

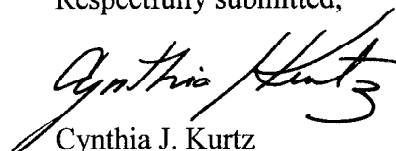
OFFICE OF THE CITY MANAGER

January 26, 2004

TO: City Council
FROM: City Manager
SUBJECT: Falun Gong

On December 15, 2003, following public comment on this issue, City Council requested copies of the Human Relations Commission recommendations on Falun Gong. The attached report from the Commission, dated May, 2002, includes a majority and minority recommendation reflecting the differing perspectives among the eight members of the Commission.

Respectfully submitted,



Cynthia J. Kurtz
City Manager

May 15, 2002

Mayor Bill Bogaard
City of Pasadena
100 N. Garfield, Rm. 237
Pasadena, CA 91109

Honorable Mayor Bogaard:

In January and February 2002, the Pasadena Human Relations Commission, as directed by the Pasadena City Council, met with and heard the testimonies of Falun Gong practitioners. As a result of the Falun Gong's presentations, members of the Human Relations Commission were divided, and determined it was best to present a Majority and Minority Report to City Council. Those reports are attached for your review.

If you have questions, call Sonya Amos, Staff to the Human Relations Commission at (626) 744-4234.

Sincerely,

Nat Nehdar, Chair
Pasadena Human Relations Commission

Cc: HRC FILE

Enclosures (2)

PASADENA HUMAN RELATIONS COMMISSION MAJORITY REPORT TO CITY COUNCIL REGARDING THE FALUN GONG

Background:

On December 17, 2001, the Pasadena City Council was requested to consider severing relations with our sister city Xicheng. The basis of this request stemmed from the human rights violations allegedly being committed against a large spiritual community of Falun Gong practitioners by the Chinese government in Chinese soil. It was determined by council to refer this matter to the Pasadena Human Relations Commission for further investigation and recommendations.

On January 8, 2002, the commission listened to personal testimony of a Falun Gong practitioner who had suffered detainment, physical and emotional torture for her spiritual beliefs. The commission also watched a video showing the government of China violating human rights. Our staff disseminated voluminous reports on the Falun Gong, prepared by the Falun Gong practitioners. In order to fully educate ourselves to the issue, the matter was carried over to the February 5, 2002 meeting. After careful analysis, the Majority of the Pasadena Human Relations Commission makes the following recommendations:

Recommendation:

Issue of general concern:

- 1- Given the United States long history of mistreatment of indigenous people And 200 years of slavery, we do not believe it is appropriate to condemn another country's internal affairs.
- 2- It has been the decision of the Sister City Committee to engage in this friendly relationship and only they should have the right to re-evaluate this relationship, not the Human Relations Commission.
- 3- We recommend that human rights be a factor in determining a relationship of sister cities in the future.

Conclusion:

The Human Relations Commission wants this council to understand that the job of sifting through the information, weighing and evaluating our response and recommendations was not done lightly. We had at our disposal, a personal testimony, a video and report provided by Mr. Sanchez. We have found nothing subversive in the Falun Gong philosophy as it was presented.

The City of Pasadena as a city institution of government cannot and should not be involved in foreign affairs without a foreign affairs department to study the issue in depth. The Human Relations Commission does not have the resources to present an

Majority Report to City Council (cont.)

unbiased position with our limited resources. However, we as citizens of the United States, and of the city of Pasadena, stand up firmly for human rights within our borders and city limits.

