

118TH CONGRESS  
2D SESSION

# S. 5305

To support and promote the human rights of Southern Mongolians in the People's Republic of China, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 13, 2024

Mr. MERKLEY (for himself and Mr. SULLIVAN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To support and promote the human rights of Southern Mongolians in the People's Republic of China, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Southern Mongolian  
5 Human Rights Policy Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) According to the China Statistical Yearbook  
9 for 2021, more than 6,000,000 ethnic Mongolians  
10 live in the People's Republic of China, of which some

1 two-thirds live in the Inner Mongolia Autonomous  
2 Region, and many others in three prefectures and  
3 eight counties designated as autonomous for Mongo-  
4 lians by the Government of the People's Republic of  
5 China.

6 (2) Over the centuries, successive central Chi-  
7 nese governments have promoted the migration of  
8 Chinese people into the area currently administered  
9 as the Inner Mongolia Autonomous Region, and  
10 today only about 18 percent of the population of the  
11 Region is counted as ethnically Mongolian.

12 (3) In 2020, officials in the Inner Mongolia Au-  
13 tonomous Region announced a new policy to effec-  
14 tively replace Mongolian as the principal language of  
15 instruction with Chinese, in the subjects of history,  
16 politics, and literature, and shut down Bainu, the  
17 only Mongolian-language-based social media website  
18 based in the country. Beginning in September 2023,  
19 schools across the region largely removed Mongolian-  
20 language instruction from elementary and secondary  
21 schools throughout the region. Reports indicate that  
22 high school and college entrance exams will be con-  
23 ducted in Chinese exclusively starting in 2025 and  
24 2028, respectively. The People's Republic of China  
25 authorities have banned Mongolian language books

1 from bookstores and removed signs in the unique,  
2 vertically-written Mongolian script from schools,  
3 buildings, streets, and parks.

4 (4) The People's Republic of China officials  
5 launched "patriotic education" campaigns at schools  
6 and universities throughout the Inner Mongolia Au-  
7 tonomous Region, designed to suppress manifesta-  
8 tions of Mongolian identity in favor of the common  
9 "Chinese national identity" and encourage "all eth-  
10 nic groups to accept the great mother country, Chi-  
11 nese nationality, Chinese culture, [and the] Chinese  
12 Communist Party." In response to the new edu-  
13 cation policy, tens of thousands of Southern Mongo-  
14 lians in the Inner Mongolia Autonomous Region  
15 launched protests, in which some 300,000 Southern  
16 Mongolian students boycotted school and teachers  
17 went on strike, and some individuals reportedly com-  
18 mitted suicide in protest. Security authorities re-  
19 sponded harshly by arresting, beating, detaining,  
20 jailing, and placing under home confinement some  
21 estimated 8,000 to 10,000 Southern Mongolians.

22 (5) Chinese authorities now fully control all ac-  
23 tivities of the Chinggis Khan Mausoleum in the  
24 Inner Mongolia Autonomous Region, including the  
25 schedule, scale, and ticketing of ritual ceremonies

1 and approval and monitoring of gatherings, denying  
2 Southern Mongolians the ability to carry out tradi-  
3 tional rituals and observances free of government in-  
4 terference and profiteering. This has broken an  
5 eight-century-long memorial tradition at the site,  
6 which has served as an historical and cultural rep-  
7 resentation of the Mongolian identity.

8 (6) The People's Republic of China policies  
9 have undermined the religious heritage of Southern  
10 Mongolians, many of whom follow Tibetan Bud-  
11 dhism, including through the destruction of mon-  
12 asteries and temples during the Cultural Revolution,  
13 and interference in the ability to choose their own  
14 religious leaders. Restrictions on travel and freedom  
15 of religion or belief inhibit the ability of Southern  
16 Mongolians to affiliate, engage, and communicate  
17 with Mongol communities around the world, espe-  
18 cially those with cultural, linguistic and religious  
19 links to people in the country of Mongolia and the  
20 Buryatia, Kamykia, and Tuvan regions of the Rus-  
21 sian Federation, resulting in a diminution of their  
22 common cultural heritage.

