



ONE HUNDRED EIGHTEENTH CONGRESS  
REPRESENTATIVE CHRISTOPHER H. SMITH, CHAIR  
SENATOR JEFF MERKLEY, COCHAIR

November 8, 2023

President Joseph R. Biden  
The White House  
1600 Pennsylvania Ave. NW  
Washington, DC 20500

Dear Mr. President:

The upcoming Asia-Pacific Economic Cooperation Leaders' Meeting in San Francisco will provide U.S. officials with the opportunity to raise directly with top officials from the People's Republic of China (PRC) concerns about their country's domestic rights abuses and to demand an immediate end to the PRC's transnational repression activities in the United States. We ask that you consider using this opportunity to submit a list of political prisoners to Communist Party General Secretary and PRC President Xi Jinping and discuss with him the reasons political prisoners are a critical concern of the United States and for U.S.-PRC relations.

We have appended a list for your consideration that represents a small selection of individuals—including American citizens—arbitrarily detained in the PRC. Prisoners on the list reflect a wide spectrum of Chinese society, covering Uyghurs and Tibetans, Hong Kongers, Chinese human rights defenders, Christians and adherents of other religious faiths, and prominent dissident voices such as Peng Lifa, whose unfurled banner demanding rights and political reforms preceded protests throughout the PRC last year that have been referred to as the "white paper" protests. We nominated Peng Lifa for the Nobel Peace Prize and continue to seek his release.

For the past decade, PRC officials have refused to accept lists of political prisoners from the United States and have limited our access to information on individual detainees' treatment and location. According to the Dui Hua Foundation, the mention of an individual's name on a prisoner list meant they had triple the chance of being granted clemency, and officials sometimes took action in individual cases even when they failed to formally respond to these lists. Now, as PRC officials hint at a willingness to resume dialogue with other countries on human rights, it is more important than ever to shine a light on the cases of individual detainees by submitting a list of political prisoners.

A number of the cases discussed below and included on the attached list have links to the United States; several include instances of transnational repression, including the violation of freedom of speech within the United States. Many of these prisoners have been tortured or

[www.cecc.gov](http://www.cecc.gov)

denied critical medical care in detention. We believe that by raising these cases, you can make a positive impact on prisoners' lives and the lives of their families, and hopefully, we can bring about their release from politically motivated detention.

Chinese authorities detained retired medical doctor **Gulshan Abbas** in September 2018, less than a week after her sister Rushan Abbas—then a broadcaster for Radio Free Asia—spoke at a think tank in Washington, DC about Uyghur rights issues. Family members surmised that the detention was likely in retaliation for her sister's human rights advocacy. In December 2020, relatives of Gulshan Abbas, citing an unnamed source, reported that she had been sentenced to 20 years in prison in March 2019. A PRC Ministry of Foreign Affairs spokesman subsequently confirmed that Gulshan Abbas had been sentenced to prison.

In April 2016, public security authorities in the Xinjiang Uyghur Autonomous Region (XUAR) detained **Ekpar Asat** (Ekber Eset), founder and CEO of a popular Uyghur-language website, reportedly on suspicion of “inciting ethnic hatred.” Ekpar Asat is one of at least six Uyghur webmasters and writers detained between March and May 2016. Officials detained him weeks after he attended a leadership program in the United States organized by the State Department. In January 2019, Chinese authorities wrote to Senator Chris Coons that Ekpar Asat had received a 15-year prison sentence. His U.S.-based sister, Rayhan Asat, has campaigned for his release.

Detained in 2006 while waiting for approval to build a church, American pastor **David Lin** was convicted on pretextual charges alleging “fraud” and given a life sentence, which was reduced in 2022. He is now scheduled to be released in 2030. The visit by Ambassador Nicholas Burns to the prison where Lin is detained was an important show of U.S. support. Nevertheless, his family is concerned for his physical and emotional health and believes that he has been subjected to mistreatment in detention.

In November 2012, authorities in Guangdong province wrongfully detained U.S. citizen **Mark Swidan**, who had traveled to China to buy building materials for his business. Authorities charged Swidan with drug-related crimes, sentencing him in April 2019 to death with a two-year reprieve. In November 2019, the U.N. Working Group on Arbitrary Detention determined that he had been arbitrarily detained and expressed concern about the conditions of his detention and his deteriorating health. Authorities have reportedly subjected him to physical abuse and maltreatment, as well as severe psychological torture, and have denied him adequate medical treatment. In April 2023, a court in Guangdong denied his appeal and upheld his death penalty with a two-year reprieve.

