

Congress of the United States
Washington, DC 20515



1/30/2009

The President

The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

As Members of the bipartisan Tom Lantos Human Rights Commission (TLRC) of the U.S. House of Representatives, we appreciate the strong human rights signals you have sent in the first days of your Administration. We also appreciate that you must now confront a number of pressing matters concerning our economy and national security, and we write to bring to your attention an urgent human rights matter that requires a comprehensive and determined U.S. response.

The United Nations Human Rights Council will conduct a public examination of the human rights record of the People's Republic of China (PRC) and other key states in its Fourth Session of the Universal Periodic Review (UPR) between February 2-13. We strongly urge your Administration to take part actively in both the questioning of states and the submission of recommendations. As a State-driven peer review process of the human rights record of all U.N. Member countries, the UPR mechanism offers a unique opportunity for the United States to raise our significant human rights concerns in an international process which will scrutinize every Member State of the United Nations.

The United States has a crucial opportunity to demonstrate to the international community that our proud legacy of global human rights leadership has not ended. The People's Republic of China's (PRC) human rights record will be examined on February 9th in Geneva, Switzerland. More than any other country, the PRC has a long history of undertaking major diplomatic efforts -- coupled with economic pressure on individual Member states -- to prevent a substantive discussion of its abysmal human rights record before the family of nations. The significant effort by the Chinese government to escape accountability for its human rights obligations indicates just how seriously the PRC takes this upcoming review, and reminds us that

this forum provides important leverage in the fight for human rights compliance and advancement. Only the strong and determined leadership and precise questioning by the United States -- joined by our allies of democratic and human-rights respecting nations -- can effectively and appropriately utilize this mechanism and spur China towards measurable and permanent human rights improvements.

Mr. President, posing questions regarding China's human rights record will signal that the United States is willing to exert the same rights as the PRC has during the past 48 UPR reviews of other countries; that we are not afraid to ask about crucial human rights cases or topics, such as the status of political dissidents and human rights defenders, religious freedom, and the crackdown on Internet bloggers, etc. Our active participation will also give hope and courage to those human rights activists who languish in Chinese prisons and forced labor camps, and to those victims who cannot speak for themselves.

At our January 27th hearing on China and the UPR, the Commission explored the full range of the status of human rights in China. Compelling testimony by reputable U.S. human rights organizations described violations which include, but are by no means limited to, severe attacks on the right of freedom to speech, freedom of religion, cultural autonomy and self-determination, women's and children's rights, due process and the rule of law, the protection against torture and forced migration, labor rights, and health and environmental rights. Our witnesses stated again and again the need for concrete demands to be made of on China during the UPR regarding the release of specific prisoners and the amendment of specific sections of Chinese law, and urging access of specific U.N. Rapporteurs to independently investigate the human rights situation in closed-off territories such as Tibet or the Uyghur Autonomous Region. They further stressed the importance of having the United States participate in China's UPR and clearly state these basic demands.

Mr. President, people in China hunger for the full protection of human rights. Chinese dissidents, journalists, religious, labor and ethnic leaders regularly commit acts of heroic courage in defense of their basic rights, acts which render the Chinese government's arguments against human rights protections as constituting "western" and not universal values *ad absurdum*. Sometimes these brave acts happen very publicly, as in the case with the drafters and supporters of Charter 08; other times, and much more frequently, they do not. Either way, they carry the same risk, a Chinese prison or worse. The international community needs to stand with these human rights heroes and remind China of its obligations if the PRC wants to be a respected Member of the international community.

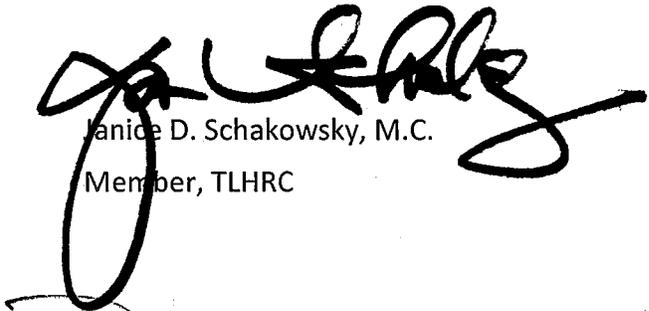
Mr. President, the same UPR session that includes China will also review Cuba, Saudi Arabia, and Russia among other countries, and we hope the U.S. will not shy away from active participation in these important reviews as well.

We look forward to hearing from you soon on how the U.S. will participate in the Universal Periodic Review of China's human rights record.

Sincerely,



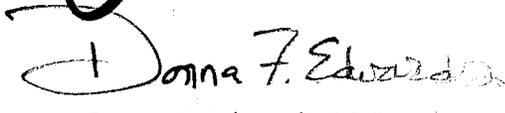
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cc: Hillary Rodham Clinton, Secretary of State