

Congress of the United States
Washington, DC 20515

February 28, 2005

The Honorable Hu Jintao
President, Peoples Republic of China
c/o:
The Honorable Yang Jiechi
Ambassador, People's Republic of China
Embassy of the People's Republic of China
2300 Connecticut Ave NW
Washington, DC 20008

Dear President Hu,

We write to request the immediate and unconditional release of Hada, a 49-year-old Inner Mongolian, sentenced in August 1996 to a fifteen-year prison term on charges of conspiracy to "subvert the government and separate the country," "stealing and revealing information," and "organizing and leading a counterrevolutionary movement." The charges stemmed from Hada's activities as chairman of the Southern Mongolian Democratic Alliance, an organization of students and intellectuals dedicated to preserving their religious and cultural heritage, to safeguarding Inner Mongolia's environment, and to achieving full realization of the rights China's Autonomy Law has granted designated nationalities areas within the country.

New information from a former prisoner at Inner Mongolia Autonomous Region Prison No. 4 (Chifeng prison), where Hada is still held, relates in detail the torture and ill-treatment Hada has had to endure. For refusing to be "reformed," he has spent extended periods in solitary confinement trying to rest chained to a metal "shackle board," been made to stand in painful positions for long periods of time, been beaten repeatedly, and been chained upright to a metal door so he could neither move nor rest. As a political prisoner, Hada is refused permission to converse with other inmates or to use his native language. Finally, although prison authorities deny that his health has deteriorated, it has been reported that he is in urgent need of medical care.

According to Xinna, Hada's wife, she has been able to visit him very infrequently since his detention. In 2004, she visited only once. At times, she made the 22-hour journey only to discover that permission, previously granted, had been rescinded.

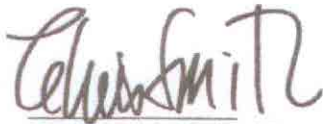
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We also ask that you immediately authorize an independent investigation into conditions at Chifeng prison, designated an Autonomous Region-level Modern and Civilized Prison in May 2001. Although Hada's treatment is extreme, available information indicates there is little civilized in Chifeng. Prison officials and guards routinely ignore China's Prison Law by informally deputizing some prisoners, known as cell bosses or criminal heads, to control prisoners. In violation of the law, guards use electric batons "all the time" to punish prisoners. Non-political prisoners are also subject to the extreme measures noted above, isolation for extended periods, shackling, and enforced immobility among others. Prisoners work up to 16 hours a day 7 days a week despite national regulations forbidding more than 8 hours a day.

Conditions in Chifeng prison flout the obligations China took as a member of the United Nations, as a signatory to the International Covenant on Political and Civil Rights (ICCPR), and as a State Party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). Article 5 of the Universal Declaration of Human Rights states that, "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." The ICCPR repeats the prohibition but goes a step further by stating that the prohibition is absolute. The Convention against Torture makes it obligatory that China "take effective legislative, administrative, judicial or other measures to prevent acts of torture..." The Convention further requires China to ensure "that all acts of torture are offenses under the criminal law," and that "authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed..."

We anticipate your government will promptly release Hada and arrange for appropriate medical care. We further anticipate that you will take prompt steps to rectify conditions in Chifeng Prison so to ensure that no inmates will be subjected to torture or cruel, inhuman, or degrading treatment or punishment.

Sincerely,



Christopher H. Smith
Member of Congress



Tom Lantos
Member of Congress

The Honorable Hu Jintao

February 28, 2005

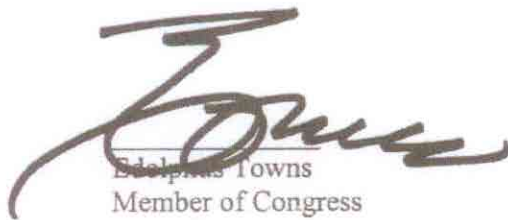
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Member of Congress



Neil Abercrombie
Member of Congress



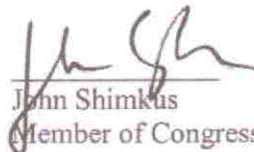
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