

women of all ethnic groups and most age groups.

I was particularly heartened that this downward trend for cancer was noted among several specific kinds of cancer: lung, prostate, colon or rectal and, yes, breast cancer.

This is, of course, as we might imagine, Mr. Speaker, the most frightening form of cancer for women. Perhaps it is not the most devastating, but it just as well may be, because it attacks the mind and the spirit with special viciousness, even as it is attacking the body.

Among women, breast cancer has declined for whites, and it has declined for Asians and for Hispanics. But during those years, 1990 to 1995, it rose for blacks. This rise for one group and the continuing numbers of women who get breast cancer of course takes away from the very hopeful statistics that are beginning to be reported. Breast cancer is the second leading cause of cancer deaths to American women, second only to lung cancer. It is the leading cause of cancer death among women ages 40 to 55.

Mr. Speaker, those are the ages when women are finally done with child-rearing, can come forward and blossom fully; and to have cancer occur at those prime years is simply intolerable. Even with the more hopeful statistics, even with the access to mammograms we now see across all groups in the society, 44,000 women died from breast cancer in 1997 and 180,000 new cases of the disease were diagnosed. We can do much better than that. We can do better than that not so much by curing cancer with some magic potion but by preventing cancer and by detecting cancer early with mammograms.

I greet this activity on the part of the Race for the Cure. I think it is most appropriate for the Congress to show its special concern beyond our funding, beyond the leadership of the Women's Caucus, by opening up this place, these grounds, for this special tribute. The Race for the Cure is a joyful event. There will be many breast cancer survivors participating, but it must remind us that the Race for the Cure is still a race to be won.

Mr. KIM. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. GILMAN), Chairman of the Committee on International Relations.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I am pleased to rise in strong support of this measure. The National Race for the Cure has had a major impact upon our Nation. Last year, as I recall, there was a postage stamp dedicated to the Race for the Cure, just to emphasize how important this national program is. It raises millions and millions of dollars each year, and there is no better place to show leadership for the national Race for the Cure than here in our Nation's capital.

I know many of our congressional spouses, including my own, are very actively involved in the National Race for the Cure, because they feel very strongly about the impact upon women. It is for that reason I am pleased to rise in support of this measure, and I hope our colleagues give it full support.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, from time to time I have raised questions about various events proposed for the Capitol grounds, some of which I have thought were inappropriate or limited to a very narrow interest group. This event, the National Race for the Cure, to be held on April 1, is a broadly-inclusive event, one in which a wide range of people participate. It does not serve a special interest, it serves all interests. It is certainly in the category, in my classification, of those kinds of events that are appropriate for the grounds of our Nation's Capitol.

Mr. Speaker, the event that we will authorize by this resolution will, again, contribute to continued public understanding and awareness of breast cancer, I should mention, not only for women but also for men. While some 178,000 cases are expected by the National Cancer Institute to be diagnosed in women this year, also some 1,600 of breast cancer in men will be diagnosed this year. That is about an average number. It is much less a threat to men's health than breast cancer is to women's health, but it should be noted for the RECORD that men are not immune, either, from this dread disease.

While there has been an improvement in the detection rate, about a 4 percent decline in detection of breast cancers or incidents, I should say, of breast cancer, that is minuscule. It is a movement in the right direction, but it is minuscule. It shows how large the task is ahead of us.

Let us engage in this event, participate, give it our moral support, give it our physical support, not only here in the Nation's capital but throughout the country in our respective States, so that the greater awareness, the increased research that is undertaken year after year and focused on this disease will mean for future generations of young women that they will not have to wonder and worry about a fate that befell their mothers and grandmothers; that hopefully the day will come when there really is a cure and the race will be over.

Ms. MORELLA. Mr. Speaker, I am pleased to rise in strong support of this bipartisan resolution authorizing the use of the Capitol Grounds for a Breast Cancer Survivors Event Sponsored by the National Race for the Cure.

While we have made progress in mounting an aggressive federal attack on breast cancer and the tragedy it causes, we still have far to go. Women continue to face a 1 in 8 chance of developing breast cancer during their lifetimes. It remains the most frequent major cancer in women and the second leading cause of cancer deaths among women. Last year, an

estimated 182,000 women were diagnosed with breast cancer and 46,000 died of the disease.

We must increase our investment in breast cancer research. We know very little about how to prevent the disease and treatment options are few. At least two-thirds of breast cancers occur in women with no known risk factors.

Just last weekend, I was honored to present a leadership award to Nancy Brinker, who established the Susan Komen Breast Cancer Foundation and who created the Race for the Cure. This event has become the nation's largest 5K series held in a record 86 cities throughout the United States in 1998.

It is most appropriate that this House approve the use of our nation's Capitol for this important event, and take this opportunity to redouble our efforts to eradicate breast cancer.

Mr. OBERSTAR. Mr. Speaker, I yield back the balance of my time.

Mr. KIM. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. STEARNS). The question is on the motion offered by the gentleman from California (Mr. KIM) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 238, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. KIM. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on House Concurrent Resolution 238.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

#### PROVIDING FOR CONSIDERATION OF H.R. 2870, TROPICAL FOREST CONSERVATION ACT OF 1998

Mr. SOLOMON (during consideration of H. Con. Res. 238), from the Committee on Rules, submitted a privileged report (Rept. No. 105-449) on the resolution (H. Res. 388) providing for the consideration of the bill (H. R. 2870) to amend the Foreign Assistance Act of 1961 to facilitate protection of tropical forests through debt reduction with developing countries with tropical forests, which was referred to the House Calendar and ordered to be printed.

#### URGING RESOLUTION ON HUMAN RIGHTS SITUATION IN PEOPLE'S REPUBLIC OF CHINA

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res.

364) urging the introduction and passage of a resolution on the human rights situation in the People's Republic of China at the 54th session of the United Nations Commission on Human Rights, as amended.

The Clerk read as follows:

H. RES. 364

Whereas the State Department's Country Reports on Human Rights Practices for 1997 state that "[t]he Government [of China] continued to commit widespread and well-documented human rights abuses, in violation of internationally accepted norms," including extrajudicial killings, the use of torture, arbitrary arrest and detention, forced abortion and sterilization, the sale of organs from executed prisoners, and tight control over the exercise of the rights of freedom of speech, press, and religion;

Whereas, according to the State Department, "Serious human rights abuses persisted in minority areas [controlled by the Government of China], including Tibet and Xinjiang [East Turkestan], where tight controls on religion and other fundamental freedoms continued and, in some cases, intensified [during 1997]";

Whereas, according to the 1997 Country Reports, the Government of China enforces its "one-child policy" using coercive measures including severe fines of up to several times the annual income of the average resident of China and sometimes punishes nonpayment by destroying homes and confiscating personal property;

Whereas, according to the 1997 Country Reports, as part of the Chinese Government's continued attempts to expand state control of religion, "Police closed many 'underground' mosques, temples, and seminaries," and authorities "made strong efforts to crack down on the activities of the unapproved Catholic and Protestant churches" including the use of detention, arrest, and "reform-through-education" sentences;

Whereas, although the 1997 Country Reports note several "positive steps" by the Chinese Government such as signing the United Nations Covenant on Economic, Social and Cultural Rights and allowing the United Nations Working Group on Arbitrary Detention to visit China, Assistant Secretary of State John Shattuck has testified regarding those reports that "We do not see major changes [in the human rights situation in China]. We have not characterized China as having demonstrated major changes in the period over the course of the last year";

Whereas, in 1990, 1992, and each year since then, the United States has participated in an unsuccessful multilateral effort to gain passage of a United Nations Commission on Human Rights resolution addressing the human rights situation in China;

Whereas the Government of China has mounted a diplomatic campaign each year to defeat the resolution and has succeeded in blocking commission consideration of such a resolution each year except 1995, when the United States engaged in a more aggressive effort to promote the resolution;

Whereas China's opposition to the resolution has featured an attack on the principle of the universality of human rights, which the United States, China, and 169 other governments reaffirmed at the 1993 United Nations World Conference on Human Rights;

Whereas on February 23, 1998, the European Union (EU) agreed that neither the EU nor its member states would table or cosponsor a resolution on the human rights situation in China at the 54th Session of the United Nations Commission on Human Rights;

Whereas on March 13, 1998, the Administration announced that it would not seek passage of a resolution at the United Nations Commission on Human Rights addressing the human rights situation in China;

Whereas without United States leadership there is little possibility of success for that resolution;

Whereas, in 1994, when the President announced his decision to delink Most Favored Nation (MFN) status for China from previously announced human rights conditions, the Administration pledged that the United States would "step up its efforts, in cooperation with other states, to insist that the United Nations Human Rights Commission pass a resolution dealing with the serious human rights abuses in China" as part of the Administration's "new human rights strategy";

Whereas a failure vigorously to pursue the adoption of such a resolution would constitute an abandonment of an important component of the "expanded multilateral agenda" that the Administration promised as part of its "new human rights strategy" toward China; and

Whereas Chinese democracy advocate and former political prisoner Wei Jingsheng has stated that "[t]his [United Nations Commission on Human Rights] resolution is a matter of life and death for democratic reform in China"; Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) urges the President to reconsider his decision not to press for passage of a resolution on human rights violations in China at the 54th Session of the United Nations Commission on Human Rights;

(2) expresses its profound regret that the European Union will not table or cosponsor a resolution on human rights violations in China at the 54th Session of the United Nations Commission on Human Rights; and

(3) urges all members of the United Nations Commission on Human Rights to support passage of a resolution on human rights violations in China at the 54th Session of the United Nations Commission on Human Rights.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Florida (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge every member of this body to support House Resolution 364. This strongly bipartisan resolution urges the introduction and passage of a resolution on human rights in the People's Republic of China at the 54th session of the U.N. Human Rights Commission which began yesterday and runs to the 24th of next month.

If any government deserves to be the subject of a U.N. Human Rights Commission resolution, the Beijing regime does. In its testimony before my subcommittee last month, Assistant Secretary of State John Shattuck made it very clear that ". . . the government of China continues to commit widespread and well-documented abuses in all areas of human rights." He also testified that there have not been any major improvements in that situation during the last year.

As detailed in the State Department's country reports on human rights practices in China, those abuses included extrajudicial killings, the use of torture, arbitrary arrest and detention, forced abortion and forced sterilization, the sale of organs from executed prisoners, and tight controls over religion, speech, and press. Persecution in some areas, such as the captive nations of Tibet and East Turkestan, even intensified during the past year.

House Resolution 364 merely urges the administration to reconsider and to do what it promised to do when it delinked MFN for China from human rights considerations in 1994: ". . . to insist that the U.N. Human Rights Commission pass a resolution dealing with the serious human rights abuses in China."

