United States Senate

WASHINGTON, DC 20510

April 19, 2006

The Honorable George W. Bush
President of the United States of America
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President

We are writing to urge you to place human rights abuses by the People's Republic of China (PRC) at the top of the agenda during your upcoming meeting with Chinese President Hu Jintao on April 20. This meeting provides a valuable opportunity for you to emphasize the need for President Hu to take decisive action to address these longstanding concerns and to reiterate our expectations that the PRC will abide by its commitments under the International Covenant on Economic, Social and Cultural Rights (ICESCR) which it ratified in 2001. In light of China's growing influence and status on the world stage and its desire to stand alongside the U.S. and other nations, China must not ignore calls for these human rights abuses to stop.

For example, we would note the China entry in the 2005 Country Report on Human Rights Practices released by the Department of State, which provides a long list of human rights abuses in China. The report states that "the [Chinese] government's human rights record remained poor, and the government continued to commit numerous and serious abuses." According to the report, thousands of people continue to be detained or imprisoned in violation of their fundamental human rights and are at great risk of torture or ill-treatment. Thousands of people have been sentenced to death or executed, many after unfair trials. China continues to use the global "war on terrorism" to justify its crackdown on the Uighur community in Xinjiang. Freedom of expression and religion remain severely restricted in Tibet and other Tibetan areas of China.

Following a November 2005 visit to China, the U.N. Special Rapporteur on Torture, Manfred Nowak, concluded that torture remains widespread, although the amount and severity has decreased in recent years. According to the State Department Report, "He reported that beatings with fists, sticks, and electric batons were the most common tortures. Cigarette burns, guard-instructed beatings by fellow inmates, and submersion in water or sewage were also reported. Nowak further found that many detainees were held for long periods in extreme positions, that death row inmates were shackled or handcuffed 24 hours a day, and that systematic abuse was designed to break the will of detainees until they confessed. Nowak found that members of some house church groups, Falun Gong adherents, Tibetans, and Uighur prisoners were specific targets of torture. The PRC said Nowak's preliminary report was inaccurate because he had visited only three Chinese cities (Beijing, Lhasa, and Urumqi) and urged him to revise conclusions in his final report."

In his March 10, 2006 report, Nowak articulated an extensive list of recommendations to the PRC, including the need to bring China's definition of torture in accord with Article 1 of the

Convention Against Torture; establish an independent complaints mechanism for detainees; reform applicable laws to establish the right to remain silent, to protect against self-incrimination, and to ensure the presence of counsel from the time a suspect is apprehended. We urge you to raise these recommendations with President Hu and stress the importance of implementing them.

We regularly hear from a number of our constituents in New Jersey about the continued mistreatment of Falun Gong practitioners and specific allegations of organ harvesting. According to the State Department Report, Falun Gong practitioners have been punished for simply believing in the principles of the Falun Gong. In particular, the leaders of the Falun Gong have received harsh treatment. While many Falun Gong members have been released, thousands remain in "reeducation-through-labor camps" and others have been detained after their initial release. Some practitioners have been sent to rehabilitation facilities for prisoners who refuse to voluntarily give up their beliefs. The State Department Report notes that, "More than a dozen Falun Gong members have been sentenced to prison for the crime of 'endangering state security,' but the majority of Falun Gong members convicted by the courts since 1999 have been sentenced to prison for 'organizing or using a sect to undermine the implementation of the law,' a less serious offense." The exact number of Falun Gong members who have died while they were in custody either from torture, abuse, or neglect is unclear. But reports estimate the number to be as high as a few thousand.

These human rights abuses must be addressed at the highest levels and we again urge you to raise them with President Hu during his visit. We look forward to your prompt response on this important issue.

Sincerely,

ROBERT MENENDEZ
United States Senator

FRANK R. LAUTENBERG
United States Senator