23 (7) The People's Republic of China policies  
24 have effectively ended the traditional Southern Mon-  
25 golian economic livelihood of pastoralism, a key

1 marker of Mongol identity, by forcibly resettling  
2 more than 246,000 nomadic households to urban  
3 and agricultural areas where Mandarin language  
4 and Chinese cultural elements dominate. These poli-  
5 cies have cut off Southern Mongolians from their an-  
6 cestral lands and increased their economic depend-  
7 ence on the state, eroding their social cohesion. This  
8 has led to severe social and psychological impacts,  
9 including mental illness and economic deprivation.

10 (8) The environment of the Inner Mongolia Au-  
11 tonomous Region has degraded under the People's  
12 Republic of China policies that have removed no-  
13 mads, ending traditional stewardship of grazing  
14 lands, and exploited natural resources through min-  
15 ing and heavy industry without sufficient stake-  
16 holder input from local inhabitants, resulting in air  
17 and water pollution and severe health problems  
18 among local Southern Mongolians. Bayan Obo, the  
19 largest rare earth mine in the world, is the source  
20 of toxic waste, including radioactive thorium that  
21 has been seeping into groundwater.

22 (9) Southern Mongolian dissidents, activists,  
23 writers, bloggers, lawyers, and their family members  
24 who have attempted to exercise their freedom of ex-  
25 pression and defend their legal rights have been de-

1 tained, arrested, imprisoned, and placed under home  
2 confinement by the People's Republic of China au-  
3 thorities. Activist Yanjindulam remains under home  
4 confinement after being released from prison, artist  
5 Ashidaa is still under home confinement, lawyer  
6 Huhbulag has been detained multiple times, and dis-  
7 sident Almaz has been frequently harassed and de-  
8 tained by the authorities.

9 (10) Authorities detained rights activist Hada,  
10 who promoted self-determination and democracy for  
11 Southern Mongolians, in 1995 and sentenced him to  
12 15 years in 1996. He was held without legal basis  
13 for an additional four years following the expiration  
14 of his sentence. Hada was subsequently placed under  
15 home confinement until his disappearance in Sep-  
16 tember 2020. In 2011, Hada's wife Xinna, an out-  
17 spoken critic of human rights violations in Southern  
18 Mongolia, was arrested before being sentenced to  
19 three years in prison, suspended for five years. Their  
20 son Uiles was sentenced at the age of 17 to two  
21 years in prison on the basis of multiple fabricated  
22 charges. The family's welfare and whereabouts have  
23 been unknown since September 2020.

24 (11) Chinese authorities have subjected South-  
25 ern Mongolians to transnational repression. Since

1 2009, at least five Southern Mongolian dissidents in  
2 exile have been forcibly returned to China, including  
3 from Mongolia. On May 3, 2023, Chinese police offi-  
4 cers detained Lhamjab Borjigin, a long-time dis-  
5 sident writer and historian, in Ulaanbaatar, Mon-  
6 golia, and forcibly returned him to China on the  
7 same day. Lhamjab Borjigin had escaped from home  
8 confinement on March 6, 2023, after he was sen-  
9 tenced to one year in prison, suspended for two  
10 years, for writing a book entitled “China’s Cultural  
11 Revolution”.

12 (12) The Congressional-Executive Commission  
13 on China reported that “[d]uring the Commission’s  
14 2023 reporting year, Chinese Communist Party and  
15 government authorities implemented policies that  
16 limited the freedom of ethnic minority groups to ex-  
17 press their cultural and religious identities in con-  
18 travention of the PRC Regional Ethnic Autonomy  
19 Law and international human rights treaties, includ-  
20 ing the International Covenant on Civil and Political  
21 Rights”.