However, this past weekend, the administration signaled that it is backing away from that promise, just as it backed away from its previous promise to link China's MFN status to respect for human rights. In both cases, the retreat has not been justified by any improvement in the Chinese government's human rights record. As a matter of fact, it has gone backwards.

In explaining its decision not to seek a China resolution in Geneva, the administration has highlighted the PRC's recent announcement that it intended to sign the International Covenant on Civil and Political Rights. However, that rationale does not justify the President's latest deference to the Beijing dictatorship for three basic reasons.

First, the Beijing regime regularly ignores its legal promises, especially where human rights are concerned. The Constitution of the PRC already guarantees freedom of speech, of the press, of assembly, of association, of procession, and of demonstration, as well as the freedom of religious belief and the freedom of ethnic minorities such as the Tibetans and Uyghurs from discrimination and oppression.

According to the administration's own reporting, the Beijing regime routinely and systematically violates those freedoms.

In a further example, China signed the U.N. Convention Against Torture over a decade ago; but according to the State Department, and other sources in human rights organizations, the Chinese government continues to use torture against prisoners each and every day. Thus, in return for its silence, the United States must demand real improvements, not paper promises.

Second, experience demonstrates that ratification of the International Convention on Civil and Political Rights does not guarantee genuine respect for human rights. Many of the most abusive countries on the planet, including Iraq, North Korea, Nigeria, to name a few, are parties to that convention.

Third and most important, by using convention ratification as an excuse for the United States' inaction in Geneva, the administration has set up an

explicit double standard benefitting the Beijing regime.

Yet, last year alone, the administration supported seven U.N. Human Rights Commission resolutions concerning other countries that have signed the International Convention on Civil and Political Rights: Nigeria, Iran, Sudan, Iraq, Rwanda, Bosnia and Herzegovina, Croatia, Yugoslavia, and Equatorial Guinea.

The unprecedented favors shown to the Beijing dictatorship suggest that, in reality, the President's latest decision has little to do with the convention and everything to do with dollars and cents.

Wei Jingsheng, Mr. Speaker, the great Chinese democracy advocate and former prisoner of conscience, testified before my subcommittee just a few weeks ago. He said that a U.N. Human Rights Commission resolution at this time is a "matter of life or death" for the democratic reform in China.

Last week, in an open letter urging the U.S. to support a China resolution in Geneva, he explained that "the success of the Chinese government to silence the world community has serious consequences. It is a massive blow to the Chinese people's determination to struggle for human rights and democracy. They are left with the feeling that they are being betrayed."

Mr. Speaker, the President's decision this past weekend was, indeed, a betrayal, a betrayal of the countless Chinese, Tibetans, and others who suffer under the current regime, and a betrayal of our own democratic and humanitarian ideals.

The United States' support for a U.N. human rights resolution is the very least that we can do for the Chinese and the Tibetan peoples. If the U.S. will not raise human rights violations in a forum dedicated exclusively to human rights concerns, then where will we raise those issues and how can we expect tyrants to heed our admonitions in private when they know we will lack the will to speak about them in public?

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Notwithstanding his announcement this weekend, Mr. Speaker, I urge the President, we urge collectively the President to honor his previous pledge to support a China resolution at the U.N. Human Rights Commission in Geneva. In the meantime, I urge my colleagues to support passage of the resolution.

#### I. SUMMARY

China appears to be on the verge of ensuring that no attempt is made ever again to censure its human rights practices at the United Nations. It is an extraordinary feat of diplomacy and an equally extraordinary capitulation on the part of governments, particularly the United States and the countries of the European Union, that claim to favor multilateral initiatives as a way of exerting human rights pressure. One of the few remaining international fora to exert such pressure is the annual meeting of the U.N. Commission on Human Rights in Geneva—in session this year from March 10 to April 18—

where countries with particularly egregious human rights records can become the subject of resolutions. Every year save one since 1990, the U.S. and the E.U. have taken the lead, with support from Japan and other governments, in sponsoring a resolution on China, and every year save one, China has successfully blocked even debate on the subject. The threat of a resolution, however, has itself been an effective form of pressure, as illustrated by the time and resources China has spent in trying to counter it.

This report is an analysis of China's diplomatic efforts with respect to key members of the commission over the last three years. It describes a pattern of aggressive lobbying by Chinese officials, using economic and political blandishments, that has worked to undermine the political will in both developed and developing countries to hold Beijing accountable in Geneva, coupled with procrastination and passivity on the part of China's critics, the same governments that have been such vocal proponents of multilateralism.

The report suggests that countries concerned about human rights in China should put more, not less effort into a carefully constructed resolution at the U.N. Human Rights Commission; that the process of fashioning a resolution and lobbying for its passage is important, whether it ultimately reaches the floor of the commission for debate or not; and that ending all efforts on China at the U.N. Human Rights Commission, as the U.S. and Europe seem to be considering, will be seen in China as a triumph over the West's dominance of international institutions and one that it may want to follow up in fields other than human rights.

As this report went to press, the U.S. and the E.U. were involved in diplomatic negotiations with China on a possible package of limited steps or promises in exchange for dropping a resolution this year and in subsequent years. The U.S. in particular, seemed poised to accept any last-minute gestures that China might make during Vice President Albert Gore's trip to China in late March, midway through the commission's deliberations. But the prospect of obtaining truly meaningful improvements from Beijing on human rights would have been far higher had there been a real threat of a coordinated, high-level lobbying effort behind a resolution in Geneva, the work on which would have had to have begun in September or October 1996. For the U.S. and E.U. to suggest at this late date that a resolution cannot pass is a prophecy they have done their utmost to make self-fulfilling.

#### BACKGROUND

A resolution on China at the commission is a curiously potent tool for raising human rights issues, given that it is an unenforceable statement that carries no penalties or obligations. But as the product of the U.N., it has major implications for a country's international image, and even to table a resolution for discussion is considered by many countries, China among them, as a major loss of face. But China considers the U.N. Human Rights Commission an important forum for other reasons as well, including as a vehicle for countering Western "hegemonism," particularly through alliances with governments in Asia, Africa and Latin America. During the 1996 session of the commission, Chinese diplomats made clear that they saw an attempt to seek a resolution on China as an example of this hegemonism, arguing that the North used the commission as a one-way forum through which to confront, judge, and interfere in the internal affairs of developing countries while ignoring abuses in the U.S. and Europe, and that the commission paid too much atten-

tion to political and civil rights while neglecting economic, social, and cultural rights and the right to development.<sup>1</sup> In addition to its value to China as a forum to challenge the West, the commission has also become a useful vehicle to play the U.S. off against its erstwhile European allies.

Interest in using the U.N. Human Rights Commission as a forum for criticizing China only emerged after the crackdown in Tiananmen Square in 1989. Beginning in 1990, the annual Geneva meetings were marked by efforts to table mildly worded resolutions urging China to improve its human rights practices and criticizing ongoing violations of international standards. These efforts were defeated before the resolutions could come up for debate by "no-action" motions brought by one of China's friends on the commission—Pakistan could be counted on in this regard. A "no-action" motion, if passed, meant that the resolution died a quick death before ever coming to debate and vote.

In March 1995, however, the "no-action" motion failed for the first time. China's human rights record was debated, and a resolution sponsored by the U.S. and the European Union lost by only one vote when Russia unexpectedly cast its vote in opposition. It was the closest China had ever come to defeat. In April 1996, by contrast, China again successfully blocked a resolution through the "no-action" procedure, by a vote of twenty-seven to twenty with six abstentions. In the year that elapsed between the two meetings, China's human rights record had worsened, but its lobbying had improved and the political will of its critics had weakened.

Visits between China and commission members between April 1996 and March 1997 resulted in more aid packages, new and expanded trade contracts including foreign investment and joint ventures, and promises of improved bilateral cooperation on projects ranging from agriculture to nuclear technology. While it is impossible to definitively document the direct relationship between each visit or aid package and the votes of individual commission members, an overall pattern emerged that may help to explain China's success at muzzling the commission. Clearly, in many countries, much more was at stake than a Geneva vote, as Beijing sought to boost its long-term political and economic relationships and to weaken Taiwan's ties with some capitals. But a major objective during this period was also to defeat the annual Geneva effort.

In 1995 and in 1996, the importance of the outcome in Geneva was clearly reflected in official statements. At the conclusion of the 1995 voting, a foreign ministry spokesman speaking on state radio "expressed its [the Chinese government's] admiration and gratitude to those countries that supported China," and China's ambassador to the U.N. in Geneva said the resolution was "entirely a product of political confrontation practiced by the West with ulterior motives."<sup>2</sup> After the 1996 vote, an article by the official Chinese news agency Xinhua, entitled "Failure of Human Rights Resolution Hailed," gloated that the commission "has again shot down a draft resolution against China, marking another failure by the West to use human rights to interfere in China's internal affairs. . . ."<sup>3</sup>

From China's perspective, there were two relatively balanced voting blocs on the commission, and a number of crucial swing votes.<sup>4</sup> One bloc consisted of Asian and African states. The second was composed of western Europe and North and Central America. The swing votes were to be found

<sup>1</sup>Footnotes appear at end of report.

among some of the new democracies of central Europe, the former Soviet republics, large Latin American countries and a handful of African and Asian nations. China courted them all and pursued its efforts to divide Europe and the United States.

## II. THE EUROPEAN UNION AND THE UNITED STATES

In 1995, the year the resolution lost by one vote, the U.S. and E.U., which together with Japan were the resolution's co-sponsors, began efforts to get other countries on board as early as December 1994, when then U.S. National Security Adviser Anthony Lake went to Zimbabwe, Gabon and Ethiopia. The Geneva resolution was one of the issues on his agenda. Geraldine Ferraro, then head of the U.S. delegation to the commission, made calls to Latin American capitals.

After that close call, Chinese diplomats and government officials seemed to intensify their efforts to underscore that good economic relations with the world's largest country would be fostered by decreasing pressure on human rights. Overt Chinese pressure, of course, was not always needed: European leaders were well aware that the competitive edge with the Americans could be widened if human rights criticism was left to the latter, especially when the U.S. was already preoccupied with a struggle with China over intellectual property rights and the annual debate over Most Favored Nation status.

