

PRELIMINARY ASSESSMENT OF THE EU/CHINA HUMAN RIGHTS DIALOGUE

As part of its Incorporating Responsibility 2008 campaign, HRIC has been developing benchmarks for use in monitoring and assessing China's progress in human rights in the run-up to the 2008 Olympics. Following is an assessment of the EU/China human rights dialogue, developed jointly with the International Federation for Human Rights (FIDH) in February 2004 on the basis of benchmarks used by the EU as well as indicators of progress developed by UN and other multilateral bodies, international NGOs, and other organizations. This preliminary assessment was submitted to the EU in advance of the EU-China Dialogue on February 26, 2004, and is a contribution to the second assessment process the EU will undertake in 2004.¹

1. OVERVIEW OF THE EU/CHINA HUMAN RIGHTS DIALOGUE

Dialogue was initiated in January 1996, but interrupted by China after ten member states tabled a resolution on the human rights situation in China at the 1997 Commission on Human Rights. It was resumed at the end of the same year, and since then has been held twice a year.

Since 1997, the EU Council has noted several areas of progress:

- the Chinese government's willingness to address "sensitive issues of common concern in the framework of the dialogue";
- the signing and ratification of the International Covenant on Economic, Social and Cultural Rights (ICESCR) and greater cooperation with UN human rights mechanisms; and
- steps taken in relationship to rule of law, legal and social reforms.

While cooperative expressions are relevant, "encouraging results," welcoming "China's developing cooperation," and "willingness to discuss sensitive issues of common concern in the framework of the dialogue" are not adequate indicators of progress in light of EU concerns and the persistence and seriousness of human rights violations and abuses in China. Even as it noted progress being made, the Council has consistently had to note concerns with ongoing and serious human rights vio-

lations. These violations include crackdowns on peaceful political activists; restrictions on religious expression, lack of freedom of assembly, expression and association; extensive use of the death penalty; severe measures against certain minority groups, including deprivation of religious and cultural rights, particularly in Tibet and Xinjiang; and extensive use of administrative detention and torture.

The Council conclusions are specifically referenced to underscore the fact that exactly the same concerns have been raised since the outset of the dialogue. (See Appendix 1: Summary of Dialogue). Certain conclusions are harsher than others, but they remain largely the same throughout the years, unfortunately underscoring the persistence of violations and lack of progress in the human rights situation on the ground.

Every year, in advance of the Commission on Human Rights, the Council also assesses the human rights situation in China in order to decide the EU stance in Geneva concerning a resolution on human rights in China. In recent years, the EU Presidency expressed serious concern at the human rights situation in China in its opening statements to the annual UNCHR sessions. The Council position with respect to tabling a resolution on China has ranged from a decision not to table or co-sponsor a resolution (1998, 1999), to voting against a no-action motion (1998, 1999, 2001, 2002, 2003), or voting in favor of a resolution if tabled (2001, 2002, 2003).²

2. BENCHMARKS TO ASSESS THE PROGRESS ACHIEVED UNDER THE DIALOGUE

In January 2001, the Council made public the benchmarks on the basis of which the dialogue should be assessed:

1. Ratification and implementation of the two covenants;
2. Cooperation with human rights mechanisms (visit by the rapporteur on torture, invitation to other rapporteurs, follow-up to recommendations from conventional mechanisms and rapporteurs, implementation of the agreement with the Office of the High Commissioner for Human Rights (OHCHR);
3. Compliance with ECOSOC guarantees for the protection of those sentenced to death and provision of statistics on use of the death penalty;

4. Reform of administrative detention, introduction of judicial supervision of procedures, respect for the right to a fair trial and the right of the defense;
5. Respect for fundamental rights of all prisoners, progress on access to prisoners and constructive response to individual cases raised by the EU;
6. Freedom of religion and belief, both public and private;
7. Respect for the right to organize;
8. Respect for cultural rights and religious freedoms in Tibet and Xinjiang, taking account of the recommendations of the UN treaty bodies, halting the "patriotic education" campaign in Tibet, and access for an independent delegation to the young Panchen Lama who has been recognized by the Dalai Lama.

The FIDH and HRIC wish, however, to analyze more in-depth the evolution of the human rights situation in China since 1998, taking as a basis the benchmarks made public by the Council in January 2001. Below is our preliminary assessment of the EU/China human rights dialogue based upon these benchmarks and applying various indicators of progress developed by UN and other multilateral bodies, international NGOs and other organizations. These indicators include the HDI (UNDP), Worldwide Press Freedom Index (Reporters Without Borders), Gender Related Development Index (GDI) (UNDP) and others. Because dialogue benchmarks often reference overlapping human rights obligations of states, we have prepared a chart that identifies for each EU-China dialogue benchmark corresponding human rights and relevant indicators that this preliminary assessment relies upon. (See Appendix 2: Integrating EU- China Dialogue Benchmarks, Human Rights and Indicators).

(1) Ratification and implementation of the two covenants

While signing and ratifying the ICESCR and signing the International Covenant on Civil and Political Rights (ICCPR) are indications of some progress, we believe that ratification of international treaties is only a first step, and that the key focus must be on implementation of the obligations set forth. As part of a coherent dialogue and multilateral process, the rigorous review of States Parties country reports and the submissions of NGOs relevant to these country

reports are also important monitoring and implementation steps.

Echoing its policy of bifurcating economic and political reforms, China has maintained that as a developing country, its first priority is to ensure the welfare of its people. However, as our assessment demonstrates, China's record also reflects serious abuses and violations in this area. While a macro assessment of China's progress in terms of national human development, gender equality, poverty alleviation, literacy and school enrolment, health access, services and resources suggests some progress, an examination of the urban coastal areas and the rural and interior provinces where the majority of China's people live reveals serious intra-country inequalities and growing disparities. Our preliminary assessment identifies a few examples to illustrate the importance of examining these growing inequalities and disparities. (See Appendix 4: Implementing Economic, Cultural, and Social Rights 1996–2003).