In December 2018, Early Rain Covenant Church pastor and founder **Wang Yi** was detained one day before PRC officials banned his unregistered Protestant church. Pastor Wang was detained along with more than 100 members of Early Rain amid a broad crackdown on unregistered churches in China. Authorities refused to allow the lawyer hired by Wang's family to represent him at his trial, ultimately sentencing him to nine years in prison and three years' deprivation of political rights on the charge of “inciting subversion of state power.” Since his initial detention in 2018, officials have only allowed Wang a single visit with his wife, Jiang Rong, and have not

allowed him any contact with his son. His wife expressed concern about his treatment in prison. The U.N. Working Group on Arbitrary Detention determined that Wang Yi had been arbitrarily detained.

In late July 2023, Lao authorities detained Chinese human rights lawyer **Lu Siwei**, and in September 2023 deported him back to China, in spite of calls from U.N. experts and human rights groups for his release. Lu fled to Laos after Chinese authorities revoked his law license and subjected him to surveillance due to his work on sensitive cases, including the case of a Hong Kong pro-democracy activist. Lu's whereabouts and condition following his deportation were initially unknown; he was later reported to be held in Chengdu and was reportedly released on bail in October 2023. Despite having a valid U.S. visa, PRC authorities did not allow him to travel to visit his wife and daughter who came to the United States to escape persecution and who have lived here since 2022.

Former lawyer **Gao Zhisheng** disappeared in mid-August 2017 while authorities in Shaanxi province were holding him under home confinement; officials told his brother in September 2017 that they were detaining him in Beijing municipality. Authorities have held Gao in various forms of detention since August 2006, in connection with his representation of farmers in land expropriation cases and for writing open letters condemning the persecution of Falun Gong practitioners and Christians. Authorities have reportedly tortured Gao during his detention.

In December 2019, public security officials from Shandong province took into custody lawyer **Ding Jiayi** in Beijing municipality in connection with a December 2019 gathering in Xiamen municipality, Fujian province, placing him under "residential surveillance at a designated location," a form of secret detention. Following his formal arrest in June 2020, authorities reportedly subjected Ding to prolonged interrogation and other forms of abuse. In June 2022, a court in Linyi municipality, Shandong province, tried Ding on the charge of "subversion of state power," sentencing him in April 2023 to 12 years in prison and 3 years' deprivation of political rights. Ding's case is closely linked with that of legal advocate **Xu Zhiyong**, who was sentenced on the same day as Ding to 14 years in prison and 4 years' deprivation of political rights for "subversion of state power."

On August 10, 2020, Hong Kong police took **Jimmy Lai Chee-ying** into custody on suspicion of "collusion with a foreign country or with external elements to endanger national security" under Hong Kong's National Security Law (NSL) and "conspiracy to defraud." Lai is the founder of the now-defunct pro-democracy newspaper Apple Daily, which exposed government officials' misconduct and was often critical of government policies. Lai was formally charged under the NSL and is now facing charges that could lead to life imprisonment. Since his detention the Hong Kong government has destroyed press freedom, and almost all independent news outlets have closed, as a result of either the chilling effect of Lai's detention or direct government suppression. The senior editors of the now-shuttered newspaper Stand News, Chung Pui-kuen and Patrick Lam, are likewise facing criminal penalties under sedition laws.

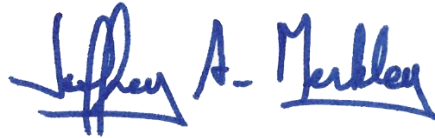
We ask that you raise the above cases, in addition to other cases included on the attached list, with Xi Jinping, and ensure that other officials in your Administration raise them at every relevant opportunity with senior Chinese officials. In addition, we ask that you instruct the Secretary of State to compile a list of individuals who are detained unjustly in the Xinjiang Uyghur Autonomous Region and who have family members who are U.S. citizens or permanent residents. The PRC government and its security forces use intimidation and other tactics to coerce family members abroad into silence. Even in the United States, they fear speaking up for their relatives who are detained in modern-day concentration camps. We ask that your Administration be their voice both in seeking regular contact with their family members and to allow them the freedom of speech, religion, and movement guaranteed by international law.

Too often we hear that jailers taunt political prisoners by telling them that the world has forgotten them. We can never allow their words to be true. Those who stand up for inalienable rights and universally recognized freedoms in China and around the world should always be at the forefront of our diplomatic engagement.

Most respectfully,

A handwritten signature in blue ink that reads "Chris Smith". The signature is fluid and cursive, with the first name "Chris" written in a larger, more prominent script than the last name "Smith".

Representative Chris Smith  
Chair

A handwritten signature in blue ink that reads "Jeffrey A. Merkley". The signature is written in a cursive style, with the first name "Jeffrey" and the last name "Merkley" being the most legible parts, and "A." in the middle.

Senator Jeffrey A. Merkley  
Cochair