The first attempts to derail a resolution on China at the 1996 U.N. Human Rights Commission session took place in Bangkok on March 1 and 2, 1996 when Chinese Premier Li Peng met with German Chancellor Helmut Kohl and French President Jacques Chirac at the E.U.-Asia summit. With a US\$2.1 billion Airbus contract hanging in the balance and a visit to France by Li Peng set for April, France took the lead in trying to work out a deal whereby in exchange for a few concessions from China, the E.U. and the U.S. would agree to drop the resolution. The nature of the proposed concessions was never made public but was rumored to include an agreement by China to sign and ratify the two major international human rights treaties, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights; the release of some political prisoners; and an invitation to U.N. High Commissioner for Human Rights José Ayala Lasso, to visit China. Ratification without reservations would indeed have been a useful step, but when pressed to give a timetable for ratification, Beijing reportedly backed off, and the deal fell through. Italy—then in the presidency of the E.U.—was said to be leaning to the French deal, as was Germany, which with bilateral trade of \$18 billion, was China's largest trading partner in Europe and one of Europe's top investors in China. The Europeans did not come on board until ten days after the commission session opened, and then only reluctantly.

The resolution was doomed by a failure of will on the American side as well. The United States was no more eager than its European counterparts to earn China's opprobrium by sponsoring a resolution, and, according to one source, a deliberate decision was made within the Clinton administration sometime in December 1995 to give the resolution less attention than the year before, with the result that lobbying was late, desultory and ultimately unsuccessful.

Despite appeals on human rights in China and Tibet signed by over 200 French legislators and scattered protests, Li Peng's visit to Paris from April 9-13, just before the commission vote, was hailed by Beijing as marking a "watershed" in its ties with France. Li

Peng took the opportunity to finalize the Airbus sale in what appeared to be a deliberate slight to the U.S. government and the American company Boeing, hitherto the largest supplier of aircraft to China. In one reporter's words, China preferred to deal with countries that "don't lecture China about human rights, don't threaten sanctions for the piracy of music, videos and software and don't send their warships patrolling the Taiwan Straits."<sup>5</sup>

Li Peng's trip to Europe was followed in July 1996 by a six-nation swing by President Jiang Zemin through Europe and Asia, aimed at closing business deals and enhancing Jiang Zemin's international standing. An important side-effect, if not a deliberate objective of these visits, was to erode the willingness of some European countries to confront Beijing in Geneva. The trip came on the heels of a Chinese threat to impose economic sanctions on Germany in retaliation for a conference on Tibet. The conference was sponsored by the Friedrich Naumann Foundation, closely linked to Foreign Minister Klaus Kinkel's Free Democratic Party, and was to be held in Germany in June in cooperation with the Dalai Lama's government-in-exile. The row started over the German government's proposal to provide a subsidy for the conference. Under pressure, government funding was withdrawn, but the conference went ahead with the support of German politicians from all parties. The Chinese government then forced the closure of the foundation's Beijing office. In retaliation, German politicians introduced a motion in the Bundestag criticizing China's human rights record. China then withdrew an invitation to German Foreign Minister Kinkel to visit Beijing.

When Beijing further warned that German business interests in China could suffer, Bonn quickly scrambled to restore good relations. In September the invitation was renewed, and Kinkel went the following month. He did raise the cases of political prisoners Wang Dan and Wei Jingsheng, but the real story was that commercial relations with Germany were back on track, for in November in Beijing, President Jiang and German President Roman Herzog signed four agreements on financial and technological cooperation. The last quarter of 1996 saw multimillion dollar deals signed between China and Germany companies, including a joint venture by Mercedes Benz in Jiangsu province to produce buses; a joint venture by Kogel Trailer to produce specialized auto vehicles; a joint venture by Bayer AC and Shanghai Coating Company to produce iron oxide pigments; and a US\$6 billion investment in a petrochemical plant by German chemical company BASF.

China also wooed other European countries. In June, Chen Jinhua, head of China's State Planning Commission, visited Italy. In Milan, he held meeting with leading Italian financial and business interests, discussing how China's ninth five-year plan would lead to the continued open up of the economy to the outside world. Stressing the growth of bilateral trade, which stood at a record US\$ 5.18 billion in 1995, he noted China's potential as a huge market with possibilities for increased Sino-Italian cooperation. In September, Li Peng went to the Hague, just as the Netherlands was poised to take over leadership of the E.U.; in October Italian Foreign Minister Lamberto Dini led a group of Italian businessmen to Beijing on a "good will" visit; and in November, Li Peng was back in Europe on a visit to Rome, where he and his Italian counterpart pledged to encourage Sino-Italian economic and trade ties.

Britain also worked to bolster its trade with China. When Trade and Industry Sec-

retary Ian Lang met with Minister of Foreign Trade and Economic Development Wu Yi in Beijing in September 1996, they agreed to set up working groups in the chemical industry, aeronautics, and energy. In October, Li Lanqing, a vice-premier and vice-chair of the State Council (the equivalent of China's cabinet), traveled to London to meet with Deputy Prime Minister Michael Heseltine, and in November, the two countries signed a Memorandum of Understanding on forming a Sino-U.K. Aerospace Equipment Working Group to promote commercial and technical cooperation in civil aviation.

## III. LATIN AMERICA

Latin America was clearly a priority region for China if it was to defeat a resolution at the 1996 commission session. Next to Europe and North America, it was most likely to vote against China. In some cases, this was due to history of susceptibility to U.S. influence, in others to a democratic transition from an abusive authoritarian past that made the new democracies important allies in efforts to censure grave abuses wherever they occurred. Many Latin American countries, including Mexico, Brazil, Chile, Ecuador, Argentina, Peru and Venezuela, also had serious strains in their bilateral relations with China because of textile and garment "dumping" by the latter. Of all the countries in the region, only Cuba and Peru consistently voted with China in 1995 and 1996, Mexico, Colombia and Venezuela abstained in both years.

Top Chinese government and Party officials increased the exchange of visits with Latin America leaders after the near success of the 1995 resolution. In October 1995, Premier Li Peng went to Mexico and Peru, signing trade and cooperation agreements with both governments. Peru had abstained from all China votes at the commission until 1995 when it voted in favor of the no-action motion. As if to reinforce the relationship, Luo Gan, secretary-general of the State Council, went to Peru in March 1996 with the commission already in session and pledged US\$350,000 in aid and a loan of US\$70 million to be used toward China-Peru trade. The sums were small, but the symbolism of South-South aid was important. Peru again voted with China at the commission in 1996. That August, the speaker of the Peruvian parliament, visiting Beijing, said pointedly in the context of a discussion on human rights that his country did not interfere with China's internal affairs. High-level exchanges also took place in 1995 with Brazil, Chile, and Cuba.<sup>6</sup>

In June 1996, following the April vote in the Human Rights Commission, Wu Yi went on a month-long tour of seven Latin American countries, Argentina, Cuba, Mexico, Peru, Uruguay and Chile, all but Peru to be members of the commission for the coming year. In November 1996, Li Peng went back to Latin America, visiting two members of the commission whose voting records had been inconsistent, Brazil and Chile. Brazil was key. Until 1996, it had abstained on all votes on China, in April 1996, it voted against China's efforts to stop action on a resolution. Li Peng's delegation specifically raised the issue during the visit expressing unhappiness with the Brazilian vote, and officials at the Brazilian Ministry of Foreign Relations reportedly discussed the possibility of abstaining on a no-action motion in 1997. The Chinese premier's visit produced agreement on a consulate in Hong Kong after July 1, 1997, on peaceful use of space technology and on sustainable development initiatives. Trade issues were also on the agenda.

Chile had voted with China in 1992, then abstained on all votes until 1996 when it joined Brazil to vote against China's efforts

to stop debate. During his November visit, Li Peng announced tariff reductions of more than 10 percent on Chilean agricultural goods and signed agreements on scientific and technological cooperation in agricultural and aerospace. As with Peru, the substance of the agreements between Chile and China was less important than the political symbolism of Li Peng's visit, and as with Brazil, the Geneva vote was almost certainly on the agenda.

The presidents of Ecuador and Mexico and the foreign minister of Uruguay all visited Beijing between May and December 1996.<sup>7</sup> Closer ties between China and Latin America, as indicated by high-level exchanges, underscored the fact that sponsors of a resolution critical of China could not take the votes of Latin American members of the commission for granted. They would have to undertake some sustained lobbying, and apparently they did not.

#### IV. AFRICA

If the U.S. and Europe and other sponsors of a resolution were serious about a multilateral initiative to exert pressure on China, it was essential that they bring some African members of the commission on board. Admittedly, it would not have been an easy task, given Chinese diplomatic initiatives and interests in the region, but save for some modest measures in 1994 like U.S. National Security Adviser Anthony Lake's discussions (see above), the sponsors put little energy into finding support from African governments.

China, on the other hand, was energetic. Since the end of the Cold War, it has seen African countries as critically important allies, particularly in the United Nations, in the struggle against American "hegemonism."<sup>8</sup> With its history of colonialism and the fact that for the North, it had become the "forgotten continent," Africa has been viewed as a desirable partner in China's efforts to "bypass" the United States.<sup>9</sup> In addition, China had a strong interest in stepping up its diplomacy in the region to counter Taiwan's aggressive campaign to expand ties with some African states.

China embarked on a concerted diplomatic campaign in Africa in mid-1995. Although the main objective may have been to blunt Taiwan's influence, it may not be coincidental that the campaign began after China lost a no-action motion and nearly lost the resolution in Geneva in March 1995, or that the countries singled out in this campaign were also for the most part members of the commission.

In October-November 1995, well before the 1996 session of the commission convened, Li Lanqing traveled to six central and western African countries: Mali, Guinea, Senegal, Gabon, Cameroon and Côte d'Ivoire. Of these, all but Senegal were members of the commission. In November, Quao Shi, a leading member of the Central Committee and chairman of Standing Committee of China's National People's Congress (China's parliament), went to Egypt, another key member of the commission. All the countries included in these two visits voted with China in the April 1996 "no-action" motion.

By contrast, from September 1995 to March 1996 there were few high-level exchanges between the U.S. and African members of the commission, and when they took place, China was not on the agenda. Angolan president Dos Santos made a state visit to Washington, D.C. on December 8, 1995, for example, but amid the many issues on the U.S.-Angolan agenda, support for a critical position in the U.N. toward China's human rights practices was reportedly not one Madeleine Albright, then U.S. ambassador to the U.N.

visited Angola in January 1996, but apparently made no effort to press for Angola's support at the Human Rights Commission. Angola ranks fourth among China's African trading partners and has consistently voted with China at the Human Rights Commission. If the U.S. was serious about generating international pressure on China through the U.N., its officials would have seen the visits by its officials as an opportunity to put multilateralism into practice and raise the issue of a resolution in Geneva.

Ethiopia, a key member of the commission, exchanged visits with European and American officials, with development assistance and security the main issues at stake. German President Herzog visited Ethiopia in January 1996, during which he signed an aid agreement for the purchase and transport of fertilizers, and Prime Minister Meles Zenawi spent two days in Paris, meeting with the French prime minister and with President Chirac. In neither case was there any indication that the China vote was on the agenda, and a source close to the U.S. delegation to Geneva told Human Rights Watch that no attempt was made to lobby Ethiopia for its vote.

