

106TH CONGRESS  
2D SESSION

# S. CON. RES. 78

Expressing the sense of the Congress that, the Government of the People's Republic of China should immediately release from prison and drop all criminal charges against Yongyi Song, and should guarantee in their legal system fair and professional treatment of criminal defense lawyers and conduct fair and open trials.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2000

Mr. SPECTER (for himself, Mr. BIDEN, Mr. SANTORUM, Mr. SCHUMER, Mr. BAUCUS, Ms. COLLINS, Mr. LEAHY, Mr. KERRY, and Mr. WELLSTONE) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations

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## CONCURRENT RESOLUTION

Expressing the sense of the Congress that, the Government of the People's Republic of China should immediately release from prison and drop all criminal charges against Yongyi Song, and should guarantee in their legal system fair and professional treatment of criminal defense lawyers and conduct fair and open trials.

Whereas Yongyi Song a researcher and librarian at Dickinson College in Carlisle, Pennsylvania, was detained on August 7, 1999, in Beijing, China while collecting historical documents on the Chinese cultural revolution of 1966–76;

Whereas Mr. Song has lived in the United States for the past ten years, has passed his United States citizenship tests,

and was scheduled to be sworn in as a United States citizen in September of 1999;

Whereas after five months of detention, Mr. Song was formally “arrested” on Christmas Eve in China on charges of “the purchase and illegal provision of intelligence to foreign institutions”;

Whereas the People’s Republic of China claims that Mr. Song violated Chinese criminal law by collecting historical documents, yet the documents in Mr. Song’s possession have reportedly been previously published in newspapers, books, and other “open” sources;

Whereas the historical material Mr. Song was gathering in no way threatens the security of the Chinese government or people;

Whereas steps that China has taken to institute true legal representation for criminal defendants are important developments in China’s internal modernization and in its integration into the world community;

Whereas despite these developments criminal defense lawyers in China are subject to harassment and interference and at times even arrest and imprisonment by Chinese authorities while defending clients;

Whereas criminal defense lawyers in China are often subject to harassment from police, prosecutors, and judges;

Whereas in July 1998 Liu Jian, a criminal defense lawyer from Nanjing, China, was imprisoned, subjected to beatings and “marathon” interrogations after he represented a local official accused of taking bribes;

Whereas the legal system in the People’s Republic of China was greatly reformed in 1997, yet Chinese officials often disregard the new laws; and

Whereas in many cases judicial proceedings are closed to the public: Now, therefore, be it

1        *Resolved by the Senate (the House of Representatives*  
2 *concurring)*, That the Congress calls on the Government  
3 of the People's Republic of China to—

4            (1) immediately release Yongyi Song from im-  
5            prisonment and drop all charges against him;

6            (2) guarantee in the legal system in the Peo-  
7            ple's Republic of China fair and professional treat-  
8            ment for criminal defense lawyers; and

9            (3) open more criminal proceedings in the Peo-  
10            ple's Republic of China to the public.

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