22 (13) The Government of the People’s Republic  
23 of China’s policies have undermined the ability of  
24 Southern Mongolians to exercise their rights under  
25 international law to safeguard and develop their own

1 language, culture, religion or belief, and economic  
2 livelihoods, as part of a deliberate effort to erase  
3 their distinct Mongolian culture and Sinicize the  
4 Southern Mongolian people.

5 **SEC. 3. STATEMENT OF POLICY.**

6 It is the policy of the United States—

7 (1) to support and promote human rights of  
8 Southern Mongolians in the People’s Republic of  
9 China, including the fundamental freedoms of ex-  
10 pression, peaceful assembly, and religion or belief,  
11 and rights related to arbitrary detention, discrimina-  
12 tion, and other abuses;

13 (2) to support the aspirations of the Southern  
14 Mongolian people to safeguard their cultural and lin-  
15 guistic heritage, including the ability to use and pro-  
16 mote their own spoken and written language, and  
17 protect their traditional pastoralist way of life that  
18 they have maintained for thousands of years; and

19 (3) to press the Government of the People’s Re-  
20 public of China to allow the Southern Mongolian  
21 people the ability to enjoy autonomy promised them.

22 **SEC. 4. SENSE OF CONGRESS.**

23 It is the sense of Congress that—

24 (1) the United States supports the liberty and  
25 legitimate aspirations of the Southern Mongolian



1 people to safeguard their cultural and linguistic her-  
2 itage and practice their traditional way of life with-  
3 out threat of forced assimilation policies of the Gov-  
4 ernment of the People's Republic of China and the  
5 Chinese Communist Party;

6 (2) the President should—

7 (A) condemn human rights abuses against  
8 Southern Mongolians by authorities of the Peo-  
9 ple's Republic of China; and

10 (B) call on such authorities to allow South-  
11 ern Mongolians the ability to exercise the au-  
12 tonomy guaranteed by the People's Republic of  
13 China, including to conduct their affairs and re-  
14 ceive education in their own spoken and written  
15 language;

16 (3) the Secretary of State should—

17 (A) work with United States allies and  
18 partners and through multilateral institutions  
19 to advocate for the human rights of Southern  
20 Mongolians;

21 (B) urge the United Nations Human  
22 Rights Council to prioritize assessment of the  
23 human rights of Southern Mongolians in its re-  
24 views of the People's Republic of China compli-  
25 ance with international human rights law, in-

1 including through the Universal Periodic Review  
2 process, and to request travel by United Na-  
3 tions officials to assess conditions of Southern  
4 Mongolians in the People's Republic of China;

5 (C) promote the right of Southern Mongo-  
6 lians to protect their spoken and written lan-  
7 guage;

8 (D) promote the freedom of religion or be-  
9 lief of Southern Mongolians;

10 (E) work with the United Nations Edu-  
11 cational, Scientific and Cultural Organization  
12 (UNESCO) to identify and protect world herit-  
13 age sites in areas of traditional Mongolian cul-  
14 ture in the People's Republic of China; and

15 (F) coordinate closely with the inter-  
16 national community on targeted sanctions and  
17 visa restrictions;

18 (4) the United States companies and individ-  
19 uals operating in areas designated as autonomous  
20 for Mongolians in the People's Republic of China  
21 should take steps to ensure that their commercial  
22 activities do not contribute to human rights viola-  
23 tions, undermine the autonomous rights of Southern  
24 Mongolians, or contribute to the environmental deg-

1       radation or resettlement of nomads in those areas;  
2       and

3               (5) the United States Ambassador to the Peo-  
4       ple's Republic of China should expeditiously seek to  
5       meet with Hada and his family members, as well as  
6       other Southern Mongolian dissidents, activists, writ-  
7       ers, and lawyers who are either in prison or under  
8       detention or home confinement.