China appeared to have stepped up its efforts to ensure a similar victory in the 1997 session. Following the end of the 1996 commission meeting in April, all fifteen African members of the commission sent or received high-ranking visitors from China. In May 1996, according to Chinese reports, President Jiang himself "crossed a thousand mountains and rivers to enhance friendship, deepen unity, and learn from the African people," visiting a total of six countries as he covered the continent "from North to South, from east to West." Of the six countries, four, Ethiopia, Egypt, Mali and Zimbabwe, were members or about to become members of the commission. At a meeting of the Organization of African States, Jiang stressed that China would be an ally in Africa's drive to develop; and, in fact, over twenty-three agreements and protocols on Sino-African cooperation were signed in May alone. They primarily provided for basic construction projects in transport and energy.<sup>10</sup>

During meetings in Beijing in May 1996, two days before he left for his African tour, President Jiang pledged economic and military support for Mozambique, which rotated on to the commission in time for the 1997 session, at the same time, Chinese Defense Minister Chi Haotian discussed details of the bilateral ties between the two nations' militaries and provided Mozambique with quantities of new weapons. Sino-Mozambican relations went into a tailspin in 1996 when China abruptly pulled out of an agreement to build a new parliament building. The visit in May was an effort to repair relations but it could also help produce a pro-China vote in the commission this March.

Jiang Zemin was present in Zimbabwe in May 1996 when Minister of Foreign Trade and Economic Cooperation Wu Yi signed agreements for US\$10 million in grants and an additional US\$10 million in loans, as well as other agreements on trade, reciprocal protection of investment and technological and economic cooperation. Earlier an agricultural group from China studied the possibilities of importing cotton and tobacco from Zimbabwe. In 1995, the first time Zimbabwe voted on a China resolution in Geneva, it voted for the no-action motion and against the China resolution; in 1996 it again voted in favor of no action on China.

Following Jiang Zemin's May 1996 visit to Mali, China signed agreements on economic and technological cooperation during meetings in Beijing between Premier Li Peng and Mali's president, and the Chinese vice-minister of agriculture signed an agreement to

assist Mali in building a number of factories. In 1996, when Mali voted on the China question for the first time, it voted in favor of the no-action motion.

Jiang Zemin also traveled to Ethiopia in May on a good will visit during which four cooperation agreements were signed. China-Ethiopian economic relations have been minimal compared with China's relationships with other African countries. Before Jiang's visit, Chinese journalists made much of an Ethiopian irrigation project completed with help from thirty-eight Chinese experts. In 1990, Ethiopia voted for a no-action motion and then went off the commission until 1995, when it voted in favor of the no-action motion but abstained when the resolution itself was voted on. In 1996 it again voted in favor of no action.

Algeria was already considered in the China camp. Jiang Zemin and the president of Algeria met in Beijing in October to discuss bilateral relations and to sign six documents including one protecting and encouraging reciprocal investment. Algeria has had a strong and continuous relationship with China which helped with a heavy water research reactor, and has been involved in irrigation, agricultural, and research projects including a three-star hotel in Algiers. In January 1997, Foreign Minister Qian Qichen paid a quick visit to Algeria, meeting with the foreign minister to discuss strengthening bilateral cooperation.

Uganda became a member of the commission in time to vote with China on the 1996 no-action motion. While the commission was still meeting in April 1996, Li Zhaoxin, China's vice-minister of foreign affairs, agreed to provide US\$3.6 million to cover the costs of a national stadium. In January 1997, at the request of the Ugandan government, China agreed to send technical personnel for two years to provide guidance in connection with the stadium project.

Li Peng and the president of Gabon, meeting in Beijing in August 1996, stressed the importance of their relationship and their support for the rights of developing nations. Gabon abstained in 1992 on a no-action motion but has since voted solidly in the Chinese camp.

When Chinese Vice Foreign Minister Tian Zengpei met with the Guinean Foreign Affairs Minister in Guinea in April while the commission meeting was still in session, he thanked him for Guinea's support on the human rights issue. Guinea, a new member of the commission as of the 1996 session, voted for no action on the China resolution.

During a visit to South Africa, China's largest trading partner in Africa, in May 1996, Wu Yi negotiated promises of expanded trade ties and reciprocal "most favored nation trading status." The importance of China to South Africa's economy was underscored in December 1996 when President Nelson Mandela abruptly abandoned diplomatic support for Taiwan and recognized Beijing as the sole representative of China.

Buho, the vice-chairman of the Standing Committee of the National People's Congress paid a goodwill visit to Benin in December 1996. Although Benin had voted with China in 1996, it abstained on both the no-action motion and the resolution itself in 1995.

Both the timing and the high-profile nature of most of these exchanges highlight the likely difficulties of getting African countries to abstain on a China resolution, let alone vote in favor, in 1997. If the U.S. and Europe had been committed to seeing a resolution pass, both would have had to have engaged in intensive lobbying beginning in late 1996.

#### V. CENTRAL AND EASTERN EUROPE

After March 1995, high-level Chinese officials logged considerable mileage traveling to

the Russian Federation and to two former Soviet republics, Belarus and the Ukraine. All three countries were to be 1996 commission members. Belarus for the first time, and the Ukraine for the first time since 1990.

In 1995, after Russia helped to defeat a no-action motion, its delegates switched their vote and the resolution itself failed as a result. It seemed logical in 1996, that if China were to avoid another near embarrassment, it would have to guarantee Russia's vote on the no-action motion itself. Not since 1990 had Russia voted to send a resolution to the floor. Furthermore, it was generally agreed that the Belarussian president, anxious for reunification with Russia, would vote with Russia. Of course China had other political and economic stakes in its relations with Central and Eastern Europe that may have been the driving force behind much of the activity outlined below; but with the Geneva vote so important to Beijing, lining up commission members was a likely factor.

In June 1995, Li Peng visited all three states. During his visit to Belarus, there was agreement on bilateral cooperation in trade, science, technology, manufacturing, and agriculture. In the Ukraine, he signed a note worth 8.5 million *renminbi* (approximately US\$1.7 million) in economic assistance. In August, as a follow-up to the June visits, the vice-minister of the Ministry of Foreign Trade and Economic Cooperation (MOFTEC) led a trade delegation to the region.

The direction of the visits reversed in September when the vice-prime minister of Russia went to Beijing, followed in November by a vice-minister from the Belarussian Ministry of Foreign Economic Relations, and in December by the Ukrainian president. During a meeting with Jiang Zemin, the two signed a joint communiqué furthering bilateral economic and political cooperation. In April 1996 while the Human Rights Commission was in session, Qiao Shi, chairman of Standing Committee on China's National People's Congress (parliament), traveled to Moscow to meet with top Russian officials in preparation for meetings later in the month with three central Asian republics. That same month, China exchanged ministerial visits with both Belarus and the Ukraine. At the invitation of Qian Qichen, the Belarussian foreign minister traveled to Beijing. During a meeting with Li Peng, he thanked him for China's support of Belarus on international issues and described as "encouraging" the 60 percent growth in bilateral trade in 1995. Qiao Shi traveled to the Ukraine for a four-day visit aimed at expanding cooperation between the two countries. Shipbuilding, aircraft manufacturing and instrument products were cited as industries for cooperation.

In the wake of all this activity, Russia abstained and Belarus and Ukraine voted with China in favor of no action on the resolution at the 1996 commission session. Two days after the vote, President Boris Yeltsin was warmly welcomed in Beijing by Jiang Zemin, Li Peng, and Qiao Shi. The major accomplishments of the meetings included an agreement signed by China, Russia, Kazakhstan, Tajikistan and Kyrgyzstan strengthening border confidence, a Sino-Russian joint communiqué to serve as "the principled basis for the two countries' constructive partnership during the 21st century"<sup>11</sup> and a dozen cooperation agreements, including ones on intellectual property rights, cooperation on the peaceful use of nuclear energy, and development for mutual prosperity. In addition, representatives from both countries discussed cooperation on military technologies. By December 1996, when Li Peng visited Moscow, plans were being laid for an April 1997 summit on security. At the same time, Russia agreed to lend China

US\$2.5 billion for nuclear power plant construction and to sell arms to Beijing. And Li and Viktor Chernomyrdin discussed raising bilateral trade volume and cooperation on large-scale projects.

In November, the Belarussian president told Li Lanqing during his visit to Minsk that improving Belarus-Chinese relations was of strategic importance to Belarus, adding that he attached great importance to developing bilateral trade and that he welcomed Chinese entrepreneurs willing to invest in Belarus. The following month, the acting prime minister of Belarus attended a signing ceremony in Beijing for agreements on educational cooperation and on ensuring the quality of exported and imported goods.

A well-documented effort by the Chinese government to gain support in the commission from central European countries began before the 1994 vote. Poland, to the surprise of delegation members themselves, members of Parliament, and local human rights groups, abstained from voting on the no-action resolution instead of voting against it as it had the year before. Instructions from the Polish Ministry of Foreign Affairs had arrived just before the actual vote took place. China had reportedly agreed to support Poland's effort to gain a seat in the Security Council in exchange for the abstention. A representative of the ministry later explained to the Polish parliament that the vote had come about as a result of a "mistake" by a junior official.

In 1995, Li Peng wrote to Polish Prime Minister Pawlak to thank him for his support in Geneva in 1994 and asked for "even more substantial support in 1995." The offer to promote a Security Council seat was reiterated. After the main Warsaw newspaper publicized the "vote trade" and media pressure mounted, Poland's vote against the no-action resolution helped to defeat it.

Two other Central European countries on the 1997 commission have received more attention from the U.S. and Europe than from China, and the commission votes may reflect this. With the exception of 1992 when it abstained, Bulgaria has voted against China in the no-action motion, and the Czech Republic, back on the commission after a hiatus of three years, would be unlikely to succumb to Chinese pressure.

#### VI. ASIA

Most Asian countries were already voting solidly with China. In 1995 and 1996, the only countries that did not were the three Asian democracies, Japan, the Philippines and Korea. Japan has consistently voted in favor of a resolution; the Republic of Korea has consistently abstained; and the Philippines, which voted with China in 1992 before going off the commission for two years, voted against China in 1995 after a territorial dispute with China flared up in the South China Sea. In 1996, Korea and the Philippines abstained; both were considered swing votes for 1997.

Korea, which resumed diplomatic relations with China in 1992, has heavy economic stakes in China. The chaebol or conglomerate Goldstar is expected to invest US\$10 billion in China by the year 2005, and Daewoo is planning to contribute 960 million *renminbi* (approximately US\$120 million) to the building of an expressway. Daewoo will participate in the operation of the road for thirty years, after which it will belong to Huangshan City, its Chinese partner. During Jiang Zemin's visit to the Philippines in November 1996, China promised to build two power plants and pledged bilateral cooperation.

