

HUMAN RIGHTS WATCH

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Mr Jean-Claude Juncker

President of the European Commission
Rue de la Loi 200
1049 Brussels

Mr Donald Tusk

President of the European Council
Rue de la Loi 175
1048 Brussels

July 11, 2016

Re: EU-China Summit

Dear President Juncker and President Tusk,

I write on the occasion of the forthcoming European Union-China Summit in Beijing, scheduled for July 12-13, 2016, to encourage you to place the deteriorating human rights situation in China high on the agenda both in your private meetings and your public messaging. In particular, we are concerned about the Chinese government's brutal crackdown on peaceful dissent and freedom of expression, and the silencing of lawyers and activists who seek to hold the government to its human rights obligations.

We appreciate the EU's Item 4 statement at the June United Nations Human Rights Council session on the deteriorating human rights environment in China and its January 2016 statement on detentions there. We also appreciate the EU's diplomatic presence at high-profile trials of outspoken activists, and its support for civil society groups in China.

We welcome the EU's commitments to promoting human rights as stipulated in the EU's Strategic Framework for Human Rights and Democracy and the recently released EU-China strategy.

Since President Xi Jinping assumed power in March 2013, Chinese authorities have carried out an unrelenting crackdown on civil society groups,¹ including those promoting workers' rights,² anti-corruption,³ and the rule of law—all issues essential to the realization of EU policy objectives in China. Despite the threat of reprisals from authorities, people across the country remain willing to challenge the government on such issues as pollution, tainted vaccines, and unpaid wages. Yet, without human rights lawyers to represent torture survivors in court, coercive interrogation will not be eradicated.⁴ Without an independent press to report on the public health and product safety crises, people not just in China but around the world are at risk.⁵ And without nongovernmental organizations to assist the marginalized people ignored by the government, to monitor rights violations, and to propose recommendations for reform, progress toward a rights-respecting democracy is uncertain.⁶

Consequently, the EU should address human rights violations in a transparent and principled manner at the highest levels of China's leadership. Doing so would be in line with pledges made in the Strategic Framework, and is consistent with the messages the EU delivers at the United Nations Human Rights Council. As Presidents of the Commission and the Council you have a responsibility to put forward the EU's human rights pledges as clear articulations of policy. Being vague or staying silent should not be an option, and would only encourage the Chinese government in its efforts to suppress and punish critical voices.

Our experience is that taking a firm stand against the government crackdown can help bring positive change. Chinese leaders do not like but respect frank criticism, and people across China are encouraged by international support for their struggle for better human rights protections.

¹ Human Rights Watch, World Report 2016 (New York: Human Rights Watch, 2016), China chapter, <https://www.hrw.org/world-report/2016/country-chapters/china-and-tibet>.

² "China: Persecution of Labor Activists Escalates," Human Rights Watch news release, January 13, 2016, <https://www.hrw.org/news/2016/01/13/china-persecution-labor-activists-escalates>.

³ "China: Campaign of Intimidation Against Human Rights," Human Rights Watch news release, July 28, 2015, <https://www.hrw.org/news/2015/07/28/chinas-campaign-intimidation-against-human-rights-lawyers-has-be-stopped>

⁴ "China: Free Rights Lawyers Held Secretly for a Year," Human Rights Watch news release, July 7, 2016, <https://www.hrw.org/news/2016/07/07/china-free-rights-lawyers-held-secretly-year>

⁵ "China: New Verdicts a Travesty of Justice," Human Rights Watch news release, November 30, 2015, <https://www.hrw.org/news/2015/11/30/china-new-verdicts-travesty-justice>

⁶ "China: Drop All Charges Against Feminist Activists," Human Rights Watch news release, April 4, 2014, <https://www.hrw.org/news/2015/04/14/china-drop-all-charges-against-feminist-activists>

As the EU has stated: “The protection of human rights will genuinely form a core part of the EU’s engagement with China.” For that to be realized, we urge that discussions at the summit reflect forthright, specific, and transparent public and private messages.

