

111TH CONGRESS
1ST SESSION

H. RES. 953

Expressing the sense of the House of Representatives that the Government of the People's Republic of China has violated internationally recognized human rights and legal due process standards by carrying out executions after trials marred by procedural abuses and by carrying out arbitrary detentions targeting Uyghurs and other individuals in Xinjiang in the aftermath of a suppressed demonstration and ensuing mob violence on July 5 to 7, 2009.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2009

Mr. MCGOVERN (for himself, Mr. WOLF, Mr. DELAHUNT, and Mr. SMITH of New Jersey) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Expressing the sense of the House of Representatives that the Government of the People's Republic of China has violated internationally recognized human rights and legal due process standards by carrying out executions after trials marred by procedural abuses and by carrying out arbitrary detentions targeting Uyghurs and other individuals in Xinjiang in the aftermath of a suppressed demonstration and ensuing mob violence on July 5 to 7, 2009.

Whereas the July 5, 2009, outbreak of mob violence after an initially peaceful demonstration of Uyghurs in Urumqi,

Xinjiang, was precipitated by years of institutionalized discriminatory policies by the Government of the People's Republic of China against Uyghurs;

Whereas such policies include the government-promoted mass migration of Han Chinese into Xinjiang, which contributes to the eradication of the Uyghur culture and identity, the Chinese Government's manipulation of the threat of terrorism since the terrorist attacks of September 11, 2001, to justify human rights violations against the Muslim Uyghurs, and restrictions of religious and cultural expressions of Uyghurs, including attacks on their cultural heritage by the destruction of cultural items, books, and buildings;

Whereas pursuant to a policy of the Government of the People's Republic of China, government officials recruit young Uyghur men and women to work in factories in the interior of China, and some workers have reported the use of coercion by local officials to gain their participation under exploitative working conditions;

Whereas Uyghurs continue to suffer the consequences of environmental degradation in Xinjiang;

Whereas Uyghurs in Urumqi took to the streets on July 5, 2009, to protest the government handling of a reported mob attack on Uyghur workers by Han workers at a Guangdong factory after graphic images appeared on the Internet depicting the attack, despite reports that the initial protest started out peacefully, a violent confrontation ensued as police authorities cracked down on those protesters;

Whereas some Uyghurs randomly attacked Han Chinese bystanders and members of the Han Chinese community,

and destroyed shops and businesses in the city of Urumqi, resulting in deaths;

Whereas following those events, and despite an overwhelming police presence throughout the city at that time, some Han Chinese carried out revenge attacks in Uyghur neighborhoods, randomly attacking Uyghurs and destroying Uyghur property, resulting in deaths;

Whereas in the aftermath of events on July 5, 2009, Chinese authorities initially reported detaining around 700 people in connection with the riots, and later reported hundreds of additional detentions;

Whereas some people detained reportedly had no connection to events on July 5, 2009, and family members reported receiving no information on the location of people in detention, and the whereabouts of many of those detainees are still unknown;

Whereas on October 12, 2009, various media outlets reported the commencement of trials without the benefits of any due process, public observers, or court procedures in violation of international legal standards;

Whereas those trials were marred by selection of judges considered “politically reliable” and restrictions of the defendants’ rights to retain independent legal defense;

Whereas on November 9, 2009, international media outlets reported the execution of 9 individuals who had been sentenced to death, 8 of whom reportedly were Uyghur and 1 Han Chinese; and

Whereas many details about events in July 2009 and subsequent detentions and trials remain unknown in the face of ongoing official controls over the free flow of informa-

tion from Xinjiang, including an Internet shutdown and restricted phone access: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) strongly condemns any violence against in-
3 nocent individuals regardless of their ethnicity, gen-
4 der, or religious beliefs, and recognizes that individ-
5 uals who have committed crimes must be brought to
6 justice in full compliance with international human
7 rights and legal standards, including independent
8 courts, habeas corpus and due process protections,
9 the free choice of legal defense, and the right to
10 challenge the accuser and any evidence in court;

11 (2) recognizes that the government policies of
12 suppression against the Uyghurs in Xinjiang, par-
13 ticularly the “Strike Hard” campaigns, as well as
14 government policies regarding other ethnic groups
15 within the People’s Republic of China have created
16 an atmosphere of ethnic tension in those areas;

17 (3) calls on the Government of the People’s Re-
18 public of China to—

19 (A) desist from further executions based
20 on trials that violate international human rights
21 and due process standards;

22 (B) ensure that trials are conducted in an
23 open and transparent manner in accordance

1 with the international obligations of the Peo-
2 ple's Republic of China;

3 (C) allow international observers and the
4 media to attend those trials;

5 (D) provide a list of all individuals de-
6 tained or arrested in the aftermath of the July
7 2009 events in Xinjiang to the International
8 Committee of the Red Cross and the public,
9 and to grant access to those individuals for
10 family members and independent legal counsel;
11 and

12 (E) cease all government-sponsored crack-
13 downs against people in the Xinjiang Uyghur
14 Autonomous Region, including against people
15 involved in peaceful protests or religious or po-
16 litical expression; and

17 (4) calls on the President of the United States

18 to—

19 (A) unequivocally state the strong opposi-
20 tion of the United States to these legally flawed
21 trials and executions;

22 (B) raise those human rights concerns
23 publicly and in all meetings with Chinese offi-
24 cials;

1 (C) restate the interest of the United
2 States to open United States consulates in
3 Lhasa, Tibet, and in Urumqi, Xinjiang; and

4 (D) as a matter of policy, direct the
5 United States Embassy in Beijing to automati-
6 cally request permission from the appropriate
7 Chinese authorities for United States Embassy
8 staff to observe trials if credible reasons exist
9 that such trials may not meet internationally
10 recognized human rights and legal standards.

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