Other important efforts in Asia included Jiang Zemin's November-December 1996 goodwill tour South Asia with stops in India, Pakistan, and Nepal.

India has consistently voted with China, a reflection perhaps of its own rejection of external human rights pressure, especially on the sensitive issue of Kashmir. Sino-Indian relations, however, have also steadily improved since the collapse of the Soviet Union. Foreign Minister Qian Qichen accompanied President Jiang to India in November 1996 to promote bilateral relations in politics, trade, economy, and culture. The primary issue among the two regional powers was security, and an agreement was reached on military zones on the Sino-Indian border.

While in Nepal in early December 1996 to mark the twenty-fifth anniversary of King Birendra's ascension to the throne of Nepal, Jiang Zemin witnessed the signing of a grant of economic and technical assistance.

In his December swing through Pakistan, a traditional ally and leader of the efforts in the commission to prevent a resolution on China from coming up for debate, Jiang Zemin oversaw the signing of agreements on construction of a hydroelectric power plan, environmental protection, drug trafficking, and establishment of consulates, including maintenance of Pakistan's consulate in Hong Kong. Pakistani President Farooq Leghari noted that there was no difference between Pakistan and China on Tibet, and Pakistan "completely supports China." He also stated how happy he was that China would resume sovereignty over Hong Kong "and hoped for a peaceful joining of Taiwan with China as soon as possible."<sup>12</sup>

#### VII. WAFFLING IN 1997

It was clear by November 1996 that sponsorship of a resolution on China at the 1997 U.N. Human Rights Commission was in for a rough ride. On November 24, at a debriefing following President Clinton's meeting with Jiang Zemin at the Asia-Pacific Economic Cooperation (APEC) summit in Manila, a senior administration official said that "the president said that we want to maintain dialogue and cooperate on [human rights], but on the present record we could not forgo presenting [ . . . ] a resolution." The implication was clear: any nominal gesture or open-ended promise on China's part that could be interpreted as progress on human rights might be enough to derail a resolution.

The European Union played a similar game of delaying a decision on the resolution by bouncing consideration of the question from one E.U. body to another. When the E.U. Human Rights Working Group (HRWG) could not reach a decision on what to do about a resolution at its meeting on December 13, 1996, further consideration was delayed almost a month until January 10 when the Political Affairs Working Group, with representatives from all fifteen E.U. capitals, met in Brussels. The meeting decided to refer the issue back to the HRWG despite the fact that a straw poll of political directors had found an overwhelming majority in favor of a resolution and the HRWG had recommended that the E.U. move quickly. Rather than taking a firm decision to exert pressure through a resolution, the political affairs meeting discussed a variety of ways of avoiding confrontation at the commission, including pushing for consensus rather than majority vote on resolutions and substitution of investigations by the U.N. thematic mechanisms for commission resolutions.<sup>13</sup> Just as the HRWG was about to meet on January 23, China suddenly proposed a human rights discussion on February 14 around the edges of the Asia-Europe (ASEM) foreign ministers' meeting in Singapore, providing some E.U. countries with a pretext for delaying a decision once more. (For months, the E.U. had been unsuccessful in trying to schedule a formal E.U.-China human rights dialogue, originally scheduled for October

1996). But China offered no human rights concessions or gestures during the meeting, according to diplomatic sources.

The U.S. also refused to commit itself to the one multilateral initiative that might have exerted real pressure on China, with officials reiterating that Sino-U.S. relations could not be "held hostage" to human rights concerns and that a decision about sponsorship would be made "when the time came." During the U.S. Senate hearing on January 8, 1997 to confirm Madeleine Albright as secretary of state, Albright went so far as to imply that China's previous record was of no import, what counted was "in the remaining weeks" how China "approach[ed] that situation" and whether any changes took place. Different administration officials gave the same message: the U.S. position would be determined based on China's actions between "now"—and "now" became later and later—and the time of the commission vote. A week after Albright's confirmation hearing, the Chinese government warned of complications in the bilateral relationship if the U.S. pressed on rights issues.<sup>14</sup> No concrete promises or assurances resulted from a visit to Beijing on January 30-31 by a low-level delegation from the National Security Council and the State Department, aimed at exploring the possibilities for a human rights breakthrough.

On January 21, the Clinton administration moved to ensure consistency in the U.S.-E.U. position. A diplomatic demarché circulated to E.U. members in Brussels stated that "we are continuing to talk with the Chinese about what meaningful concrete steps they might take to avoid confrontation in Geneva," and it suggested that to make compliance easier, the E.U. ask China for the same minimal concessions: releases of prisoners with medical problems, resumption of discussions on prison visits, and signing and submitting to the National People's Congress for ratification the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. The U.S. did state its willingness to cosponsor a resolution if China's performance did not improve but did not set a time frame or deadline for making a formal decision. President Clinton himself went further, stating at his January 24 press conference that there was no need to press China on human rights because the current government would, like the Berlin Wall, eventually fall.<sup>15</sup>

Six days later, the Clinton administration was back to justify no decision in terms of seeking improvements. On January 30, Secretary Albright relayed that message when she met in Washington with Dutch Foreign Minister Hans van Mierlo and Sir Leon Brittan, vice-president of the European Commission and a strong supporter of commercial diplomacy.<sup>16</sup> Given the deterioration of human rights in China across the board over the past year, however, trying to seek "improvements" in the few months before the commission meetings began was disingenuous at best.

Secretary Albright's visit to Beijing on February 24—just prior to Deng Xiaoping's funeral—provided another opportunity to avoid a resolution, pending the outcome of her high-level discussions with Jiang Zemin, Li Peng and other senior officials. A report in the New York Times, published the day she arrived in Beijing, outlined the possible elements of a deal, although the administration vehemently denied the story's suggestion that a bargain was imminent, it did not dispute the other details.<sup>17</sup> Albright left Beijing, empty-handed but noting that breakthroughs before had not come during high-level visits but often several weeks or months afterwards, so as not to give the im-

pression that foreign pressure had been involved.

Three days after her visit, however, a Chinese Foreign Ministry spokesman announced that China was giving "positive consideration" to signing the two major international human rights agreements, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. However, he went on to say, "as to when we would join, that is entirely our own affair." It is worth noting that in November 1993, China had announced that it was giving "positive consideration" to access to its prisons by the International Committee of the Red Cross, not long afterwards, negotiations with the ICRC came to a standstill.

But two days after the February 27 statement on the covenants, China announced that it had agreed to "resume our contact [with the ICRC] after a two-year hiatus."<sup>18</sup> An ICRC spokesman noted that these were "talks about talks to begin talks." The only element of a deal that had not been announced by China by the end of February, then, was the release of key dissidents.

It was left to Vice President Gore to try to close any deal during his late March visit. Meanwhile the E.U. had met in Brussels on February 24 and decided to put off any decision on a resolution, waiting instead for the outcome of Albright's trip. Immediately following Gore's visit, Australian Prime Minister John Howard is due in Beijing, as are Canada's foreign minister, Lloyd Axworthy (in April), and French President Jacques Chirac (in May).

While the E.U. and the U.S. were procrastinating, the U.N. High Commissioner for Human Rights José Ayala Lasso announced on February 10, before the sudden announcement of his resignation, that he had received and accepted in principle an invitation from China to visit. The timing of the invitation was clearly an effort to try to undermine the already dim prospects for a successful resolution by demonstrating China's openness to cooperation on human rights with the U.N.

#### VIII. CONCLUSION

For the last two years, the diplomacy surrounding a China resolution at the U.N. Human Rights Commission has been marked by a sorry lack of will and outright hypocrisy on the part of those countries that purport to defend human rights. The U.S. and E.U. member governments in particular have watched in near-silence as penalties for dissent in China steadily increased. The one tool that even U.S. and European critics of a vocal human rights policy were willing to support was a resolution in Geneva because it was by definition multilateral and less damaging, it was thought, to bilateral relations.

But by 1997, American and European leaders appeared ready to take any promise the Chinese government was willing to make as evidence of progress on human rights and as a pretext for backing out of a resolution. At the same time, it had ensured that no such resolution could ever pass by holding off so long on the lobbying needed to build support at the commission even as China was engaged in steady and effective lobbying of its own. The U.S. and Europe have sent a clear message that powerful countries will be allowed to abuse international standards with impunity. That signal is a disservice to the United Nations and to the cause of human rights.

#### FOOTNOTES

<sup>1</sup>See, for example, the statements of Chinese diplomats in press releases issued by the U.N. Commission for Human Rights during its 1996 session: Wu Jianmin in Press Release HR/CN/96/03, March 19, 1996, p. 4 and Zhang Jun in Press Release HR/CN/96/13, March 26, 1996, p. 4.

<sup>2</sup>Washington Post, "U.N. Rights Panel Votes Down Measure Censuring China," March 9, 1995.

<sup>3</sup>"Failure of UN Human Rights Resolution Hailed," Xinhua, April 24, 1996, in FBIS, CHI-96-081.

<sup>4</sup>Commission members serve for three-year terms, but may serve more than one term.

<sup>5</sup>David Sanger, "Two Roads to China: Nice and Not So Nice—Boeing's Strategy is Appeasement; Microsoft Grows," New York Times, June 9, 1996.

<sup>6</sup>Li Ruihuan, chairman of the National Committee of the Chinese People's Political Consultative Conference (CPPCC) and often suggested as a possible successor to Li Peng, went to Cuba in June 1995, followed by a nine-day trip by Fidel Castro to China in December, his first visit ever.

<sup>7</sup>Li Peng met with the president of Ecuador in May and with the foreign minister of new commission member Uruguay in October. (In June, Uruguay had hosted Wu Yi and a trade delegation. In its previous three years on the commission, 1992-94, Uruguay had abstained on the China no-action votes.) Mexican President Ernesto Zedillo Ponce de Leon met with Jiang Zemin in November 1996.

<sup>8</sup>"Profit and Prejudice: China in Africa," China News Analysis, No. 1574, December 15, 1996, p. 6.

<sup>9</sup>"Profit and Prejudice: China in Africa," China News Analysis, No. 1574, December 15, 1996, p. 6.

<sup>10</sup>"Profit and Prejudice: China in Africa," China News Analysis, No. 1574, December 15, 1996, p. 3.

<sup>11</sup>"Yelstin Adviser Stresses Importance of Upcoming Visit," Xinhua, April 22, 1996; in FBIS-CHI-96-080, April 24, 1996.

<sup>12</sup>"Spokesman on Jiang Zemin Visit," The News (Islamabad), December 2, 1996, Foreign Broadcast Information Service, FBIS-CHI-96-232.