In order to be useful and accurate, an assessment must also take into account the situation of millions of migrants, women, ethnic minorities and rural poor, unemployed workers and other vulnerable groups. Our assessment is unfortunately limited by the information publicly available. **We urge the EU to request greater transparency, openness and detailed information from the Chinese government, especially with respect to assessment of each of the dialogue benchmarks.**

Our preliminary assessment below of the implementation progress of the ICESCR focuses on a number of areas that have critical significance for hundreds of millions, if not the vast majority of China's people: the right to health, housing and education. The limited scope of this preliminary assessment also precludes a more nuanced analysis of the extent of progress in the human rights situation in China. A year-by-year analysis with multiple factors cross-referenced would generate insights into uneven progress and backsliding. For example, from 1996 to 2003, the various UNDP indicators suggest there have been improvements. However, if we examine the 1999 indicators, there has also been a deterioration in overall health, gender equality and net pri-

mary enrolment. **We urge the EU to pay greater attention to these trends and analyze their relationship to liberalization policies, especially as they impact vulnerable populations.**

Implementation of the ICESCR:

The ICESCR was ratified in February 2001, but China made a declaration regarding art. 8.1 (a) to the effect that Chinese legislation takes precedence over the article which guarantees the right to form and join a trade union of one's choice. China submitted its initial report under the Covenant to the UN Committee on ESCR in June 2003. The report will be examined at the 34th session of the Committee, in 2005.

In practice, however, poverty and exclusion from the benefits of development for the vast majority of Chinese citizens has serious consequences for human rights in China; the liberalisation and the privatisation of state-owned companies has resulted in the massive layoff of workers as well as social unrest. Social protests are regularly repressed in various provinces of China. These social protests implicate the right to organise, another dialogue benchmark that we assess below.

The Right to Health: Although economic, cultural and social rights may be subject to progressive realization, rights such as right to health impose obligations of immediate effect. The UN Committee on economic, social and cultural rights issued general comments on the right to health,³ in which the content of the legal obligations was clearly spelt out:

“While the Covenant provides for progressive realization and acknowledges the constraints due to the limits of available resources, it also imposes on States parties various obligations which are of immediate effect. States parties have immediate obligations in relation to the right to health, such as the guarantee that the right will be exercised without discrimination of any kind (art. 2.2) and the obligation to take steps (art. 2.1) towards the full realization of article 12. Such steps must be deliberate, concrete and targeted towards the full realization of the right to health.”⁴

Article 12 of the ICESCR encompasses a number of various obligations that were

well outlined by the UN Special Rapporteur on the Right to Health:

“The right to health includes the right to health care - but it goes beyond health care to encompass adequate sanitation, healthy conditions at work, and access to health-related information, including on sexual and reproductive health. It includes freedoms and entitlements. It has numerous elements, including access to essential drugs. Like other human rights, it has a particular preoccupation with the disadvantaged, vulnerable, and those living in poverty. Although subject to progressive realisation, the right to health imposes some obligations of immediate effect. It demands indicators and benchmarks to monitor the progressive realisation of the right.”⁵

However, in China, the collapse of the health care infrastructure, especially in the rural areas, and the government's culture and policies of secrecy and information control have contributed to serious healthcare crises, including the HIV/AIDS pandemic. Over one million people in China suffer from HIV/AIDS; if no effective intervention is made, a projected ten million will be infected by 2010, with 260,000 orphans.⁶ The SARS outbreak last year underscored the deadly impact of information and media censorship not only for China, but also for its global neighbors.

Access to Essential Drugs: Liu Feiyue, a teacher from Suizhou city in Hubei Province, in January 2004 drafted and circulated an open letter to the Chinese government demanding that it assume responsibility for safeguarding the health and lives of the Chinese people and calling for reform of the prescription drug system. The open letter charged the pharmaceutical industry and the hospital system with colluding to inflate drug prices, stating that the Chinese people cannot afford costly drugs and that many who become ill can only “sit and wait to die.” Eight specific reforms were called for, including punishing the illegal inflation of drug prices, revising the policy that sets the price ceiling for drugs and increasing government investment in public health. Following media work by HRIC publicizing the petition, the

Chinese press began to also report the story, and this has generated pressure on the Chinese government to publicly state it will investigate the matter.⁷ This underscores the importance of international attention and pressure.

The Right to Housing: The right to housing is also increasingly violated in China, with urban relocations in major cities. Protests by urban residents displaced in the government's forced relocation programs notably take place in Beijing, Shanghai and Nanjing. In Beijing, the national public complaints office said it received more than 11,600 complaints from residents regarding relocation issues in the first eight months of 2003, up 50 percent over the same period last year. Citizens demand that authorities provide fair compensation for relocation.

In response to the vast discontent stemming from its relocation programs, the Chinese government implemented token reforms to its oversight of housing development and relocation. In September 2003, the Ministry of Construction limited the number of luxury residences that could be built, promising more housing for middle and low-income budgets.

The FIDH and HRIC are also particularly concerned about the use of political charges to intimidate and suspend the licenses of lawyers who represent sensitive cases, including workers or individuals in forced relocation projects.

We note with serious concern the case of **Zheng Enchong**, who represented Shanghai residents in disputes with real estate developers about forced clearance and compensation in urban redevelopment programs. Zheng publicly advocated amending Article 10 of China's Constitution to clarify ownership rights relating to land and residential property until his law license was revoked by the Shanghai authorities in 2001 in an attempt to discourage Zheng from providing further counsel to displaced residents. He continued to advise residents in more than 500 cases of property disputes until his detention by the Shanghai Public Security Bureau on June 6, 2003. At the time of his detention, Zheng was advising six Shanghai families in a lawsuit against Shanghai's Jing'an District Property Development Bureau, alleging that it col-

luded with wealthy Hong Kong developer Zhou Zhengyi. The Shanghai People's Procuratorate charged Zheng with "illegally providing state secrets abroad" on August 15, 2003. Following a trial on August 28, the Shanghai Second Intermediate People's Court handed down a guilty judgment and sentenced Zheng to three years imprisonment and one year deprivation of political rights on October 28, 2003. An appeal was lodged by Zheng's lawyer. However his appeal was denied at a closed hearing on December 18, 2003, which only three family members and a member of the U.S. Consulate in Shanghai were allowed to attend. Zheng's wife, Jiang Meili, submitted an open letter to Hu Jintao and Wen Jiabao on February 6, 2004, appealing for a fair trial and intervention regarding Zheng's prison treatment after Zheng told her in a prison visit that he had been kept in solitary confinement and abused by prison authorities.