Submitted by:

Commissioner Richard G. Wong
Commissioner Yuny Parada
Commissioner Wendelin Donahue
Commissioner Jeri L. Mack
Commissioner Nancy Sullivan

Minority Report Recommendations Regarding Falun Gong

Background

On January 8, 2002, the Pasadena Human Relations Commission, as directed by Council, met with concerned local Falun Gong practitioners to assess the claims of unwarranted harassment, torture and human rights violations by the Chinese government. We heard testimony from a practitioner who has subsequently fled to America so that she could enjoy the freedom from religious and philosophical persecution that we often take for granted. We were also able to view a video that was compiled which highlighted the issue both locally and in China. The local practitioners also provided the Commission with an enormous amount of material, with which to better acquaint the Commission with the issues. Since Commissioners, Yuny Parada, Jeri Mack and Teddy Choi were not present, the matter was held over for the February 5th meeting.

Local Falun Gong practitioners attended the February meeting and brought in additional testimony of harassment and detainment by a Southern California student who had recently returned from China. Commissioner Teddy Choi, who fled from his homeland of North Korea, was familiar with the tactics described and was able to assist the Commissioners in attendance in understanding that what the Falun Gong practitioners were experiencing mirrored his own experience with the Chinese government. Again, a significant amount of the Commission failed to make the meeting. With Commissioners Richard Wong, Yuny Parada, Jeri Mack and Wendelin Donahue not being in attendance it was determined that the Commission would hold a special meeting to establish the recommendation to Council. This allowed additional time for independent research with recognized unbiased organizations such as Amnesty International, The Human Rights Watch and Voices of Freedom. Each organization verified the voracity of the testimony heard by the Commission. These organizations also outlined the undue influence China has attempted to exert in the U.S., on both a national and local level.

Conclusion:

Since the following recommendations are in opposition to the Majority Report, we feel it is pertinent to note the basis of the Minority report and its conclusions. Because the Commission has had a significant turn over due to the expiration of seasoned Commissioners' terms, the Commission's majority is now comprised of very new Commissioners who are still acclimating themselves to the Commission's protocol, standards and vision. Furthermore, due to an unprecedented number of absences, many Commissioners were not present for the testimony and discussions, which took place over the past two months. During the special meeting, Commissioner Wong stated he felt that too many

hours had been spent on a non-local issue. We respectfully disagree. The Chinese Consulate has attempted to interfere with Cal-Tech's support of the on campus Falun Gong Group. They have also contacted Los Angeles City Council and urged the Council to withdraw their support of Falun Gong conferences locally. This, indeed, is a local issue. Additionally since the City of Pasadena has Sister City relations with Xicheng and since China has signed the United Nations' UNIVERSAL DECLARATION OF HUMAN RIGHTS which, promotes the universal respect for and observance of human rights and fundamental freedoms, it is, in our opinion, incumbent upon the Pasadena City Council to remind China of it's commitment to the following articles of the declaration:

Article 2.

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion

Article 5.

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 18.

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

The Falun Gong is a non-violent, non-subversive philosophy, which incorporates ancient meditative exercises with the principals of self-cultivation, which embody truthfulness, benevolence and forbearance. It is our opinion that this philosophy does not threaten the government of China's well being. Therefore our recommendations are as follows:

Recommendations:

1. The Pasadena City Council issue a letter to China's president urging them to abide by the United Nations UNIVERSAL DECLARATION OF HUMAN RIGHTS, which they have signed and to cease and desist all religious and philosophical persecution and to express concern for the government's current policy towards the Falun Gong.

2. Send a copy of the letter to our Sister City Xicheng.
3. Amend the Sister City selection process for future cities to include an adherence to the principals outlined in the United Nations UNIVERSAL DECLARATION OF HUMAN RIGHTS.

Summation:

It is understood and agreed that each nation including our own has a record of human rights violations. This does not negate our responsibility to address violations both within our borders and within the world community. Issuance of letters or proclamations in support of ending religious and philosophical persecution is in keeping with our cultural beliefs. Since we have established a Sister City relationship for the purpose of cultural exchange, failure to express concern would violate the purpose of such a relationship.

Respectfully Submitted by:

Nat Nehdar – Commission Chair
Commissioner Teddy Choi
Commissioner David Jason Hauser