<sup>13</sup>The U.N. thematic mechanisms include, among others, the Special Rapporteurs on Torture; Summary and Arbitrary Execution; Religious Intolerance; Freedom of Expression; Independence of the Judiciary; Violence Against Women; and Sale of Children, as well as Working Groups on Disappearances and Arbitrary Detention. At China's invitation, the Special Rapporteur on Religious Intolerance visited in November 1994. Not only have none of his recommendations been implemented, but religious repression in China has intensified in the two years since the visit. Negotiations for a visit by the Working Group on Arbitrary Detention are ongoing.

<sup>14</sup>"Mutual Respect Needed," China Daily (English language version), January 15, 1997, p. 4.

<sup>15</sup>"I don't think there is any way that anyone who disagrees with that in China can hold back that [liberty], just as eventually the Berlin Wall fell. I just think it's inevitable." Quoted from his press conference in Jim Mann, "Clinton's 'Berlin Wall' Theory on China Steeped in Paradoxes," Washington Post, February 12, 1997.

<sup>16</sup>South China Morning Post, "Rights Action Urged to Avoid Censure," January 30, 1997.

<sup>17</sup>Patrick E. Tyler, "U.S. and Chinese Seen Near a Deal on Human Rights," New York Times, February 24, 1997.

<sup>18</sup>Patrick E. Tyler, "China and Red Cross Agree to New Talks on Jail Visits," New York Times, March 1, 1997.

Mr. SMITH of New Jersey. Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Florida. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of this resolution, as amended. The resolution before the House, as amended, urges the administration to reconsider the decision made this weekend as to whether to pursue a resolution of the upcoming meeting in Geneva of the United Nations Human Rights Commission. Two concerns I would like to express about the resolution before I further express my support for the resolution.

The first is the European Union has gone on record as having made a decision not to cosponsor or introduce such a resolution in this upcoming meeting. I think it is terribly important, as our country continues to assert its leadership in the goal in which we all share, which is to advance the issue of human rights in China and around the world, we recognize that the resolutions that we support are those that we want to

win and going into this particular meeting of the U.N. Without the support of the European Union could spell disaster in that regard.

The second point to note again is that the administration has made a decision, and that is not to pursue a resolution in this upcoming meeting. Therefore, this resolution before the House today would have been more appropriate to have been brought up last week. The administration has acted. The resolution before the House, as amended, urges the administration to reconsider that decision, but it is unfortunate we are a little behind the curve in that regard.

On balance I think it is necessary for the United States to send a very strong message to China and to the rest of the world that we are concerned about the plight of human rights in China and our resolve in that regard is stronger than ever. People in China, including the government and leadership, need to make no mistake about it. Americans care very deeply about human rights in China. Our ability to have a decent relationship with China will continue to be circumscribed as long as the Chinese government continues to abuse its citizens. I plan to vote for this resolution and urge my colleagues to do the same.

Mr. Speaker, I yield 6 minutes and 30 seconds to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me the time. I thank the committee for its hard work in bringing this resolution to the floor. Indeed, as my colleague the gentleman from Florida (Mr. DAVIS) mentioned, the President announced a decision last Friday, and he said that we were behind the curve. I think indeed that the White House, anticipating a strong vote in this body, tried to preempt the actions of the House of Representatives, knowing that the Senate voted 95 to 5 in favor of this resolution. The administration wanted to cut us off at the pass, and that is why we are not late but they took the action that they did.

Nonetheless, I commend the gentleman from New Jersey (Mr. SMITH), the gentleman from Florida (Mr. DAVIS), the gentleman from Indiana (Mr. HAMILTON), the gentleman from Nebraska (Mr. BEREUTER), and all those who worked to put this resolution together for the administration to reconsider its ill-advised decision, and for the following reasons.

First of all, Mr. Speaker, it would be a very sad, sad occurrence that in this, the 50th anniversary of the Universal Declaration of Human Rights, that we would give a victory to the authoritarian regime in China by not pursuing a resolution condemning China's human rights practices at the U.N. Human Rights Commission. There is no real progress to report on stated pieces of the administration's human rights policy, including, and these are the criteria the administration uses, ensuring access to Chinese prisons for the Inter-

national Red Cross, promoting a dialogue between his holiness the Dalai Lama and the Chinese government and obtaining the release of political and religious prisoners. The Clinton administration has hung its decision on the slim reed of the agreement by China, the announcement by China to sign the International Covenant on Civil and Political Rights. How can it be that this administration would say that because the Chinese say they would sign this document we would not pursue the resolution at the U.N. when the U.S. itself has taken action at the same venue, the same commission, against Nigeria, Iran, Sudan, Iraq, Rwanda, Bosnia and Herzegovina, Croatia, Yugoslavia and Equatorial Guinea. These countries signed that covenant and the administration, recognizing that that signature is not of itself worth much unless there is ratification and implementation, has in the past pursued a resolution against, for condemnation against these countries at the same venue.

When President Clinton delinked trade and human rights in 1994, he said very, very specifically that he would pursue the issue at the Human Rights Commission, that he would use multilateral fora, including the U.N. commission, and would press, would press for the passage of a resolution, appointed a rapporteur to report on China's human rights violation.

When my colleague says we would like to select fights that we can win, I would beg respectfully to differ. To the people in China and many of their representatives in the dissident community, both in China and in the U.S., namely, for one, Wei Jingsheng, have said that it is very, very important for the U.S. to continue to push for this; whether we win or lose, the Chinese people must know that we stand with them.

He has himself said, I urge, this is from Wei Jingsheng, many members in this body fought for his release from prison, we had hoped it would not be exile from his country, as the Chinese have executed, but release from prison and the ability to speak freely in China. But nonetheless the exiled Wei Jingsheng says, in a letter to Members of Congress, I urge my friends in the United States Congress to clearly show the Chinese people the basic values of the American people. I urge my friends to pass a clear resolution calling upon your Representatives and the Commission for Human Rights in Geneva to hold fast in their position. It is not only for the sake of the American people, but for the whole of humankind. The values of democracy, freedom and human rights far exceed the value of money.

He further says, many Chinese, Wei Jingsheng further says, many Chinese people regard the Human Rights Commission in Geneva as a barometer to measure the support given by the international community to the Chinese people in their struggle for human rights and freedom.

In addition to the voice of the dissidents in support of this resolution, in addition to the promise made by President Clinton to pursue this resolution when he delinked, in addition to the fact that this is the 50th anniversary of the universal declaration of human rights, I urge my colleagues to support this resolution urging the administration to reconsider because the basis of their decision was the Chinese promise to support this other convention, to sign this other convention.

I call to my colleagues' attention, and they may have seen it, I hope so, over the weekend in the newspapers the reports that the Chinese government, that we all remember when President Jiang Zemin was here, he and President Clinton had as the crowning glory, the moment of their summit the agreement by the Chinese that they would no longer sell technology for weapons of mass destruction to Iran. On the strength of that agreement, that written agreement, the Clinton administration recently certified that on the basis of promises, not performance, that the Chinese were in accord, in compliance with the accords in terms of the nuclear arena and that would allow business in the United States to sell nuclear technology to China. Already the Chinese have violated that agreement. When they were caught, the administration tried to hold, to prevent that information, as I mentioned, the Chinese government in violation of a signed agreement with President Clinton, which was the flagship issue of the summit, in violation of that the Chinese government was transferring the technology to the Iranian government, a lifetime supply of materials for the enrichment of uranium. When the Chinese were caught the administration tried to suppress the information to make sure nobody found out about it. When it was made public, the administration declared victory and said, look, we stopped the Chinese from doing what they said they were not going to do in the first place.

The point is their agreements mean nothing. We have to urge the administration to reconsider its decision. I urge my colleagues to vote aye.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentlewoman for her very strong statement.

I yield such time as he may consume to the gentleman from New York (Mr. SOLOMON), who has been a leader on human rights in China for many, many years.

Mr. SOLOMON. Mr. Speaker, I thank the gentleman from New Jersey who for 18 years has led a fight on this floor trying to help people who are oppressed across this world with human rights violations. I thank the gentleman from Tampa, Florida, who replaced a very good friend of mine, Sam Gibbons, for his remarks as well. As always, we thank the gentlewoman from California. She is a real leader in the fight to try and make the lives of other people throughout this world better.

Mr. Speaker, I reluctantly support this resolution today. I say reluctantly because quite frankly it is a shame, quite frankly it is a scandal that we have to be here at all exhorting our President to do something that he should be doing without us even asking. Our President, continuing his five-year unrequited love affair with these butchers of Beijing, has abandoned the pursuit of improved human rights in China at the U.N. and that is just so sad. So it falls to us here in this Congress to pass this resolution today calling on the President to do the right thing. It is embarrassing, Mr. Speaker.

Once again China's human rights record continues to offend the decent people in this world and everyone admits it; everyone, that is, except the Clinton administration and some unbelievably cowardly governments in Europe who all they want is the almighty dollar. And what a shame that is. Mr. Speaker, a couple of weeks ago, several Members and I had a meeting with Richard Gere. Members know who he is; he is a Hollywood celebrity. He is the cochairman though of the International Campaign for Tibet. Mr. Gere, who travels to the Tibetan refugee camps in India frequently and was with me in Taiwan just a couple of weeks ago, told us how in 1994, when President Clinton shamefully delinked human rights from trade with China, Communist prison guards began immediately beating prisoners telling them that no one was going to help them now. That is not JERRY SOLOMON saying that. That was Richard Gere who strongly campaigned for the President and is sorry that he did because of actions like this.

Unfortunately, we can be sure that the same vile brutality is now taking place in the wake of President Clinton's and the European Union's and the U.N.'s gutless decision not to censure China for its colossal human rights violations. That is why we are here today on this floor. That is why the gentleman from New Jersey (Mr. SMITH) introduced this resolution, and that is why everybody better come over to this floor and they better pass it unanimously.

Mr. DAVIS of Florida. Mr. Speaker, I yield 5 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank my colleague and friend, the gentleman from Florida (Mr. DAVIS), who has been kind enough to join me in serving with the Congressional Children's Caucus, and so I know his commitment to the question of equality, human rights and social justice. Let me acknowledge the gentlewoman from California (Ms. PELOSI) as well for continuing this fight for simply humanity in China. The gentleman from New York (Mr. GILMAN), I thank him also for his leadership. I would like this debate to be perceived as a bipartisan debate and really less so about whether Congress is behind the eight ball as to whether or not we in this

body, the chief lawmaking body for this Nation, go on record for a most solemn and important statement and argument.

I happen to have been one who with great trepidation voted for the MFN, the most-favored-nation, based upon the many strong arguments that had been made that if you continue to expose a nation to opportunity, to democracy, to the respect of human rights, you would see gradually those changes coming about.