The Right to Education: The trend of the deteriorating situation of economic and social rights for the vast majority of China's population is confirmed by increasing discrimination in the field of education, in clear breach of Articles 2(2) and 13 of the ICESCR.⁸

Women: Women continue to make up an overwhelming majority of illiterates, including seventy percent of 180 million illiterate or semi-illiterate, and eighty percent of two million "new illiterates" each year. In rural areas, nearly three quarters of employed females are illiterate or have only had primary level education, as opposed to less than thirty percent in the urban areas.

Migrant children: Estimates of the number of internal migrants in China vary between 100 and 160 million. Some of the poorest and most disadvantaged children in China's major cities are being systematically deprived of their right to education because their migrant parents do not hold the sheaf of permits that would make their stay in the urban areas "legal." According to available statistics, upwards of 1.8 million children are losing out on their right to education as a result of the hukou policy. Over the next decade, millions of children may suffer this way.

On the issue of access and affordability, a report issued last November by the UN

Special Rapporteur on the Right to Education after her visit to China notes:

"One of China's proudest accomplishments used to be providing elementary education free of charge but, as schooling has become increasingly expensive, all those who cannot afford the cost are excluded" (para 11). The situation of migrant children is of particular concern to the Special Rapporteur since "an unknown number of [them] are denied their right to education because they lack permits (. . .) while those migrant children who are allowed into school are required to pay a temporary schooling fee amounting to 20,000 *yuan* in Beijing, as the Special Rapporteur heard to her dismay. That sum is beyond the reach of most migrants" (para 27).

The exclusionary and discriminatory policies are part of a conscious strategy, limiting access to schooling to deter further in-migration. China's education system discriminates against migrant pupils at best, consigns them to sub-standard education most of the time and deprives them of any schooling at all in some cases.

Ratification of the ICCPR:

The ICCPR was signed in October 1998, but despite repeated representations by the Chinese government of intentions to ratify the ICCPR, ratification is still pending. However, we also note that many of the rights protected by the ICCPR are protected by the ICESCR and the ICERD, are enshrined in the Universal Declaration of Human Rights and the UN Charter, and are recognized in the WSIS Declaration of Principles (2004). These include freedom of expression, association and free press, and right to information.

Violations of the rights protected by the ICCPR and other international declarations are widespread. These violations include extensive use of arbitrary detention, imprisonment of political and religious dissidents, torture and ill-treatment of detainees, deprivation of the rights to freedom of expression, association and assembly, widespread failure to enforce laws protecting the rights of workers and women, suppression of religious freedom and the use of physical and psychological coercion in implementing the population control policy.

Table 1: Freedom of expression and association and right to information⁹

Area of Progress	Indicator (Source)	1996	2003
Press Freedom	World Press Freedom Ranking (Reporters Sans Frontieres)	— ¹⁰	Ranked 161st/166 countries
Freedom of Expression	Journalists/Internet Activists Imprisoned (China Rights Forum, No.3, 2003)	—	69
Respect for Religious Freedoms	People imprisoned for their religious beliefs (China Rights Forum, No.4, 2003)	—	301+ ¹¹
Freedom of Association	Imprisoned Labor Activists (China Rights Forum, No.1, 2003)	—	32

Table 1 above summarizes some of these areas of abuse. In addition to the numbers of journalists, Internet activists and labor activists imprisoned, and people imprisoned for their religious beliefs, another useful indicator of progress is the Worldwide Press Freedom Index, and the comparative ranking of countries according to their respect for press freedom. The Worldwide Press Freedom Index developed by Reporters Without Borders is based on interviews with journalists, researchers and legal experts regarding 50 questions relating to press freedom violations (such as murders, arrests of journalists, censorship, state monopolies in various fields, punishment of press law offences and regulation of the media). Some of the variables used to determine the index include direct attacks on journalists and the media, the degree of impunity by those responsible for violations and other serious threats to press freedom.

In 2002, the first year the ranking was introduced, China ranked 138th out of 139 countries, followed only by North Korea. In 2003, China ranked 161 out of 166.

(2) Cooperation with HR mechanisms

Visit by the rapporteur on torture:

No agreement has been reached yet on the visit of the Special Rapporteur on Torture.¹¹ This has been a pending issue since 1995. In May 1998, on the margin of the EU/China human rights dialogue, Chinese delegates met with the UN Special Rapporteur on Torture, Nigel Rodley, but it did not result in a breakthrough regarding the terms of a visit to China.

Invitation to other rapporteurs:

The Government of China invited the Special Rapporteur on the Right to Education to visit the country by letter on November 14, 2002. That letter originated from

the human rights dialogue between the European Union and China and was forwarded to the Special Rapporteur by the Danish EU Presidency. The Special Rapporteur visited China in September 2003 and prepared her report, to which the Chinese government filed a highly critical response.

No invitation has been issued for the Special Rapporteur on Religious Intolerance.

Follow-up to recommendations from conventional mechanisms and rapporteurs:

Through recent reporting, China has shown a willingness to comply with its reporting obligations under the various treaties. However, submitting country reports that in many cases do not identify or address problems and implementation issues is neither adequate nor effective. In addition, the vast majority of the recommendations formulated by the UN treaty bodies have not been implemented by China (see for example, CERD concluding observations of August 2001¹² and CAT concluding observations of May 2000¹³).

China has invited the UN Working Group on Arbitrary Detention, but up until now, the recommendations following the Working Group's first visit to China (October 1997) have not been implemented. We note that

in 2002 and 2003, the Working Group on Arbitrary Detention issued eight decisions relevant to HRIC submissions, finding all eight cases were arbitrary detentions.¹⁴ Of the cases in which the Chinese government submitted a response, the response consisted of blanket denials while failing to provide any contrary evidence or information.

Re-education Through Labor, for example, is still largely used in spite of the WGAD recommendation to abolish it.

In six years (1998–2003), only one visit by a Special Rapporteur has taken place (the visit by the Special Rapporteur on the Right to Education last September). Cooperation with UN treaty bodies is taking place, but the concluding observations are not implemented. (See Appendix 3: Summary of Special UN Human Rights Mechanisms.)

The FIDH and HRIC consequently find that it is not possible to consider that genuine progress has been achieved by China in the field of cooperation with UN mechanisms.

(3) Death penalty

The extensive and politicized use of the death penalty and the lack of procedural safeguards in the PRC legal system seriously infringe upon fundamental human rights set forth in the Universal Declaration of Human Rights, ECOSOC guarantees, and the International Covenant for Civil and Political Rights (signed by the PRC and expected to be ratified).

