

108TH CONGRESS
1ST SESSION

H. RES. 199

Calling on the Government of the People's Republic of China immediately and unconditionally to release Dr. Yang Jianli, calling on the President of the United States to continue working on behalf of Dr. Yang Jianli for his release, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 11, 2003

Mr. FRANK of Massachusetts (for himself, Mr. LANTOS, Mr. SMITH of New Jersey, Mr. CAPUANO, Mr. COX, Mr. DELAHUNT, Mr. MCGOVERN, Mr. ABERCROMBIE, Mr. OLVER, Mr. ROHRABACHER, Mr. MARKEY, and Mr. PITTS) 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 immediately and unconditionally to release Dr. Yang Jianli, calling on the President of the United States to continue working on behalf of Dr. Yang Jianli for his release, and for other purposes.

Whereas according to the United States Department of State's 2002 Country Reports on Human Rights Practices in China, the Government of the People's Republic of China has "continued to commit numerous and serious [human rights] abuses", including "instances of . . . arbitrary arrest and detention, lengthy incommunicado detention, and denial of due process";

Whereas according to the 2002 Country Reports on Human Rights Practices in China, “the country’s criminal procedures were not in compliance with international standards”, “the lack of due process in the judicial system remained a serious problem”, and “authorities routinely violated legal protections in the cases of political dissidents”;

Whereas Dr. Yang Jianli, an internationally renowned scholar, pro-democracy activist, and President of the Foundation for China in the 21st Century, is an alien lawfully admitted for permanent residence into the United States who has been detained incommunicado by the Government of the People’s Republic of China since April 26, 2002;

Whereas according to the United Nations Commission on Human Rights Resolution 1997/38, “prolonged incommunicado detention may . . . itself constitute a form of cruel, inhuman, or degrading treatment”, which is prohibited by international law;

Whereas Dr. Yang Jianli has been deprived of his basic human rights by being denied access to legal counsel and contact with his wife and two children (who are United States citizens), and has also been denied his right to trial within a reasonable time or to release; and

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

1 *Resolved*, That—

1 (1) the House of Representatives—

2 (A) condemns and deplors the incommuni-
3 cado detention of Dr. Yang Jianli, and calls for
4 his immediate and unconditional release;

5 (B) condemns and deplors the lack of due
6 process afforded to Dr. Yang;

7 (C) strongly urges the Government of the
8 People's Republic of China to respond to the re-
9 peated requests by Members of the House of
10 Representatives for information about Dr.
11 Yang's whereabouts and condition; and

12 (D) strongly urges the Government of the
13 People's Republic of China to consider the im-
14 plications for the broader relationship between
15 the United States and the People's Republic of
16 China of detaining permanent resident aliens of
17 the United States without providing them ac-
18 cess to legal counsel or family members; and

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

21 (A) should make the immediate release of
22 Dr. Yang Jianli by the Government of the Peo-
23 ple's Republic of China a top priority of United
24 States foreign policy;

1 (B) should continue to make every effort
2 to assist Dr. Yang Jianli and his family while
3 discussions of his release are ongoing;

4 (C) should make it clear to the Govern-
5 ment of the People's Republic of China that the
6 detention of United States citizens and perma-
7 nent resident aliens, and the infliction of human
8 rights violations on these groups, is not in the
9 interests of the Government of the People's Re-
10 public of China because it will reduce the op-
11 portunities for cooperation between the United
12 States and the People's Republic of China on
13 other matters; and

14 (D) should immediately send a special,
15 high-ranking representative of the United
16 States Government to the People's Republic of
17 China to reiterate the deep concern of the
18 United States regarding the continued impris-
19 onment of Dr. Yang Jianli and other United
20 States citizens and permanent resident aliens
21 whose human rights are being violated and to
22 discuss their legal status and immediate hu-
23 manitarian needs.

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