You should call upon China’s government to:

- End the crackdown on civil society groups and activists, release all those detained for peacefully exercising their rights, and cease the harassment of activists and their family members.
- Thoroughly and impartially investigate and prosecute allegations of ill-treatment and torture in detention.

You should be clear that:

- The EU will continue to seek to support civil society groups working on human rights even after the restrictive new foreign nongovernmental organization law goes into effect on January 1, 2017, and that the EU will revise the bilateral human rights dialogue to incorporate independent civil society input.
- The EU will not pursue law enforcement or counter-terrorism cooperation with China without the repeal or revision of key laws in China and significant progress made in ensuring accountability for serious human rights violations by members of the security forces.

For the EU to remain true to its core values and principles, it is crucial that you go beyond mere rhetoric or symbolic gestures regarding systemic human rights violations by Chinese authorities. In its recent documents the EU has made clear its knowledge of those abuses—now you should use the full weight of the bilateral relationship to help end them. Taking a firm stand against the brutal crackdown underway in China is not merely the morally right thing to do, it is also in the best strategic interests of the EU and its member states.

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,

A handwritten signature in black ink, appearing to read "Lotte Leicht". The signature is fluid and cursive, with a prominent flourish at the end.

Lotte Leicht
EU Director
Human Rights Watch

CC:

High Representative of the Union for Foreign Affairs and Security Policy / Vice-President of the Commission, Ms Federica Mogherini

Secretary-General of the European External Action Service (EEAS), Mr Alain Le Roy

Deputy Secretary General for the European External Action Service (EEAS), Ms Helga Schmid

Commissioner for Better Regulation, Interinstitutional Relations, the Rule of Law and the Charter of Fundamental Rights / First Vice-President of the Commission, Mr Frans Timmermans

Commissioner for Trade, Ms Cecilia Malmström

Head of Cabinet of the President of the European Council, Mr Piotr Serafin

Chief Foreign Policy Advisor to the President of the European Council, Ms Riina Kionka

Head of Cabinet of the President of the European Commission, Mr Martin Selmayr

Diplomatic Adviser to the President of the European Commission, Mr Richard Szostak

Head of Cabinet of the High Representative of the Union for Foreign Affairs and Security Policy / Vice-President of the Commission, Ms Fabrizia Panzetti

Head of Cabinet of the Commissioner for Better Regulation, Interinstitutional Relations, the Rule of Law and the Charter of Fundamental Rights / First Vice-President of the Commission, Mr Ben Smulders

Head of Cabinet of the Commissioner for Trade, Ms Maria Åsenius

Chair of the EU's Political and Security Committee, Amb. Walter Stevens

Ambassadors to the EU Political and Security Committee

EU Special Representative for Human Rights, Mr Stavros Lambrinidis

Head of the Delegation of the European Union to China, Amb. Hans-Dietmar Schweisgut

Managing Director for Asia and Pacific, EEAS, Mr Gunnar Wiegand

Head of Division for China, EEAS, Mr Ellis Mathews

Managing Director for Human Rights, Global and Multilateral Issues, Ms Lotte Knudsen

Chair of the EU's Working Party on Asia (COASI), Mr Filip Grzegorzewski

Members of the EU's Working Party on Asia (COASI)

Chair of the EU's Working Party on Human Rights (COHOM), Ms Ciara O' Brien

Members of the EU's Working Party on Human Rights (COHOM)

President of the European Parliament, Mr Martin Schulz

Vice-President of the European Parliament responsible for Democracy and Human Rights, Mr Alexander Graf Lambsdorff

Vice-President of the European Parliament of the European Parliament, Ms Ulrike Lunacek

Chair of the European Parliament's Foreign Affairs Committee, Mr Elmar Brok

Chair of the European Parliament's Subcommittee on Human Rights, Ms Elena Valenciano

Chair of the European Parliament's Delegation for relations with the People's Republic of China, Mr Jo Leinen