Provision of statistics on use of the death penalty:

Table 2 below sets forth the number of death sentences and executions for the years 1997-2002 documented by Amnesty

Table 2: Death penalty sentences and Executions: 1996–2002

Year	# of people sentenced to death	# of people executed
1996	—	1,014+ ¹⁵
1997	6,000	3,500
1998	2,495	1,644
1999	2,088	1,263
2000	1,939	1,356
2001	4,015	2,468
2002	1,921	1,060
Total	18,458+	12,305+ (66.7%)

Source: Amnesty International Annual Reports

International. China regards the number of people it executes each year to be a “state secret,” so the exact number is difficult to ascertain. To our knowledge, those statistics have not yet been made available by China, even on a confidential basis in the framework of the EU/China human rights dialogue.

According to Amnesty’s 2002 Annual Report, there has been an increase in the use of the death penalty after the launch of “strike hard” campaigns against crimes that were previously punishable by imprisonment. People have been executed for drug offences, violent crimes and non-violent crimes (i.e. tax fraud and pimping). Execution is carried out by firing squad or lethal injection, sometimes within hours of sentencing. As in previous years, there were several reports of miscarriages of justice resulting from confessions extracted by torture. In June 2002, at least 150 people were also executed for drug-related crimes to mark the UN-designated International Anti-Drugs Day (June 26).¹⁶

Compliance with ECOSOC guarantees for the protection of those sentenced to death:

According to the UN Safeguards guaranteeing protection of the rights of those facing the death penalty,¹⁷ the death penalty can only be applied to the “most serious crimes”—meaning intentional crimes with lethal or extremely grave consequences. In China, the death penalty is applied to at least 65 offences, including minor and non-violent offences as well as alleged state security crimes.

UN Safeguards also urge states that still maintain the death penalty to not impose it for crimes committed by persons under 18 years of age, and to exclude pregnant women from capital punishment, along with persons suffering from any form of mental disorder and mothers with dependent infants.¹⁸

The UN Safeguards also state: “Noting that, in some countries, the death penalty is often imposed after trials which do not conform to international standards of fairness . . .”

In respect of the right to a fair trial in China, the death penalty occurs most of the time after unfair or summary trials lacking any due process protections. The Ministry of Public Security passed a law

banning the use of evidence extracted through torture in administrative cases, in order to “raise the standards of investigation and law enforcement.” Evidence extracted through torture, although illegal under the 1997 Criminal Procedure Law of the PRC, may still be admissible to convict people of crimes that carry the death penalty in China. The Ministry of Public Security’s ban on the use of evidence extracted through torture does not extend to non-administrative criminal cases, and the use of evidence extracted through torture continues to be widespread in the Chinese judicial system.

The death penalty must be carried out in such a way as to cause the least possible physical and mental suffering (para 9 of the UN Safeguards). In 2003 the PRC announced reforms relating to capital punishment, including:

- The Beijing judiciary instituted a measure granting prisoners on death row the right to a family visit before execution as a “humanitarian measure.”
- Lethal injection is increasingly being used as a means of execution instead of a firing squad. The Chinese government is also touting this as a “humanitarian measure,” illustrating China’s commitment to becoming more “civilized” and “humane.”

However, these minimal reforms do not address the serious problems of lack of adequate safeguards for the rights of those facing the death penalty.

We urge the EU to continue and request more transparency from China with regard to death penalty sentences and executions and, as a first step towards abolition, to fully comply with the UN Safeguards.

(4) Reform of administrative detention, introduction of judicial supervision of pro-

cedures and respect for the right to a fair trial and the right of the defense

Re-education Through Labor (RTL):

RTL is still being widely used despite the recommendations of the UN Working Group on Arbitrary Detention and the Committee Against Torture that it be abolished, and the long campaign by Chinese legal scholars and human rights groups to eliminate it. According to a report by the UN Working Group on Arbitrary Detention following its visit in China in October 1997,¹⁹ there were 230,000 persons in 280 RTL centers around the country. The figure represented more than a 50 percent increase over four years.

HRIC has pointed out that the system of administrative detention is totally outside the realm of judicial supervision. Under this system, detainees are deprived of their freedom and of their right to due process, including a fair trial. HRIC and FIDH also believe that the lack of safeguards for persons in administrative detention creates conditions in which torture and ill-treatment are virtually endemic.

According to China’s official figures, more than 310,000 people were held under RTL from 2001–2003, as compared to around 150,000 in the early 1990s. RTL is applied by the public security departments alone, without any judicial review, to people who have committed acts “too minor” to merit formal prosecution. Those sentenced to RTL are deprived of their rights to counsel, to a fair hearing and to have the lawfulness of their detention reviewed by a judicial authority. Although its maximum duration is three years, it can be renewed for up to one more year if the detainee is considered to have performed badly in his or her “reform.” It is frequently used to detain people who have peacefully exercised their rights to freedom of thought, religion, expression and association, including Falungong practitioners, politi-

Table 3: Number of persons detained in RTL 1993–2003

Year	# of persons in RTL camps	Source
1993	150,000	UN Working Group on Arbitrary Detention
1996	—	—
1997	230,000	UN Working Group on Arbitrary Detention
2000	200,000	HRIC (quoting official figures)
2001	310,000	Yearbook of Judicial Administration in China
2003	>310,000xx	Yearbook of Judicial Administration in China
Total	1,200,000+	

cal dissidents, members of Christian religious groups and people accused of “disturbing public order,” including prostitutes.

Custody and Repatriation (C&R):

Another administrative measure was C&R, which allowed for the arbitrary detention of people considered undesirable by urban authorities whose household registration is not located in the city where they are living or working. Targets included beggars, the homeless, street children, prostitutes and the mentally ill, as well as migrant workers in low status occupations. The PRC government announced the abolishment of C&R in June 2003, with the stated intention to convert C&R centers into “welfare service centers.” However, in light of the enormous pressures created by the collapse of a social safety network and the hundreds of millions of migrants, unemployed, and rural and urban poor, it is critical that the dismantling of the camps be monitored to avoid creation of new abuses.