□ 1530

It would have been interesting to be a fly on the wall during the tumultuous debates regarding the Soviet Bloc, and then as we saw the Berlin Wall fall and the rejoicing of democracy in those parts of the world.

I am hoping and would hope most of us would like to believe that we have that kind of trend moving forward in China. Sadly, as time goes on, I am believing that more is needed, and I certainly think the United Nations resolution dealing with the question of human rights was more than appropriate.

So I join my colleagues on this day of Saint Patrick, as I am wearing green for that special occasion, the patron saint who realized how important it was in his life and in his time that Christianity was being blocked in Ireland. We have many faiths now. We have many views now in this world that is becoming smaller and smaller. Why is China blocking those who may differ with the government? Where is China's patron saint?

I truly believe that the United States Congress has its right and its responsibility to be the patron saint of a country that refuses to acknowledge its place at the world table, and that is with the dignity of human rights.

So, Mr. Speaker, I rise in support of House Resolution 364, and I believe that the resolution on the human rights situation in the People's Republic of China at the 54th session of the United Nations Commission on Human Rights should be passed.

I know that physically the United States can do little to relieve the suffering of people of other nations at the hands of their own government. In fact, China has said that to us on a regular basis. However, we, as Members of this representative body on behalf of the American people, can voice concerns regarding human rights and argue for our government to take a stand. We must argue when policies are inconsistent with our own interests of simple human justice.

The State Department's country records reports on human rights practices for 1997 states that the Government of China continues to commit widespread and well-documented human rights abuses in violation of internationally accepted norms, including extrajudicial killings, the use of torture, arbitrary arrests, detention, forced abortion and sterilization, the

sale of organs from executed prisoners, which, by the way, was reported in the newspaper today again, and tight control over the exercise of rights of freedom of speech, press and religion.

With this in mind, this body must and should encourage the President to reconsider his decision. I believe it is important that we reconsider the decision that was offered just a time a while ago. I believe it is likewise important that we stand on the side of history and continue to fight for human rights and human justice.

It is evident from the leadership of the peace movement and others who have said that the offering and debating of this resolution at the annual U.N. Human Rights Commission in Geneva advances human rights in China and Tibet. And we must stand by that argument. China in the past has shown a willingness to respond to the concerns of the United States regarding human rights, and I believe that this resolution will make progress in that area.

Therefore, I strongly encourage my colleagues to support this House resolution and recognize that today we stand on behalf of those who deserve human rights and justice in China. Where is China's patron saint? We need that person and that saint now.

Mr. Speaker, I rise in support of House Resolution 364, which urges the introduction and passage of a resolution on the human rights situation in the People's Republic of China at the 54th Session of the United Nations Commission on Human Rights.

I know that physically the United States can do little to relieve the suffering of people in other nations at the hands of their own governments. However, we as members of this representative body on the behalf of the American people can voice concerns regarding human rights policies which are inconsistent with our own interest and values.

The State Department's Country Reports on Human Rights Practices for 1997 state that the Government of China continues to commit widespread and well-documented human rights abuses, in violation of internationally accepted norms, including extrajudicial killings, the use of torture, arbitrary arrest and detention, forced abortion and sterilization, the sale of organs from executed prisoners, and tight control over the exercise of rights of freedom of speech, press, and religion.

With this in mind this body must and should encourage the President to reconsider his decision announced just a few days ago not to press for a resolution on human rights violations in China and Tibet at the 54th Session of the United Nations Commission on Human Rights.

History is on the side of action in this debate on whether or not to press for a resolution at the upcoming United Nations meeting on human rights. We know that the release last year of Chinese dissident Wei Jingsheng after the U.S.-China summit and just before Chinese Justice Minister Xiao Yang arrived in Washington for talks with U.S. officials came as a result of pressure from the United States.

It is evident from what Wei Jingsheng and others have said that offering and debating this resolution at the annual U.N. Human

Rights Commission in Geneva advances human rights in China and Tibet. In the past the Government of China has made some improvements in human rights just before the annual Human Rights Commission consideration of a China resolution.

We know that conditions for political prisoners improve when the resolution is being debated and they deteriorate when the resolve of the United States weakens.

The United States has stayed the course since 1990 participating in multilateral efforts to gain passage of a United Nations Commission on Human Rights resolution addressing the human rights situation in China. We should not at this point retreat from our position regarding the need to improve human rights in China.

China in the past has shown a willingness to respond to the concerns of the United States regarding human rights, and I believe that this resolution will make progress in that area. Therefore, I strongly encourage my colleagues to support of House Resolution 364.

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from New York (Mr. GILMAN), the chairman of the full Committee on International Relations.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I rise in strong support of H.Res. 364, and I want to commend the chairman of the Subcommittee on International Operations and Human Rights, the gentleman from New Jersey (Mr. SMITH), and the ranking minority member of his committee, the gentleman from California (Mr. LANTOS), for crafting this resolution and bringing it before us at this time.

I also want to commend the distinguished chairman of our Subcommittee on Asia and the Pacific, the gentleman from Nebraska (Mr. BEREUTER), and the distinguished chairman of our Committee on Rules, the gentleman from New York (Mr. SOLOMON), for their strong support of the measure; in addition to the gentlewoman from California (Ms. PELOSI), who has been an activist for human rights in China.

In response to Beijing's announcement last week that it would sign the United Nations Covenant on Civil and Political Rights, and the administration's desire to send President Clinton off to China on a Presidential visit, the Clinton administration has reported that it will not sponsor a China human rights resolution in Geneva. This is distressing to many of us. The President should reconsider his reluctance to underscore our Nation's opposition to China's consistent violations of human rights.

To say the least, Beijing's track record of living up to its promises have not been very impressive. Last October, for example, President Jiang Zemin signed another key treaty, the Covenant on Economic, Social and Cultural Rights, but the National People's Congress, now in session in Beijing, has not taken any action thus far to ratify that agreement.

In addition, Beijing has agreed to end the sale of nuclear and ballistic missile technology to nations that are linked to terrorism, but their sales continue. They continue to this very day.

Before the President visits China, he really should know when its leaders are going to sign, ratify and implement both of these covenants. The President also needs to know when Beijing will amend its 1993 state security law and when it will abolish administrative detention, including the use of reeducation through labor.

The President also needs to know when Beijing will review the sentences of more than 2,000 who have been convicted as counterrevolutionary offenders with a view towards releasing unconditionally those who are in prison.

And before the President's visit to China, he should be assured that the government in Beijing are going to give regular access to Tibet and to East Turkestan by U.N. and private independent human rights monitors. He should also wait until the Communist government has ended or eased its registration requirements on religious activities and that it is taking concrete steps to protect freedom of association with Chinese workers.

Accordingly, I join with my colleagues in urging this administration and the President to reconsider their reluctance to sponsor the Geneva resolution and to put off the Presidential visit until we see some progress in those critical areas. I urge my colleagues to fully support H.Res. 364.

Mr. DAVIS of Florida. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me this time.

I wanted to make one additional point, Mr. Speaker, and that is to address the issue of the European Community not supporting the resolution this year. That decision by the EU does not bind the member states of the EU, and it is possible that some of those countries would support the resolution, and I certainly hope so, but it would require leadership on the part of the United States.

I wanted to make the point that Wei Jingsheng has driven home to us, and that is that as we are considering this resolution, and many of my colleagues feel much more comfortable dealing with human rights in China at the Human Rights Commission, and I think that is very appropriate, and this is not the time to talk about trade issues or MFN, however Wei Jingsheng would want me to say what he has told me over and over again, and that is that the huge trade deficit, \$50 billion this year, that the Chinese enjoys with the U.S., it is a surplus to them, is money that they spend buying, buying, in Europe and other countries that are represented at the U.N. Commission on Human Rights, buying support.

They have effectively silenced any voices for support for this resolution,

and they do it with our own money. How even more necessary for us to take leadership at the Commission.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself 30 seconds, before yielding to the distinguished chairman of the Subcommittee on Asia and the Pacific to make one additional point.

I think it is very important to point out that the Chinese Government, and Human Rights Watch Asia has done a very fine job in chronicling this, country by country, went out and sought members of the Human Rights Commission in Geneva and provided favors to those governments, money, building supplies, all kinds of materiel in order to buy out those countries from supporting the human rights resolution last year.

I would ask at the appropriate time that that be made a part of the RECORD so that Members can see how the Chinese Government methodically was able to silence its critics.

Mr. Speaker, I yield such time as he may consume to the gentleman from Nebraska (Mr. BEREUTER), the very distinguished chairman of the Subcommittee on Asia and the Pacific.

(Mr. BEREUTER asked and was given permission to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, I thank the gentleman from New Jersey for yielding me this time.

As an original cosponsor of H. Res. 364, this Member rises in strong support of this resolution which urges the introduction and passage of a resolution on the human rights situation in the People's Republic of China at the U.N. Human Rights Commission in Geneva. The Commission began its annual session on March 16th.

This administration seems to believe strongly in using the United Nations where appropriate. This is the appropriate place for the human rights abuses in China to be brought to the attention of the world community. I regret the fact that it is not going to be pursued by the administration.

The resolution we have before us today, crafted by the gentleman from New Jersey, with input from many people, including this Member, quotes from the State Department Human Rights Report of 1997 noting that the Government of China continued to commit widespread and well-documented human rights abuses, which included extrajudicial killings, torture, forced abortion and sterilization, as well as expanded attempts to control religion.

Certainly Beijing is annoyed that year after year the United States has raised this issue at the U.N. Human Rights Commission. But for many in this body who are genuinely interested in Sino-American relations, human rights is an entirely appropriate U.S. concern. Thus, this Member regrets that late last week the administration decided not to press for a U.N. resolution censuring China for human rights

abuses, citing that the Beijing Government is gradually changing it is progressive practices and may be ready to make new releases of political dissidents. That may be a correct conclusion. I hope it is. But I do believe it is the wrong approach.

I think we use this Human Rights Commission forum whenever appropriate. And while it is true that during the past year China has made some concessions, such as the release of dissident Wei Jingsheng from prison, this Member urges the administration to continue to press China on human rights even if the U.N. meeting in China, very unfortunately, is not to be the forum by the choosing of this administration.

As the Members of this body are aware, this Member supports engagement with the People's Republic of China. This year's summit represented expanded engagement of the PRC, which this Member believes will successfully promote Democratic ideals and standards throughout this country. That said, this does not mean that we should remain silent regarding human rights abuses in China.

The gentlewoman from California has brought up the European Commission and the European Union, and I think that is entirely appropriate. They say we are not going to pursue this in the U.N. Human Rights Commission because we believe in constructive engagement. Well, so do I, and so do many Members of this body, and so do the administrations of both parties, but that does not mean that we fail to use the U.N. Human Rights Commission.