9       **SEC. 5. DIPLOMATIC AND CONSULAR MATTERS.**

10       (a) INNER MONGOLIA SECTION IN UNITED STATES  
11       EMBASSY IN BEIJING, CHINA.—

12               (1) IN GENERAL.—The Secretary of State  
13       should consider establishing an Inner Mongolian  
14       team within the United States Embassy in Beijing,  
15       China, to follow political, economic, and social devel-  
16       opments in the Inner Mongolia Autonomous Region  
17       and other areas designated by the People's Republic  
18       of China as autonomous for Mongolians, with due  
19       consideration given to hiring Southern Mongolians  
20       as Locally Employed Staff.

21               (2) RESPONSIBILITIES.—Responsibilities of a  
22       team devoted to Inner Mongolia should include re-  
23       porting on human rights issues and access to areas  
24       designated as autonomous for Mongolians by United  
25       States Government officials, journalists, nongovern-

1 mental organizations, and the Southern Mongolian  
2 diaspora.

3 (3) LANGUAGE REQUIREMENTS.—The Sec-  
4 retary of State should ensure that the Department  
5 of State has sufficient proficiency in Mongolian lan-  
6 guage in order to carry out paragraph (1), and that  
7 the United States Embassy in Beijing, China, has  
8 sufficient resources to hire Local Employed Staff  
9 proficient in the Mongolian language, as appro-  
10 priate.

11 (b) REPORT.—Not later than 180 days after the date  
12 of the enactment of this Act, the Secretary of State shall  
13 submit to the Committee on Foreign Relations of the Sen-  
14 ate and the Committee on Foreign Affairs of the House  
15 of Representatives a report on the staffing described in  
16 subsection (a).

17 **SEC. 6. RELIGIOUS FREEDOM.**

18 (a) HUMAN RIGHTS REPORTS.—The Ambassador at  
19 Large for International Religious Freedom shall, con-  
20 sistent with the duties under sections 101(c) and 102(a)  
21 of the International Religious Freedom Act of 1998 (22  
22 U.S.C. 6411(c), 6412(a)), assist the Secretary of State to  
23 assess the impact of the restrictions on Tibetan Buddhism  
24 by the Government of the People’s Republic of China on  
25 the religious freedom of—

1           (1) practitioners of Tibetan Buddhism in the  
2           People’s Republic of China who are not Tibetan; and

3           (2) practitioners of Tibetan Buddhism outside  
4           the People’s Republic of China, including their abil-  
5           ity to travel to and share information with practi-  
6           tioners inside the People’s Republic of China.

7           (b) ANNUAL REPORT ON INTERNATIONAL RELIGIOUS  
8           FREEDOM.—The Secretary of State, with the assistance  
9           of the Ambassador at Large for International Religious  
10          Freedom, shall ensure that the report required under sec-  
11          tions 101(e) and 102(b) of the International Religious  
12          Freedom Act of 1998 (22 U.S.C. 6411(e), 6412(b)) as-  
13          sesses, as appropriate, the impact of the restrictions on  
14          Tibetan Buddhism by the Government of the People’s Re-  
15          public of China on the religious freedom of—

16          (1) practitioners of Tibetan Buddhism in the  
17          People’s Republic of China who are not Tibetan; and

18          (2) practitioners of Tibetan Buddhism outside  
19          the People’s Republic of China, including their abil-  
20          ity to travel to and share information with practi-  
21          tioners inside the People’s Republic of China.

1 **SEC. 7. IDENTIFICATION OF PERSONS RESPONSIBLE FOR**  
2 **HUMAN RIGHTS ABUSES AGAINST SOUTHERN**  
3 **MONGOLIANS IN THE PEOPLE'S REPUBLIC OF**  
4 **CHINA; IMPOSITION OF SANCTIONS.**

5 (a) REPORT REQUIRED.—

6 (1) IN GENERAL.—Not later than 180 days  
7 after the date of the enactment of this Act, and an-  
8 nually thereafter, the President shall submit to the  
9 appropriate congressional committees a report that  
10 identifies each foreign person, including any official  
11 of the Government of the People's Republic of  
12 China, that the President determines is responsible  
13 for any of the following with respect to Southern  
14 Mongolians in the People's Republic of China:

15 (A) Torture.