(5) Respect for fundamental rights of all prisoners, progress on access to prisoners and constructive response to individual cases raised by the EU

There continues to be a trend of repression by Chinese authorities against political dissidents, cyber-activists, protesters against forced-relocation schemes, labor activists and independent religious movements. We note with concern that lawyers who represent these individuals and groups are also increasingly being targeted by the authorities.

Response to individual cases:

In the past, the EU informally shared the list of individual cases with NGOs working on human rights in China in advance of the dialogue meetings. This has no longer been the case since 2003. This reduces the chances of accurate and updated lists. In addition, the virtually complete blackout on reporting back on responses (if any) to individual cases and situations raised in the political dialogue means that there is no possibility to follow-up on such matters, thus reducing significantly the usefulness of the exercise.

The FIDH and HRIC also believe that greater coordination is necessary between the EU and the UN human rights mechanisms in that regard : the EU should take

on the list of individual cases raised with the Chinese authorities by the different UN mechanisms (Working Group on Arbitrary Detention, Special Rapporteurs, etc.), and share the answers received with the mechanisms concerned.

This is also an area where closer coordination with the other countries having human rights dialogues with China would be valuable.

(6) Freedom of religion and belief, both public and private

Only religions under the control of the state are allowed to conduct public worship in China. Independent religious groups, such as Christian house churches and leaders of more influential underground religious groups, are subjected to ongoing suppression, arrest and other forms of persecution, in violation of the Chinese Constitutional right to freedom of religion. HRIC has documented at least 299 individuals imprisoned for their religious beliefs and practices.²²

Since July 1999, the Chinese government has banned the **Falungong spiritual movement** and has launched a brutal campaign against practitioners. According to the Falungong themselves, incomplete statistics show that within the past four years, from July 20, 1999 to December 31, 2003, more than 879 practitioners have been verified as being tortured to death in more than 30 provinces, autonomous regions and municipalities.²³ However, according to the government’s official internal statistics, the actual number of practitioners who died after being arrested had reached 1,600 by the end of 2001. In addition, there are at least 6,000 Falungong practitioners who have been illegally sentenced to prison terms. More than 100,000 practitioners have been sentenced to forced labor camps. Thousands of practitioners have been forcibly sent to psychiatric hospitals, where they are tortured with injections that are damaging to the central nervous system. Large groups of Falungong practitioners have been forcibly sent to local brainwashing classes, where they have been subjected to both physical and mental torture. Many more practitioners have been severely beaten and have had large sums of money extorted from them by law-enforcement officials.

Table 4: Number of Falungong practitioners’ deaths related to police custody, torture and beatings

Year	# Deaths
1996	Unavailable
1999	35+ ²¹
2000	143
2001	241
2002	261
2003	199
Total	879+

(7) Respect for the right to association

The survival of religious and quasi-religious organizations, environmental protection groups, AIDS organizations, trade associations and cultural institutes, etc. often depends on their relationship with the government. Any forum or association that is not formally approved by the government is technically illegal in China. It is first of all very difficult for NGOs to register. They have to find a “sponsoring” department that prevents any proper political independence, they must be the only organization in their area of work in their administrative location and they must have a minimum amount of money for their registration. Moreover, their subsequent survival then depends on the conformity of their agenda to government policies.

In 1998, the China Democracy Party was created. Its key members were immediately arrested, and only a small group has managed to symbolically keep the movement going by regularly issuing statements. Internet activists and religious movements have also fallen victim to the repressive policies of the Chinese government.

All trade unions are currently under the control of the Party. Labor activists trying to establish independent labor unions are repressed. **Zhang Shanguang** has been repeatedly arrested and sentenced to lengthy prison terms for his efforts to establish an independent labor union. He was sentenced to ten years in prison in 1998.

The economic reforms in China have led to massive layoffs and closure of state enterprises, with large scale social protests resulting. In that regard, we are particularly concerned with the situation of **Yao Fuxin** and **Xiao Yunliang**, both arrested during workers’ demonstrations in March 2002 in Liaoning Province. We are extremely concerned about the deterioration of their

health, especially since their transfer to Lingyuan Prison, notorious for its brutal conditions.

(8) Respect for cultural rights and religious freedom in Tibet and Xinjiang

The Chinese government continues to pursue a policy of ethnic dilution through the acceleration of Han Chinese colonization in ethnic minority areas such as Tibet and Xinjiang. While the actual number of Han Chinese in the autonomous regions is unclear, official statistics regarding the number of Han Chinese in both Tibet and Xinjiang are underreported because they do not include military troops of the permanent PLA garrisons or seasonal migrant workers (who are unregistered) spearheading further colonization.

This Han Chinese settler colonization policy is in part responsible for the increase in socio-economic disparities between minority ethnic groups and the new settlers. The Chinese government continues to deny such settlement dynamics even though they are amply reflected by official population statistics—an attitude that prohibits the adoption of necessary mitigating measures. Of particular concern is the current national “Go West” campaign, which explicitly frames economic development of minority areas in terms of increased resource exploitation for the benefit of the coastal economy and accelerated settlement movements.

Taking account of the recommendations of the UN treaty bodies, we urge a halt to the “patriotic education” campaign in Tibet and access for an independent delegation to the young Panchen Lama, who has been recognized by the Dalai Lama. With respect to Xinjiang and Tibet, the colonization of areas inhabited by ethnic minorities present serious concerns regarding the respect for cultural rights and religious freedom.

3. CONCLUSION AND RECOMMENDATIONS

NGOs have since the outset of the dialogue sent their recommendations to the EU on a regular basis with regard to the EU/China human rights dialogue. As early as June 1998, HRIC issued a 60-page report on human rights dialogues with China, including a full set of specific recommendations.

The FIDH and HRIC welcome the fact that some of the NGOs’ recommendations have been taken on board by the EU: coordi-

ination with the UN mechanisms in advance of the sessions of the dialogue has been developed over the years; benchmarks to assess the dialogue have been made public; international NGOs have been regularly consulted in the past in the preparations of dialogue sessions (notably from 2000 to 2002); universal standards are now clearly the basis of discussion and the dialogue is conceived as a tool to induce China to cooperate with UN mechanisms. While there has been some progress in 2000 and 2001, we note that there has been a deterioration in cooperation with NGOs since then.

