

HUMAN RIGHTS WATCH

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January 25, 2012

Mr. Barack Obama
President of the United States of America
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Via facsimile: +1-202-456-2461

Dear President Obama,

We write in regards to the forthcoming visit of Chinese Vice President Xi Jinping. We urge that you raise the human rights situation in China, which Ambassador Locke has recently characterized as “worsening,” in all your public and private interactions. We appreciate the United States’ recent public remarks, such as those on the treatment of individuals like Gao Zhisheng and Chen Guangcheng and on the deteriorating situation in Tibet, but also believe that the United States could take additional steps to demonstrate support for human rights in advance of Vice President Xi’s visit. We outline these actions below.

In the year since the January 2011 state visit of Chinese President Hu Jintao to Washington, the Chinese government has launched its harshest crackdown on human rights defenders in more than a decade. Unnerved by popular protests in the Middle East and North Africa, and mindful that international attention has been focused on that region, the Chinese government has increasingly disappeared and tortured artists, activists, and other peaceful critics; stepped up prison sentences for writers critical of the government; and halted key legal reforms, such as those governing due process for those held under house arrest. In its foreign policy, China has pressured other governments to forcibly return Chinese citizens seeking refugee status in other countries, such as Tibetans and Uighurs who face persecution and torture at home. The situation is particularly tense in the run-up to the Chinese Communist Party’s leadership transition in March 2013.

Xi Jinping is likely to become China’s next leader, so the Chinese government will be watching closely how his visit to Washington proceeds. Unfortunately, there is little in the public record that

suggests that Xi is a proponent of significant change in the government's policy on human rights. We urge you to make sure that he fully appreciates the importance the United States attaches to human rights in its relations with China. To fail to deliver the clearest possible message about the deteriorating human rights environment would not only set the stage for further testing of the US-China relationship on this issue, but would be disastrous for those in China struggling every day to assert their rights. Quite simply, Xi Jinping should not receive the benefits and recognition that come with a state visit without having to answer publicly for his government's increasingly harsh crackdown on critics and human rights defenders, its denial of basic rights and freedoms to the Chinese people, and its failure to keep its commitments under the Chinese constitution and international human rights treaties to which it is a party.

During last year's US-China Summit, the US found useful ways of publicly stressing human rights. We urge that you take further steps by:

- Inviting to the White House those Chinese government critics and former political prisoners who have sought refuge in the United States to elicit their opinion of the current human rights crackdown and how to reverse it. This could include Yu Jie, a writer who arrived in Washington only last week after being held under house arrest and tortured in 2010-2011, along with many others who have had to flee their country. This would be an important gesture of solidarity with independent Chinese voices, and an unequivocal means of demonstrating to the Chinese government that its unrepresentative views are not the only ones that matter to the United States.
- Giving an interview in advance of Vice President Xi's visit specifically on US concerns about human rights abuses in China to the relevant language services of Radio Free Asia and Voice of America, as well as to the Southern Metropolis Group and Caixin. Through these outlets the United States can share its views directly with a broad cross-section of people in China. We urge you to point out that the US is unhappy, as it makes clear in other countries around the world, that the internationally recognized right of the Chinese people to choose their leaders will yet again be ignored when the Chinese Communist Party chooses the next president and prime minister.
- Presenting a list of human rights issues that will be raised by each of the agencies participating in this year's US-China Strategic and Economic Dialogue. The US has said repeatedly said it is committed to a "whole of government" approach on human rights in China, which would allow the details of human rights issues to be discussed at the highest levels across the administration. Yet we see little evidence that agencies other than the State Department are regularly raising concerns. We believe that unless human rights advocacy is expected of and prepared by all relevant

government departments, the US misses a host of key opportunities on issues like better respect for the rule of law, the free flow of information, and respect for peaceful criticism.

- Systematically collect information on cases of acts that violate international law, such as torture, murder, and enforced disappearance, committed by state security officials who enjoy impunity for these acts, and inquire regularly about these cases.
- Articulating a set of benchmarks that must be met before the next US-China Human Rights Dialogue takes place, such as the locating and freeing of persons detained, disappeared, and/or sentenced for peacefully exercising their rights, and a commitment from the Chinese government to resume meaningful negotiations with representatives of ethnic minority communities to address longstanding grievances. The lack of benchmarks for these dialogues has in our view severely undermined their utility.

The United States has long emphasized the relationship between the respect for human rights and China's efforts at development and establishing the rule of law. Following your announcement of the United States' "pivot" towards Asia, these dynamics are all the more deserving of attention, particularly in light of China's backsliding on rights of recent years. If the United States is genuinely committed to better rights protection and a better future for people in China, it should advocate for those rights in a highly public and consistent way, including during Xi Jinping's forthcoming visit.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth Roth". The signature is fluid and cursive, with a prominent initial "K" and "R".

Kenneth Roth