

105TH CONGRESS
1ST SESSION

H. CON. RES. 116

Expressing the sense of the Congress with respect to the treatment by the People's Republic of China of prisoners in Tibet, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 15, 1997

Mr. ABERCROMBIE (for himself, Mr. PAYNE, Mr. ROHRABACHER, Mr. WALSH, Mr. STARK, Mr. DELLUMS, Ms. PELOSI, Ms. LOFGREN, Mr. BOUCHER, Mr. FARR of California, Mr. McGOVERN, Mr. HINCHEY, Mrs. MORELLA, and Mr. WATT of North Carolina) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the sense of the Congress with respect to the treatment by the People's Republic of China of prisoners in Tibet, and for other purposes.

Whereas the People's Republic of China, as a member of the United Nations, is expected to abide by the provisions of the Universal Declaration of Human Rights;

Whereas the People's Republic of China is a party to numerous international human rights conventions, including the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

Whereas Ngodrup Phuntsog, a Tibetan national, was arrested in Tibet in 1987 immediately after he returned from a

2-year trip to India, where the Tibetan government in exile is located;

Whereas Ngodrup Phuntsog was arrested in Tibet for a second time in March or April of 1989 and was sentenced to 11 years in prison and thereafter deprived of his political rights for an additional 4 years;

Whereas Ngodrup Phuntsog's second arrest is believed to have stemmed from his supplying food and tea from his restaurant in Lhasa, Tibet, to participants in the 1988 pro-independence demonstrations;

Whereas Ngodrup Phuntsog, following a secret trial, was convicted by the Government of the People's Republic of China of espionage on behalf of the "Ministry of Security of the Dalai clique";

Whereas Ngodrup Phuntsog's treatment by the Government of the People's Republic of China violates Article 19 of the Universal Declaration of Human Rights, which guarantees freedom of opinion and expression, Article 20 of the Universal Declaration of Human Rights, which guarantees freedom of assembly and association, and Article 10 of the Universal Declaration of Human Rights, which guarantees a fair trial;

Whereas Ngodrup Phuntsog's activities in India and in Tibet do not constitute espionage under any internationally recognized standard; and

Whereas Ngodrup Phuntsog is being held in Drapchi prison in Lhasa and there is concern that his treatment has been unnecessarily harsh and, if this is true, such treatment violates both Article 5 of the Universal Declaration of Human Rights, which forbids cruel, inhuman, or degrading treatment or punishment and the Convention

Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That it is the sense of Congress that—*

3 (1) the United States Government, in all official
4 meetings with the Government of the People's Re-
5 public of China, should request the immediate and
6 unconditional release of Ngodrup Phuntsog and
7 other prisoners of conscience in Tibet, as well as in
8 the People's Republic of China;

9 (2) the United States Government should seek
10 access for international humanitarian organizations
11 to Drapchi prison and other prisons in Tibet, as well
12 as in the People's Republic of China, to ensure that
13 prisoners are not being mistreated and are receiving
14 necessary medical treatment; and

15 (3) the United States Government, in all official
16 meetings with the Government of the People's Re-
17 public of China, should call on that country to begin
18 serious discussions with the Dalai Lama or his rep-
19 resentatives, without preconditions, on the future of
20 Tibet.