However, we believe that the results of the dialogue could definitely be improved and we address the following recommendations to the EU in that regard:

With regard to the human rights dialogue itself:

- *Independent participation:* There is a need to include in the dialogues the people in China most concerned about human rights and to encourage dialogue domestically; China should be pressed by the EU to allow for the participation of independent social groups, scholars and lawyers. Independent international NGOs with specific relevant expertise should participate as well, at least as observers, as suggested in the EU guidelines on human rights dialogue, which emphasize the role of civil society in following-up with and assessing the dialogue.
- *Strengthening the authority of UN human rights standards and mechanisms:* Efforts have been made by the EU in that regard. UN thematic mechanisms are contacted in advance in order to ensure adequate information for the EU delegation on the exact state of cooperation by China. However, it seems that such coordination could be strengthened further, notably by sharing information after the dialogue sessions (e.g. on information received with regard to individual cases).
- *Transparency and accountability:* Without transparency, assessment is impossible. Efforts should clearly be increased in that regard, especially towards the European Parliament, which has the legitimacy to monitor the EU policy vis-à-vis China.
- *Coordination among the different coun-*

tries engaged in human rights dialogues with China: It seems that this effort is not yet systematic, even if specific initiatives have taken place in the past in that regard.

- *Dialogue as part of an integrated strategy:* Human rights policy towards China should be brought into the mainstream of other EU policies towards China, since dialogue cannot achieve results without being combined with multilayer pressure. This mainstreaming is still lacking.
- The EU/China dialogue should respect the EU guidelines on human rights dialogues. In spite of the fact that they were adopted after the launch of the dialogue, the EU should make sure that the China dialogue respects those guidelines, for the sake of consistency and coherence, and in order to avoid reproaches of “double standards.”

With regard to the dialogue seminars:

- Since 2002, the dialogue seminars seem to be disconnected from the dialogue itself and the Council does not seem to be politically in charge of the seminars. This disconnection should be addressed and reversed since the seminars should be a tool for more in-depth discussions on the issues addressed during the dialogue session.
- A report should be published after each dialogue seminar and be made available in Chinese. This would help avoid repetition and ensure follow-up between the different sessions of the seminar. It would also provide the Chinese delegation with a source that can be quoted in China.
- In order to improve the knowledge of EU experts with regard to China’s issues, a pre-seminar briefing between relevant NGOs and European experts should be organized on the European side the day before the seminar. This was done in the past but unfortunately does not seem to be the case anymore.
- Human Rights NGOs working on China should systematically participate in the seminars – this practice has not been systematic until now.²² This would ensure continuity between the seminars, and in-depth and informed exchanges with the Chinese delegates. NGOs should also be invited to make formal interventions during seminar workshops.

Appendix 1: Summary of EU-China Dialogues, 1996–2003

Date	Progress Noted by Council	Ongoing Human Rights violations Noted by Council	Action Taken/Urged
Jan. 1996	<ul style="list-style-type: none"> • Dialogue initiated 		
1997	<ul style="list-style-type: none"> • Dialogue interrupted by China after ten member states tabled a resolution on the human rights situation in China at the 1997 CHR 		
Feb. 1998	<ul style="list-style-type: none"> • Encouraging results 		<ul style="list-style-type: none"> • Council agreed that neither the (EU) presidency nor member states should table or co-sponsor a CHR China resolution. • If the situation arose, the Council agreed that EU delegations should vote against a no-action motion.
Mar. 1999	<p>The Council “welcomed China’s developing cooperation with UN Human Rights mechanisms,” notably :</p> <ul style="list-style-type: none"> • the signing of the two UN Covenants, and • the visit of the UN High Commissioner for Human Rights. 	<p>The Council however noted with regret that positive steps towards growing integration into the UN human rights system have not been matched by corresponding improvements in the situation on the ground and expressed its concern with:</p> <ul style="list-style-type: none"> • the December crackdown on peaceful political activists, • continuation of arrests and sentencing, • the use of the death penalty, • continued practice of administrative detention, • restrictions on religious freedom, and • lack of freedom of assembly, expression and association 	<p>The EU called on the Chinese Government :</p> <ul style="list-style-type: none"> • “to redress these deficiencies, • early ratify and implement the UN Covenants and • to give adequate follow-up to the recommendations of the UN human rights bodies.” • The Council confirmed its position concerning the EU’s approach to China in the CHR.
Mar. 2000	<p>“China has demonstrated willingness to discuss a number of sensitive issues of common concern in the framework of the dialogue.”</p>	<p>The Council however regretted that the positive steps taken by China at the international level are not only marking time but also have not been matched by tangible progress in the domestic human rights situation.</p> <p><i>The EU expressed its deep concern with:</i></p> <ul style="list-style-type: none"> • continuing and widespread restrictions on freedom of assembly, expression and association, • harsh sentences imposed on pro-democracy activists and severe measures against certain minority groups, particularly in Tibet and Xinjiang. • the number of arrests and harshness of sentences for Falungong practitioners, restrictions and punishment of members of the Christian Church and other religious groups, • the frequent use of the death penalty and, notwithstanding the recent reforms in the Chinese legal framework, the number of non-violent crimes, including those of an economic nature, still punishable with the death penalty, and • the retention of administrative detention camps where people may be detained without appropriate legal assistance and in most cases without a fair trial. 	<p>The Council encouraged China :</p> <ul style="list-style-type: none"> • to ratify the UN Covenants as soon as possible, • to cooperate more closely with the CHR Special Rapporteurs and Working Groups, as well as to sign the Memorandum of Understanding with the office of the High Commissioner on Human Rights.
Jan. 2001			<ul style="list-style-type: none"> • The Council adopted specific conclusions on the EU/China dialogue, in which it determined clearly the “specific areas in which the EU will be seeking progress through the dialogue process,” what progress has been achieved since 1997 and which are the remaining areas of concern. • The Council, by making public what can be considered as benchmarks to assess the

Appendix 1: Summary of EU-China Dialogues, 1996–2003 (cont.)

