

112TH CONGRESS
2D SESSION

S. RES. 554

Calling on the Government of the People's Republic of China to facilitate the immediate and unconditional release of Gao Zhisheng, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 13, 2012

Mrs. BOXER (for herself and Mr. CORNYN) submitted the following resolution;
which was referred to the Committee on Foreign Relations

RESOLUTION

Calling on the Government of the People's Republic of China to facilitate the immediate and unconditional release of Gao Zhisheng, and for other purposes.

Whereas Gao Zhisheng is a prominent Chinese human rights lawyer known for representing religious minority groups, factory workers, coal miners, and victims of government land seizures;

Whereas, in 2001, the Ministry of Justice of the People's Republic of China listed Gao Zhisheng as one of the top ten lawyers in China;

Whereas the Government of the People's Republic of China arrested Gao Zhisheng on August 15, 2006, and prevented him from meeting with chosen legal counsel;

Whereas, on December 22, 2006, Gao Zhisheng was convicted of inciting subversion and received a suspended sentence of three years subject to five years of probation;

Whereas, in September 2007, authorities in China apprehended and detained Gao Zhisheng for 50 days;

Whereas Gao Zhisheng claimed that during his detention, government officials threatened his life and tortured him, including beating him with electrified batons, urinating on him, leaving him tied up for hours, and holding lighted cigarettes close to his eyes and nose;

Whereas the Government of the People's Republic of China arrested and detained Gao Zhisheng again on February 4, 2009;

Whereas Gao Zhisheng's whereabouts were unknown until March 2010, when he resurfaced, only to be arrested once more on April 20, 2010;

Whereas, on November 19, 2010, the United Nations Working Group on Arbitrary Detention determined Gao Zhisheng's ongoing detention to be arbitrary and in violation of international law;

Whereas Gao Zhisheng was held for 20 months before officials in China informed his family in December 2011 that he was being held at the Shaya County Prison in remote Xinjiang, China;

Whereas authorities allowed Gao Zhiyi to visit his brother, Gao Zhisheng, in the Shaya County Prison for 30 minutes on March 24, 2012, but then warned him not to speak to the media or he would not be allowed to visit his brother again;

Whereas the arbitrary arrest and detention of attorneys who represent minority groups and human rights activists

could have a chilling effect on other attorneys working with similar clients;

Whereas Article 9 of the International Covenant on Civil and Political Rights, adopted at New York on December 16, 1966, to which the Government of the People’s Republic of China is a signatory, states, “No one shall be subjected to arbitrary arrest or detention.”;

Whereas the International Covenant on Civil and Political Rights also guarantees the right to freedom of expression;

Whereas the wife of Gao Zhisheng, Geng He, and their two children have been afforded protection as political asylees in the United States;

Whereas the United States Government has authorized Gao Zhisheng to enter the United States, based on his family’s successful claim of political asylum; and

Whereas the continued detention of Gao Zhisheng, with limited or no access to family or legal counsel, by the Government of the People’s Republic of China is a source of grave concern to the United States Senate: Now, therefore, be it

1 *Resolved*, That the Senate calls on the Government
2 of the People’s Republic of China—

3 (1) to immediately facilitate continued access to
4 Gao Zhisheng by his family and lawyers;

5 (2) to facilitate the immediate and uncondi-
6 tional release of Gao Zhisheng, including allowing
7 Mr. Gao to leave China to come to the United States

- 1 to be reunited with his family, should he wish to do
- 2 so; and
- 3 (3) to release all persons in China who have
- 4 been arbitrarily detained.

