



June 13, 2018

Mr. Donald Tusk
President of the European Council
Rue de la Loi 175
1048 Brussels

Mr. Jean-Claude Juncker
President of the European Commission
Rue de la Loi 200
1049 Brussels

Re: 2018 EU-China Summit

Dear President Tusk and President Juncker,

Several of our organizations last wrote to you in May 2017, ahead of the June 2017 European Union (EU)-China summit in Brussels, regarding the growing human rights crisis in China and the response of the EU. Since that time, the situation in China has further deteriorated.

Just weeks after that summit, Chinese authorities ignored international calls, including by the EU and several of its member states, and refused to allow 2010 Nobel Peace Prize winner and journalist Liu Xiaobo to leave the country to seek treatment for liver cancer, such that he died under state guard in July. The forthcoming EU-China summit will take place one year on from Liu Xiaobo's death. Since then, the authorities have refused to release from illegal house arrest in her apartment his widow, poet Liu Xia, who has expressed her wish to leave the country.

In January 2018, Chinese authorities forcibly disappeared Swedish citizen and bookseller Gui Minhai while he was traveling with Swedish diplomats. Their inability to visit him in detention

violates China's obligations under the Vienna Convention on Consular Relations. In April, Chinese officials tried to block German citizen Dolkun Isa, an ethnic Uyghur activist, from participating in a United Nations forum in New York. However, at the EU-China Strategic Dialogue on June 1, 2018, in Brussels, the EU once again did not publicly challenge China over any human rights violations, including those committed against member state citizens, publicly mention a single human rights defender, or insist on immediate and unconditional releases of those wrongly imprisoned.

China's Deteriorating Human Rights Environment

Our organizations continue to document China's abusive campaign against independent civil society, ethnic and religious minorities, the rule of law, and press freedom. The Chinese government has created a comprehensive national security legal architecture that is misused by the authorities to silence dissent, censor information, and harass and prosecute human rights defenders. Authorities have subjected lawyers and human rights defenders to show trials, airing excerpted forced "confessions" on state television and social media. Police coerce detainees' into complying through torture and other ill-treatment, denying access to lawyers, and holding them incommunicado for months.

The government oversees one of the strictest online censorship regimes in the world, has limited the public's access to censorship circumvention tools, and strengthened ideological control over education and mass media. The Chinese government has increasingly promoted its notion of "internet sovereignty" to rewrite accepted rules so that censorship and surveillance would become the norm globally.

Authorities in Tibetan-populated areas severely restrict religious freedom, speech, movement, and peaceful assembly, and have failed to respect Tibetans' culture, language, and traditions, or redress popular concerns about mining and land grabs by local officials. In Xinjiang, authorities have stepped up mass surveillance and adopted new policies denying Uyghurs cultural and religious rights. Hundreds of thousands of Uyghurs are being arbitrarily detained. Elsewhere, fears of retaliation for opposing Beijing's policies were heightened when Hong Kong courts last year disqualified four pro-democracy lawmakers and jailed three prominent pro-democracy student leaders.

EU Action

The EU has taken some steps to push back against these developments, including recent Item 4 statements at the UN Human Rights Council, EEAS, and EU Delegation statements expressing concern about individual cases, and outreach to human rights defenders. EU member state ambassadors to China undertook a critical analysis of the opportunities and threats presented by

the “One Belt One Road” Initiative, and we hope a similar exercise will follow focusing on China’s human rights record.

Yet the EU has not fulfilled its 2012 pledge in its Strategic Framework on Human Rights to “throw its full weight behind advocates of liberty, democracy and human rights,” and do so “in all areas of its external action without exception.” We are concerned that, rather than vote against a problematic Chinese resolution at the UN Human Rights Council in March, EU member states abstained, helping hand China a diplomatic victory at the expense of human rights. We also regret the EU’s inability to provide a joint statement at the June 2017 Human Rights Council session.

The EU’s June 2017 human rights dialogue with China unsurprisingly failed to produce any concrete results. Given China’s refusal to engage in meaningful dialogue and the EU’s unwillingness to set and maintain clear benchmarks for human rights improvements in China as a requirement for further dialogues, it is difficult to see how future rounds will produce a more useful outcome. Committing to another round of this exercise appears to be the only human-rights-related “deliverable” of the Strategic Dialogue, a decision that should be revisited. The EU calls for the releases of wrongfully detained activists but, in our view, lacks a strategy to achieve those goals, and imposes no consequences when China refuses to deliver.

The EU’s broad and principled commitments to promoting human rights has not been matched in China with a willingness to act or a determination to at least achieve releases. Issuing statements calling for the release of arbitrarily held lawyers and activists is welcome but not enough – especially without consequences for a failure to release people. The Chinese government’s human rights abuses inside and outside China increasingly present serious threats to the EU and its values, to key institutions on which the EU depends for peace, security, and human rights, and to the citizens of EU member states. Each missed opportunity by the EU to raise human rights at the highest levels tells China’s leadership – and people across China – that those concerns remain subordinated to other issues, even at the expense of the freedom and safety of EU member state citizens. In sum, the EU’s failure to robustly challenge China’s abusive conduct helps enable it.

Recommendations

We urge the EU to fulfill its pledges to promote human rights globally and:

- Publicly and repeatedly call – before, during, and after the summit – for the release of Liu Xia, Wang Quanzhang, Tashi Wangchuk, Ilham Tohti, Lee Ming-che, and Gui Minhai, among many others detained for non-internationally recognized crimes and solely for exercising their human rights, and announce an EU strategy to ensure their releases;
- Invoke the EU’s June 2016 China strategy to suspend the human rights dialogue with China until it can make meaningful contributions to the promotion of rights, and, in the

meantime, pursue a “shadow” dialogue with human rights activists from across China who would welcome such an interaction with the EU;

- Identify specific human rights issues that the Chinese government needs to address as a strategic priority for the EU and its member states;
- Adopt new Foreign Affairs Council conclusions on human rights in China; and
- Commit to publicly marking the first anniversary of Liu Xiaobo’s death in July, the twentieth anniversary of China’s signing, but not ratifying, the International Covenant on Civil and Political Rights in October, and the thirtieth anniversary of the Tiananmen crackdown in June 2019.

Reversing the deteriorating human rights situation in China should be an urgent priority for the EU and its member states. Inadequately addressing these issues significantly compromises the EU’s standing as a global leader in defending human rights, ignores calls from people across China for support, and compromises EU interests. We hope that you will give human rights considerations as much attention and preparation as you do to other issues in the bilateral relationship.

Thank you for your consideration of these important matters. We wish you a productive summit, and look forward to discussing these issues at your convenience.

Sincerely,

Iverna McGowan, Advocacy Director & Head of European Institutions Office, Amnesty International

Ben Rogers, East Asia Team Lead, Christian Solidarity Worldwide

Carlos Martínez de la Serna, Program Director, Committee to Protect Journalists

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Judith Lichtenberg, Director, Lawyers for Lawyers
Cedric Alviani, Taipei Bureau Director, Reporters Without Borders
Ulrich Delius, Director, Society for Threatened Peoples
E-Ling Chiu, Secretary General, Taiwan Association for Human Rights
Ionna Liddle, Executive Director, Tibet Justice Center
Marino Busdachin, Secretary-General, Unrepresented Nations & Peoples Organization
Omer Kanat, Vice President, Uyghur American Association
Omer Kanat, Director, Uyghur Human Rights Project
Dolkun Isa, President, World Uyghur Congress

CC:

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