Date	Progress Noted by Council	Ongoing Human Rights violations Noted by Council	Action Taken/Urged
Jan. 2001 (cont.)			<p>dialogue, “wishes to make its human rights policy towards China more transparent and to pave the way for an exchange of information on the subject with civil society (. . .)</p> <ul style="list-style-type: none"> • The EU will evaluate the results of the dialogue at regular intervals, to determine how far its expectations have been met”.
Mar. 2001	<ul style="list-style-type: none"> • The Council welcomed ratification by China of the ICESCR, • expressed its concern at the declaration made regarding art. 8.1 of the Covenant, and • welcomed “China’s stated intention to co-operate more closely with UN human rights mechanisms, namely through implementation of the MoU agreed with the UN High commissioner for HR and visits by the special rapporteurs and working groups”. 	<p>The Council reiterated its concern at :</p> <ul style="list-style-type: none"> • the lack of respect for freedom of expression, religion and association • the ongoing violations of human rights of pro-democracy activists, proponents of free trade unions and followers of other movements such as the Falungong • the frequent use of the death penalty • restrictions against un-official religious groups, and • the deprivation of religious and cultural rights in Tibet and Xinjiang. 	<p>The Council decided not to co-sponsor a resolution on HR in China at the CHR, but to vote in favor if the resolution was put to a vote.</p>
Mar. 2002	<p>The Council welcomed “certain progress in relation to :</p> <ul style="list-style-type: none"> • establishing the rule of law, • democratic principles and human rights, including the economic and social reform process, • the steps taken towards a more open society, and • the continued efforts to develop the legal system.” <p>Council also welcomed certain recent amendments to the trade union law.</p> 	<p>The Council however expressed its concern with:</p> <ul style="list-style-type: none"> • the lack of respect for freedoms of expression, religion and association, • the ongoing violations of human rights of pro-democracy activists, proponents of free trade unions and followers of the Falungong, • the widespread use of torture • the “strike hard” campaign, which has resulted in an extremely high number of death sentences and executions, qualifying this situation as “a grave setback,” • restrictions against unofficial churches and religious-groups, and • the deprivation of religious and cultural rights in Tibet and Xinjiang. The Council underlined that the fight against terrorism should be pursued with full respect for human rights and fundamental freedoms. 	<ul style="list-style-type: none"> • The Council urged China to ratify the ICCPR and to cooperate more closely with the UN human rights mechanisms. • The EU adopted the same stance as the previous year with regard to the CHR.
Mar. 2003	<p>The Council “welcomed certain progress in relation to :</p> <ul style="list-style-type: none"> • the establishment of the rule of law, • democratic principles, including the economic and social reform process, • opening of the society, and • development of the legal system, including the submission to the NPC Standing Committee of a first-ever draft civil code and the strengthening of the legal training of judges”. 	<p>The Council expressed its concern with :</p> <ul style="list-style-type: none"> • the execution of Lobsang Dhondup (. . .) and Tenzin Deleg Rinpoche. It considered this execution as sending a wrong signal (. . .) and expressed disappointment at the failure of the Chinese authorities to keep the EU informed of developments in the above-mentioned two cases, and underlined the need for the HR dialogue with China to be based on genuine demonstration of mutual confidence.” • The extensive use of the death penalty, often in violation of internationally agreed minimum standards, • the continuation of the “strike-hard” campaign, • the widespread use of torture and arbitrary detention, • repression of the freedom of expression, religion and association in China, and • the ongoing violations of the human rights of pro-democracy, labor and internet activists, proponents of free trade unions and followers of underground Christian churches and the Falungong. 	<p>The Council urged China :</p> <ul style="list-style-type: none"> • to bring its legislation in line with the ICESCR, including art. 8.1(a), and • to ratify the ICCPR and the Optional Protocol to the CAT. • The Council also “underlined that the fight against terrorism should be pursued with full respect for HR and fundamental freedoms and should not be used as a pretext for repression of political dissent.” • With regard to the CHR, the Council adopted the same stance as the previous years.

Appendix 2: Integrating EU-China Dialogue Benchmarks, Human Rights, and Indicators

EU Benchmarks	Area of Progress	Indicator of Progress
1. Ratification and implementation of the two covenants	<ul style="list-style-type: none"> • ICCPR <ul style="list-style-type: none"> • right to life, to be free from torture and slavery, and to liberty and security, • right to freedom of movement, association, thought, religion and expression, • right to equality before the law, to privacy, to equality within marriage, and to the enjoyment of culture. • prohibiting all forms of discrimination • ICESCR <ul style="list-style-type: none"> • right to self-determination, • right to gender equality, • right to fair wages and safe working conditions, • right to form or join trade unions, • right to social security, • protection of family, • right to adequate standard of living, • right to housing, • right to health, • right to education, and • right to cultural life. 	<ul style="list-style-type: none"> • Reporters Without Borders: World Press Freedom Ranking • Journalists/ Internet activists imprisoned • People imprisoned for their religious beliefs • Imprisoned labor activists • World Bank: Governance Matters III • UNDP Human Development Indicators <ul style="list-style-type: none"> • HDI, GDI, GEM, HPI-1, Gini • Number of people suffering from HIV/AIDS • Access to essential drugs • Illiteracy and primary education enrolment rates (women & migrant children)
2. Cooperation with HR mechanisms	<ul style="list-style-type: none"> • Implementation of MOU • Visits by Special Rapporteurs • Recommendations and Working Group visits 	<ul style="list-style-type: none"> • Individual cases responses • Follow-up and implementation of recommendations and working group visits
3. Compliance with ECOSOC guarantees for the protection of those sentenced to death and provision of statistics on use of the death penalty	<ul style="list-style-type: none"> • Right to a Fair Trial • Provision of Death Penalty Statistics 	<ul style="list-style-type: none"> • Number of people executed per year • Extensive use of death penalty
4. Reform of administrative detention, introduction of judicial supervision of procedures, respect for the right to a fair trial and the right of the defense	<ul style="list-style-type: none"> • Elimination of administrative detention • Introduction of due process protections 	<ul style="list-style-type: none"> • Implementing recommendations of UN Working Group on Arbitrary Detention • Government responses to individual cases • Number of RTL camps • Number of people in RTL camps
5. Respect for fundamental rights of all prisoners, progress on access to prisoners and constructive response to individual cases raised by the EU	<ul style="list-style-type: none"> • Introduction of due process protections • Access to prisoners • Responses to individual cases that provide specific and relevant information 	<ul style="list-style-type: none"> • Assessing regulations • Number of political prisoners • Government responses to individual cases
6. Freedom of religion and belief, both public and private	<ul style="list-style-type: none"> • Allowing space for independent churches and civil society groups 	<ul style="list-style-type: none"> • Number imprisoned for religious beliefs • Number of Falungong practitioners' deaths related to police custody, torture and beatings
7. Respect for the right to organize	<ul style="list-style-type: none"> • Allowing the existence of independent unions while reversing China's declaration regarding the ICESR 8.1(a) 	<ul style="list-style-type: none"> • Allowing independent trade unions • Number of imprisoned labor activists • Assessing labor union regulations
8. Respect for cultural rights and religious freedoms in Tibet and Xinjiang, taking account of the recommendations of the UN treaty bodies, halt "patriotic education" campaign in Tibet, and access for an independent delegation to the young Panchen lama who has been recognized by the Dalai Lama.	<ul style="list-style-type: none"> • Ending patriotic education in Tibet • Allowing education in Uigher and Tibetan language • Access for an independent delegation to the young Panchen lama who has been recognized by the Dalai Lama 	<ul style="list-style-type: none"> • Education reform • Access to Panchen Lama • Number of Han Chinese in Tibet and Xinjiang

