr. SHADEGG, Mr. SMITH of New Jersey, Mr. SOLOMON, and Mr. SPENCE) introduced the following bill; which was referred to the Committee on International Relations

OCTOBER 6, 1997

Additional sponsor: Ms. PELOSI

OCTOBER 6, 1997

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To provide for improved monitoring of human rights violations in the People's Republic of China.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Political Freedom in
3 China Act of 1997”.

4 **SEC. 2. FINDINGS.**

5 The Congress makes the following findings:

6 (1) The Congress concurs in the following con-
7 clusions of the United States State Department on
8 human rights in the People’s Republic of China in
9 1996:

10 (A) The People’s Republic of China is “an
11 authoritarian state” in which “citizens lack the
12 freedom to peacefully express opposition to the
13 party-led political system and the right to
14 change their national leaders or form of govern-
15 ment”.

16 (B) The Government of the People’s Re-
17 public of China has “continued to commit wide-
18 spread and well documented human rights
19 abuses, in violation of internationally accepted
20 norms, stemming from the authorities’ intoler-
21 ance of dissent, fear of unrest, and the absence
22 or inadequacy of laws protecting basic free-
23 doms”.

24 (C) “[a]buses include torture and mistreat-
25 ment of prisoners, forced confessions, and arbi-
26 trary and incommunicado detention”.

1 (D) “[p]rison conditions remained harsh
2 [and] [t]he Government continued severe re-
3 strictions on freedom of speech, the press, as-
4 sembly, association, religion, privacy, and work-
5 er rights”.

6 (E) “[a]lthough the Government denies
7 that it holds political prisoners, the number of
8 persons detained or serving sentences for
9 ‘counterrevolutionary crimes’ or ‘crimes against
10 the ~~state~~’ and *state*’, or for peaceful political or
11 religious activities are believed to number in the
12 thousands”.

13 (F) “[~~n]on-approved~~ *[n]onapproved* reli-
14 gious groups, including Protestant and Catholic
15 groups . . . experienced intensified repression”.

16 (G) “[s]erious human rights abuses persist
17 in minority areas, including Tibet, ~~Zinjiang~~,
18 *Xinjiang*, and Inner Mongolia[, and] [c]ontrols
19 on religion and *on* other fundamental freedoms
20 in these areas have also intensified”.

21 (H) “[o]verall in 1996, the authorities
22 stepped up efforts to cut off expressions of pro-
23 test or criticism. All public dissent against the
24 party and government was effectively silenced
25 by intimidation, exile, the imposition of prison

1 terms, administrative detention, or house ar-
2 rest. No ~~residents~~ *dissidents* were known to be
3 active at year's end.”.

4 (2) In addition to the State Department, credi-
5 ble independent human rights organizations have
6 documented an increase in repression in China dur-
7 ing ~~1996~~, 1995, and effective destruction of the dis-
8 sident movement through the arrest and sentencing
9 of the few remaining pro-democracy and human
10 rights activists not already in prison or exile.

11 (3) Among those were Wang Dan, a student
12 leader of the 1989 pro-democracy protests, sen-
13 tenced on October 30, 1996, to 11 years in prison
14 on charges of conspiring to subvert the Government;
15 Li Hai, sentenced to 9 years in prison on December
16 18, 1996, for gathering information on the victims
17 of the 1989 crackdown, which according to the
18 court's verdict constituted “state secrets”; and Liu
19 Nianchun, an independent labor organizer, sentenced
20 to 3 years of “re-education through labor” on July
21 4, 1996, due to his activities in connection with a
22 petition campaign calling for human rights reforms.

23 (4) Many political prisoners are suffering from
24 poor conditions and ill-treatment leading to serious
25 medical and health problems, including—

1 (A) Wei Jingsheng, sentenced to 14 years
2 in prison on December 13, 1996, for conspiring
3 to subvert the government and for “communica-
4 tion with hostile foreign organizations and indi-
5 viduals, amassing funds in preparation for over-
6 throwing the government and publishing anti-
7 government articles abroad,” is currently held
8 in Jile No. 1 Prison (formerly the Nanpu New
9 Life Salt Farm) in Hebei province, where he re-
10 portedly suffers from severe high blood pressure
11 and a heart condition, worsened by poor condi-
12 tions of confinement;

13 (B) Gao Yu, a journalist sentenced to 6
14 years in prison on November 1994 and honored
15 by UNESCO in May 1997, has a heart condi-
16 tion; and

17 (C) Chen Longde, a leading human rights
18 advocate now serving a 3-year reeducation
19 through labor sentence imposed without trial in
20 August 1995, has reportedly been subject to re-
21 peated beatings and electric shocks at a labor
22 camp for refusing to confess his guilt.

23 (5) In 1997, only 1 official in the United States
24 Embassy in Beijing is assigned to human monitoring
25 human rights in the People’s Republic of China, and

1 no officials are assigned to monitor human rights in
2 United States consulates in the People's Republic of
3 ~~China.~~

4 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR ADDI-**
5 **TIONAL PERSONNEL AT DIPLOMATIC POSTS**
6 **TO MONITOR HUMAN RIGHTS IN THE PEO-**
7 **PLE'S REPUBLIC OF CHINA.**

8 There are authorized to be appropriated to support
9 personnel to monitor political repression in the People's
10 Republic of China in the United States Embassy in
11 Beijing, as well as the American consulates in Guangzhou,
12 Shanghai, Shenyang, Chengdu, and Hong Kong,
13 \$2,200,000 for fiscal year 1998 and \$2,200,000 for fiscal
14 year 1999.