16 (B) Cruel, inhuman, or degrading treat-  
17 ment or punishment.

18 (C) Prolonged or arbitrary detention with-  
19 out charges and trial.

20 (D) Causing the disappearance of persons  
21 by the abduction and clandestine detention of  
22 those persons.

23 (E) Other flagrant denial of the right to  
24 life, liberty, or the security of persons.

1 (F) Other gross violations of internation-  
2 ally recognized human rights committed against  
3 Southern Mongolians.

4 (2) FORM.—The report required by paragraph  
5 (1) shall be submitted in unclassified form, but may  
6 include a classified annex.

7 (b) IMPOSITION OF SANCTIONS.—The President  
8 should impose sanctions pursuant to one or more of the  
9 following authorities with respect to each foreign person  
10 identified in the report required by subsection (a):

11 (1) The Global Magnitsky Human Rights Ac-  
12 countability Act (22 U.S.C. 10101 et seq.).

13 (2) Section 7031(c)(1)(A) of the Department of  
14 State, Foreign Operations, and Related Programs  
15 Appropriations Act, 2024 (division F of Public Law  
16 118–47; 8 U.S.C. 1182 note).

17 (3) Section 212(a)(2)(G) of the Immigration  
18 and Nationality Act (8 U.S.C. 1182(a)(2)(G)).

19 (c) SUNSET.—This section, and any sanctions im-  
20 posed under this section, shall terminate on the date that  
21 is 5 years after the date of the enactment of this Act.

22 (d) DEFINITIONS.—In this section:

23 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
24 TEES.—The term “appropriate congressional com-  
25 mittees” means—

1 (A) the Committee on Foreign Relations  
2 and the Committee on Banking, Housing, and  
3 Urban Affairs of the Senate; and

4 (B) the Committee on Foreign Affairs and  
5 the Committee on Financial Services of the  
6 House of Representatives.

7 (2) FOREIGN PERSON.—The term “foreign per-  
8 son” means an individual or entity that is not a  
9 United States person.

10 (3) UNITED STATES PERSON.—The term  
11 “United States person” means—

12 (A) a United States citizen or an alien law-  
13 fully admitted for permanent residence to the  
14 United States;

15 (B) an entity organized under the laws of  
16 the United States or of any jurisdiction within  
17 the United States, including a foreign branch of  
18 such an entity; or

19 (C) any person in the United States.

20 **SEC. 8. VOICE OF AMERICA BROADCASTS IN THE MONGO-**  
21 **LIAN LANGUAGE.**

22 (a) ESTABLISHMENT OF SERVICE.—Not later than  
23 180 days after the date of the enactment of this Act, the  
24 Chief Executive Officer of the United States Agency for  
25 Global Media shall establish, through the Voice of Amer-



1 ica, a service to provide Voice of America Mongolian lan-  
2 guage programming to Mongolian language speakers in  
3 Mongolia, the People’s Republic of China, and the Russian  
4 Federation.

5 (b) REPORT.—Not later than 270 days after the date  
6 of the enactment of this Act, the Chief Executive Officer  
7 of the United States Agency for Global Media shall submit  
8 to the Committee on Foreign Relations of the Senate and  
9 the Committee on Foreign Affairs of the House of Rep-  
10 resentatives a report detailing the implementation of this  
11 section, including a description of programming and  
12 broadcast hours.

13 (c) AUTHORIZATION OF APPROPRIATIONS.—There is  
14 authorized to be appropriated to the Voice of America for  
15 purposes of carrying out this section \$2,000,000 for each  
16 of fiscal years 2025 and 2026.

