

## Calendar No. 514

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. CON. RES. 81

Expressing the sense of the Congress that the Government of the People's Republic of China should immediately release Rabiya Kadeer, her secretary, and her son, and permit them to move to the United States if they so desire.

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### IN THE SENATE OF THE UNITED STATES

FEBRUARY 10, 2000

Mr. ROTH (for himself, Mrs. MURRAY, Mr. BINGAMAN, Mr. EDWARDS, Mr. CRAPO, Mr. DODD, Mr. THOMAS, Mrs. FEINSTEIN, Mr. LOTT, Mr. LIEBERMAN, Mr. LEAHY, Mr. SMITH of New Hampshire, Mr. AKAKA, Mr. DURBIN, Mr. NICKLES, Mr. WELLSTONE, and Mr. ENZI) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

APRIL 13, 2000

Reported by Mr. HELMS, without amendment and amendments to the preamble

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## CONCURRENT RESOLUTION

Expressing the sense of the Congress that the Government of the People's Republic of China should immediately release Rabiya Kadeer, her secretary, and her son, and permit them to move to the United States if they so desire.

Whereas Rabiya Kadeer, a prominent ethnic Uighur from the Xinjiang Uighur Autonomous Region (XUAR) of the People's Republic of China, her secretary, and her son were arrested on August 11, 1999, in the city of Urumqi;

Whereas Rabiya Kadeer's arrest occurred outside the Yindu Hotel in Urumqi as she was attempting to meet a group of congressional staff staying at the Yindu Hotel as part of an official visit to China organized under the auspices of the Mutual Educational and Cultural Exchange Program of the United States Information Agency;

Whereas Rabiya Kadeer's husband Sidik Rouzi, who has lived in the United States since 1996 and works for Radio Free Asia, has been critical of the policies of the People's Republic of China toward Uighurs in Xinjiang;

~~Whereas according to an Amnesty International press release of August 16, 1999, "It appears as though the accusations against Kadeer and her son Ablikim Abdyirim may relate to her attempts to meet a visiting delegation from the United States [Congress] and her communications with her husband Sidik Rouzi, - : :";~~

*Whereas Rabiya Kadeer was sentenced on March 10 to 8 years in prison "with deprivation of political rights for two years" for the crime of "illegally giving state information across the border";*

*Whereas the Urumqi Evening Paper of March 12 reported Rabiya Kadeer's case as follows: "The court investigated the following: The defendant Rabiya Kadeer, following the request of her husband, Sidik Haji, who has settled in America, indirectly bought a collection of the Kashgar Paper dated from 1995-1998, 27 months, and some copies of the Xinjiang Legal Paper and on 17 June 1999 sent*

*them by post to Sidik Haji. These were found by the customs. During July and August 1999 defendant Rabiya Kadeer gave copies of the Ili Paper and Ili Evening Paper collected by others to Mohammed Hashem to keep. Defendant Rabiya Kadeer sent these to Sidik Haji. Some of these papers contained the speeches of leaders of different levels; speeches about the strength of rectification of public safety, news of political legal organisations striking against national separatists and terrorist activities etc. The papers sent were marked and folded at relevant articles. As well as this, on 11 August that year, defendant Rabiya Kadeer, following her husband's phone commands, took a previously prepared list of people who had been handled by judicial organisations, with her to Kumush Astana Hotel [Yingdu Hotel] where she was to meet a foreigner";*

Whereas reports indicate that Ablikim Abdyirim was sent to a labor camp on November 26 for 2 years without trial for “supporting Uighur separatism,” and Rabiya Kadeer’s secretary was recently sentenced to 3 years in a labor camp;

Whereas Rabiya Kadeer has 5 children, 3 sisters, and a brother living in the United States, in addition to her husband, and Kadeer has expressed a desire to move to the United States;

Whereas the People’s Republic of China stripped Rabiya Kadeer of her passport long before her arrest;

Whereas reports indicate that Kadeer’s health may be at risk and that she may be sentenced to 10 or more years in prison;

Whereas repeated requests to the Government of the People’s Republic of China by Members of Congress and congres-

sional staff for an explanation of the nature of the charges against Rabiya Kadeer, her secretary, and her son, for an update on the state of Kadeer's health, and for details of any legal proceedings against those arrested, have gone unanswered since August 1999;

Whereas the People's Republic of China signed the International Covenant on Civil and Political Rights on October 5, 1998;

Whereas that Covenant requires signatory countries to guarantee their citizens the right to legal recourse when their rights have been violated, the right to liberty and freedom of movement, the right to presumption of innocence until guilt is proven, the right to appeal a conviction, freedom of thought, conscience, and religion, freedom of opinion and expression, and freedom of assembly and association;

Whereas that Covenant forbids torture, inhuman or degrading treatment, and arbitrary arrest and detention;

Whereas the first Optional Protocol to the International Covenant on Civil and Political Rights enables the Human Rights Committee, set up under that Covenant, to receive and consider communications from individuals claiming to be victims of violations of any of the rights set forth in the Covenant; and

Whereas in signing that Covenant on behalf of the People's Republic of China, Ambassador Qin Huasun, Permanent Representative of the People's Republic of China to the United Nations, said the following: "To realize human rights is the aspiration of all humanity. It is also a goal that the Chinese Government has long been striving for. We believe that the universality of human rights should be respected . . . As a member state of the United Na-

tions, China has always actively participated in the activities of the organization in the field of human rights. It attaches importance to its cooperation with agencies concerned in the U.N. system . . .”: Now, therefore, be it

1       *Resolved by the Senate (the House of Representatives*  
2 *concurring)*, That Congress calls on the Government of the  
3 People’s Republic of China—

4           (1) immediately to release Rabiya Kadeer, her  
5       secretary, and her son; and

6           (2) to permit Kadeer, her secretary, and her  
7       son to move to the United States, if they so desire.

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Reported without amendment and amendments to the  
preamble