I think it is a shameful lack of courage on the part of the Commission. I am talking about the European Commission and the European Union. It is true, as the gentlewoman said, that members are free to go their own way and support and introduce such a resolution before the U.N. Human Rights Commission. Denmark had the courage to do that last year. China threatened repercussions on Denmark when they took that stance, and perhaps they delivered on that. But I do not think that should be any excuse for the lack of courage on the part of the Europeans in this respect. And they are very quick to give us advice gratuitously. Let it be said that this Member, and I think many Members of this body, are discouraged and very upset with their decision.

This resolution, therefore, is an important statement on the part of the U.S. House of Representatives. It puts, through H.Res. 364, us on record that the very real human rights questions and concerns that the American people have raised regarding the PRC are certainly voiced in this body.

This Member again commends the author of the resolution, the distinguished chairman of the Subcommittee on International Operations and Human Rights, the gentleman from New Jersey (Mr. SMITH), for this initia-

tive. He has pursued it previously, as already mentioned.

This Member also thanks the distinguished chairman of the Committee on International Relations, the gentleman from New York (Mr. GILMAN), for assisting us in moving this initiative in such an expeditious manner.

Mr. Speaker, I urge all Members to vote for the adoption of H.Res. 364.

Mr. DAVIS of Florida. Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself 30 seconds to thank my good friend from Nebraska, the chairman of the Subcommittee on Asia and the Pacific. He is very much involved on a day-to-day basis with what is going on in China. We have worked cooperatively on this resolution. He had some very useful text changes, and we thank him for that.

I wanted to thank the chairman of the full committee, the gentleman from New York (Mr. GILMAN), who is always a great friend of human rights; the gentlewoman from California (Ms. PELOSI); and I want to thank the gentleman from California (Mr. LANTOS), my ranking member of the subcommittee, and all the Members who have helped forge this legislation.

Mr. GEPHARDT. Mr. Speaker, I rise today as an original cosponsor of H. Res. 364, a resolution urging the President to secure passage of a resolution on China's human rights record at the annual meeting of the United Nations Commission on Human Rights (UNCHR) this month in Geneva.

During the past eight years, the United States Government has participated in nearly all of the annual efforts to pass a resolution at the UNCHR addressing the Chinese Government's human rights policies. This pressure has generated limited but important results, such as the Chinese government's signing of the International Covenant on Economic, Social and Cultural Rights and inviting the U.N. Working Group on Arbitrary Detention to visit last October.

I have long believed that we should press for improvements in the human rights situation in China through the use of multilateral forums such as the UNCHR, bilateral negotiations, and other mechanisms such as the annual debate over renewing Most-Favored-Nation status for China.

Critics of the annual debate on Most-Favored-Nation status for China, however, have argued that removal of MFN trade treatment for China is an instrument too blunt for the task at hand. They have urged that in place of U.S. unilateral action the U.S. should pursue efforts to ensure a multilateral approach to influence Beijing's human rights practices. When the Administration decided in 1994 to delink the MFN issue from human rights considerations, the President acknowledged that the multilateral dimension of our engagement on human rights in China remained critical. At that time, he stated that "the U.S. should step up efforts, in cooperation with other states, to insist that the U.N. Commission on Human Rights pass a resolution dealing with the serious human rights abuses in China."

To that end, earlier this year I wrote to the President with Democratic Whip DAVID BONIOR and Representative NANCY PELOSI to urge that

the United States Government sponsor and actively lobby for a resolution on China's human rights record at this month's meeting of the U.N. Commission on Human Rights. In our letter, we argued that it would be a serious mistake, given the wide scale and continuing human rights abuses in China and Tibet, to remove that pressure before China takes concrete steps to comply with international standards. These steps must include significant improvement in China's overall human rights practices, including granting freedom of speech, association, and religion; enacting major legal reforms, including repealing state security laws and abolishing all so-called "counter-revolutionary" crimes; releasing political prisoners; acting to protect freedom of association for workers; and opening up Tibet to human rights monitors.

I was extremely disappointed to learn on Friday that the Administration has decided against pressing for passage of a resolution on China's human rights practices at the U.N. Commission later this month. Failure to press for passage of a resolution will seriously undermine our efforts to influence Chinese human rights policies and represents a step backwards in our efforts to advance the cause of freedom across the globe.

In making its announcement, the Administration noted that China intends to sign the International Covenant on Civil and Political Rights, which would bring about improved multilateral oversight of China's human rights practices. While I agree that China's participation in this Covenant will be a significant achievement if it follows through on its commitment, it does not adequately substitute for the annual review and dialogue provided by the U.N. Human rights Commission. After China's first year of participation under this Covenant, its human rights practices will be subject to international oversight only once every five years.

We must regularly review China's record in this area to continually draw international attention to its flagrant abuses of human rights. Only through such a review can we hope to sustain the momentum necessary to have any hope for meaningful and systematic changes in China's behavior. Examination of China's human rights practices only once every five years is insufficient to create any real momentum for change. In fact, this will best serve the Chinese Government's interest by keeping these issues out of public debate most of the time.

Furthermore, I am deeply concerned that a failure by the United States to take a leading role on this issue at this crucial juncture would bolster efforts made by China in recent years to eliminate all international comment on its human rights practices, and would further fuel China's efforts to weaken the definition of basic universal human rights and the mechanisms designed to protect them.

It would be particularly disappointing on the fiftieth anniversary of the Universal Declaration of Human Rights if China should succeed in its efforts to escape the scrutiny of the one international body mandated to protect and promote human rights. The U.N. Commission on Human Rights is one of the few instruments by which the international community has the opportunity to voice concern about human rights practices around the world. Lack of action at the U.N. Commission on Human Rights would greatly undermine multilateral pressure on the Chinese government.

I hope the President will reconsider his decision not to lead efforts at the U.N. Human Rights Commission later this month, and I urge all Members to support the adoption of this resolution.

## GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Resolution 364.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield back the balance of my time.

□ 1545

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 364, as amended.

The question was taken.

Mr. SMITH of New Jersey. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### COMMENDING DEMOCRACY IN BOTSWANA

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 373) commending democracy in Botswana.

The Clerk read as follows:

##### H. RES. 373

Whereas Sir Ketumile Masire has been involved in politics in his country since he co-founded the Bechuanaland Democratic Party (later the Botswana Democratic Party) with Seretse Khama in 1962;

Whereas Sir Ketumile Masire was elected to Botswana's first Parliament in 1965, later became Vice President under President Seretse Khama, and succeeded President Khama as President upon his death in 1980;

Whereas under President Masire's administration Botswana has maintained a successful multiparty constitutional democracy with regular free and fair elections;

Whereas President Masire plans to retire from the presidency on March 31, 1998;

Whereas the Government of Botswana has worked constructively with the Organization of African Unity, the Southern African Development Community, and other organizations to promote democracy in Africa;

Whereas Botswana is a long standing friend of the United States and was selected as the site of a major Voice of America radio relay station because of its stability; and

Whereas President Clinton plans to enhance United States relations with Botswana through an upcoming official visit to Botswana: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) commends the people of Botswana for their commitment to democracy;

(2) commends Sir Ketumile Masire for his long and distinguished service to his country and the cause of democracy in Africa;

(3) calls on President Masire's successor to pursue the course set by President Masire by maintaining a democratic Botswana;

(4) calls on the Government of Botswana to continue playing a positive role in African and world affairs; and

(5) encourages the Government of Botswana to continue promoting peace, democracy, respect for human rights, and economic reform in Africa.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from Florida (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. ROYCE).

(Mr. ROYCE asked and was given permission to revise and extend his remarks.)

## GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 373.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROYCE. Mr. Speaker, this resolution recognizes the government of Botswana and the people of Botswana for their long-standing commitment to democracy. Since he took office in 1980, President Ketumile Masire has presided over a government that has honored the democratic process. His government has been a model of democratically-rooted stability and development for Africa, and it has been a model for the world.

Botswana also is a long-standing friend of the United States and has played a constructive diplomatic role in Africa and in the world. Yet Botswana is a bit of a forgotten African country. This bill brings attention to Botswana by commending its people for their democratic commitment.

After nearly 18 years in office, President Masire is stepping down within days of our action here today. The resolution commends him for his service to his country. All too often, we criticize African leaders for the things they do wrong, but we seldom take the opportunity to commend them for a job well done. This resolution offers us the chance to send such a positive message.

Botswana has been at the vanguard of African democratic and economic reform. This southern African nation has been a model for its neighbors and in several forums has worked diligently to promote peace and cooperation. At this time of renaissance for Africa, it is altogether appropriate for us to acknowledge the positive role Botswana has made in Africa and on the world stage.

The bill has bipartisan support, as demonstrated by its unanimous approval by the Committee on International Relations last week.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to speak in support of the resolution.

Botswana is a success story. It is one of Africa's oldest continuous democracies. It has been active in promoting regional integration in southern Africa. Its military has a very professional reputation; and Botswana has been active in social programs, including conservation efforts.

Congress is going on record today in recognition of that success and commending President Masire for his leadership on the eve of his retirement. I hope this resolution will encourage Botswana to continue its democratic tradition and to continue its constructive foreign policies.

I would like to urge my colleagues to join the gentleman from California (Mr. ROYCE) and me in recognizing Botswana's success by voting yes on this resolution.

Mr. Speaker, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, I yield 4 minutes to the gentleman from New York (Mr. GILMAN), the distinguished chairman of the Committee on International Relations.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to thank the gentleman from California (Mr. ROYCE), the distinguished chairman of our Subcommittee on Africa, and the cosponsors of this resolution, the gentleman from New Jersey (Mr. MENENDEZ), the ranking Democrat on the Subcommittee on Africa, and the gentleman from Ohio (Mr. CHABOT) and the gentleman from New Jersey (Mr. PAYNE). This resolution passed our committee by a voice vote March 12.

Botswana is highly deserving of the praise contained in this resolution. Its great progress on democracy and free-market economics since independence is a model for other nations in the region and elsewhere. I am pleased that President Clinton is going to be visiting Botswana later this month during his historic trip to Africa.

Botswana's neighborhood is southern Africa, which today is an island of stability on the troubled continent of Africa. Peace has taken hold in Mozambique, apartheid has been vanquished in South Africa, and the senseless killing in Angola appears to be over.

Even when this region was not so stable and when Botswana was surrounded by wars and oppressive regimes, Botswana managed to embrace the best of Western values and to provide its people with an increasingly higher standard of living. This is no small accomplishment in that part of the world.

Accordingly, I urge my colleagues to support this worthy resolution.

Mr. ROYCE. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. BEREUTER), a member of the Committee on International Relations.