17 **SEC. 9. SUPPORT FOR SOUTHERN MONGOLIAN CULTURE.**

18 (a) REPRESSED CULTURES PRESERVATION.—

19 (1) SENSE OF CONGRESS.—It is the sense of  
20 Congress that the Smithsonian Institution should  
21 fund activities to help preserve cultures endangered  
22 by the repressive policies of the People’s Republic of  
23 China, including those of Southern Mongolians, Ti-  
24 betans, Uyghurs, and Hong Kongers, through the  
25 World Cultures Center and other programs designed

1 to promote preservation efforts, as well as research,  
2 exhibitions, and education programming.

3 (2) REPORT.—Not later than 180 days after  
4 the date of the enactment of this Act, the Secretary  
5 of the Smithsonian Institution shall submit to the  
6 Committee on Rules and Administration of the Sen-  
7 ate and the Committee on House Administration of  
8 the House of Representatives a report on its plans  
9 to help preserve cultures endangered by the policies  
10 of the People’s Republic of China, including those of  
11 Southern Mongolians, Tibetans, Uyghurs, and Hong  
12 Kongers.

13 (b) ASSISTANCE FOR CULTURAL ORGANIZATIONS,  
14 MUSEUMS, AND LIBRARIES.—

15 (1) SENSE OF CONGRESS.—It is the sense of  
16 Congress that the Director of the Institute for Mu-  
17 seum and Library Sciences should establish a grant  
18 program, or make available grants through an exist-  
19 ing program, to support efforts by diaspora commu-  
20 nities in the United States to preserve their cultural  
21 heritage that is threatened by the repressive policies  
22 of the People’s Republic of China, including the ef-  
23 forts of Southern Mongolians, Tibetans, Uyghurs,  
24 and Hong Kongers.

1           (2) REPORT.—Not later than 180 days after  
2           the date of the enactment of this Act, the Director  
3           of the Institute for Museum and Library Sciences  
4           shall submit to the Committee on Health, Edu-  
5           cation, Labor and Pensions of the Senate and the  
6           Committee on Education and the Workforce of the  
7           House of Representatives a report on the feasibility  
8           of establishing a grant program, or to otherwise  
9           make available grants through an existing program,  
10          to support efforts by diaspora communities in the  
11          United States to preserve their cultural heritage that  
12          is threatened by the repressive policies of the Peo-  
13          ple’s Republic of China, including those of Southern  
14          Mongolians, Tibetans, Uyghurs, and Hong Kongers,  
15          including efforts to engage with such diaspora com-  
16          munities.

17 **SEC. 10. SUSTAINABLE LIVELIHOODS IN SOUTHERN MON-**  
18 **GOLIA.**

19          (a) DECLARATION OF POLICY.—It is the policy of the  
20          United States to support the right of Southern Mongolians  
21          to make decisions in accordance with principles of auton-  
22          omy regarding their economic development, including the  
23          ability to maintain traditional livelihoods, such as pas-  
24          toralism, as well as cultural preservation, environmental  
25          sustainability, and resource extraction, in areas designated

1 as autonomous for Southern Mongolians in the People's  
2 Republic of China.

3 (b) INTERNATIONAL FINANCIAL INSTITUTIONS.—

4 The Secretary of the Treasury should instruct the United  
5 States executive director of each international financial in-  
6 stitution to use the voice and vote of the United States  
7 to support financing of projects in areas designated as au-  
8 tonomous for Southern Mongolians in the People's Repub-  
9 lic of China if such projects do not provide incentives for  
10 the migration and settlement of non-Mongolians into  
11 Southern Mongolian areas or facilitate the transfer of  
12 ownership of Southern Mongolian land and natural re-  
13 sources to non-Mongolians, are based on a thorough  
14 needs-assessment, foster self-sufficiency of the Southern  
15 Mongolian people, respect Mongolian culture, traditions,  
16 and traditional livelihoods, and are subject to effective  
17 monitoring.

○