Appendix 3: Summary of Special UN Human Rights Mechanisms

RAPPORTEUR	CHRONOLOGY	STATUS
Working Group on Arbitrary Detention	<ul style="list-style-type: none"> Visit in October 1997. China promised to extend unconditional invitation to the rapporteur at December 2002 US-China human rights dialogue. 	Working Group's 1997 recommendations have not been implemented.
Special Rapporteur on Extra-judicial, Summary or Arbitrary Executions	<ul style="list-style-type: none"> Rapporteur requested an invitation in 1992. The request was repeated in 1993, 1994, 1995, 1996 and 1997. 	No formal invitation has been issued.
Special Rapporteur on Freedom of Religion or Belief	<ul style="list-style-type: none"> Visit in November 1994. China agreed to invite the rapporteur in 2002, but the visit has not taken place yet. 	No formal invitation has been issued.
Special Rapporteur on Religious Intolerance (2001)		
Special Rapporteur on Torture	<ul style="list-style-type: none"> Rapporteur requested first invitation in 1995. China first issued invitation in 1999 but parties could not agree on terms of reference for visit. Chinese invitation repeated in 2001 to the new rapporteur. China pledged to reissue unconditional invitation to the rapporteur at December 2002 US-China human rights dialogue. 	No agreement yet on terms of reference for visit. ²⁶
Special Rapporteur on Freedom of Opinion and Expression	<ul style="list-style-type: none"> Rapporteur requested a visit in 1999. Request was repeated in 2000 and 2001. The new rapporteur requested a visit in 2002 and 2003. 	No formal invitation has been issued.
Special Rapporteur on the Independence of Judges and Lawyers	<ul style="list-style-type: none"> China agreed to consider issuing an invitation at the November 2002 UK-China human rights dialogue. 	No formal invitation has been issued.
Special Rapporteur on the Right to Education	<ul style="list-style-type: none"> Visit in September 2003. 	SP Report (11/21/03) PRC Response (12/11/03)

ENDNOTES

- Editor's note: The full submission as submitted to the EU can be accessed on the Web sites of FIDH and HRIC at: http://www.fidh.org/article.php3?id_article=658 and http://iso.hrichina.org/download_repository/1/EUChinaWeb.pdf.
- Editor's note: In EU member nations voted individually on the ultimately successful no-action motion tabled by China.
- E/C.12/2000/14, of August 11 2000, the right to the highest attainable standard of health
- Para 30
- UN Special Rapporteur on the Right to Health Paul Hunt on the Right to Health and Economic Policy (presented at the panel discussion "Towards Development: Human Rights and the WTO Agenda," organized by 3D Trade-Human Rights-Equitable Economy and Rights & Democracy, Cancun, Mexico, September 12, 2003) <http://www.3dthree.org/pdf_word/m193-aulHuntRHealthWTOCancun.doc>.
- UNAIDS. www.unaids.org; Human Rights Watch. 2003. *Locked Doors: The human rights of people living with HIV/AIDS in China*. <http://www.hrw.org/reports/2003/china0803/>.
- www.hrichina.org
- See E/C.12/1999/10, General Comments on the Right to education of 8 December 1999, stating in particular that "education must be accessible to all, especially the most vulnerable groups, in law and fact, without discrimination on any of the prohibited grounds" (para. 6), and further, that "the prohibition against discrimination enshrined in article 2 (2) of the Covenant is subject to neither progressive realization nor the availability of resources; it applies fully and immediately to all aspects of education and encompasses all internationally prohibited grounds of discrimination" (para. 31).
- This preliminary assessment tracks information for 1996, the year the dialogue was initiated, and 2003. However, the data indicated for those years only reflect the available data as reported in the cited sources. In some cases, the source report for that year may be citing data from other years.
- While Human Rights in China (www.hrichina.org), Reporters Without Borders (www.rsf.org), the Committee to Protect Journalists (www.cpj.org), and other organizations compile ongoing lists of imprisoned journalists, Internet and labor activists, and people imprisoned for their religious beliefs, there is no readily available list of those who were imprisoned in 1996.
- In addition to the documented 301 imprisoned as of the end of 2003, over 500,000 members of unauthorized Christian house churches and Falungong practitioners have been arrested, tortured and/or sent to labor camps. (CRF No.4, 2003)
- Editor's note: Following the drafting of this report, a mission to China by the current Special Rapporteur on Torture, Theo Van Boven, was announced, and is expected to take place in June 2004.
- A/56/18, paras.231-255
- A/55/44, paras.106-145
- UNAD decisions rendered in 2002 and 2003 relevant to HRIC submissions: Yao Fuxin: Arbitrary according to Category II (11/25/02); Yang Jianli: Arbitrary according to Category III, art 9 (5/7/03); Xu Wenli: Arbitrary according to Category II, art. 19 (11/27/03); Liu Xianbin: Arbitrary according to Category II, art. 19 (9/4/03); Li Bifeng:

- Arbitrary according to Category II, art 19 (9/4/03); Liu Di: Arbitrary according to Category II and III, art 10, 19, 20 (11/28/03); Ouyang Yi: Arbitrary according to Category II, art 19 (11/28/03); and Zhao Changqing: Arbitrary according to Category II, art 19 (11/28/03).
16. Number of executions between April 28, 1996–June 27, 1996. Amnesty International, “At least 1000 people executed in “strike hard” campaign against crime.” July 1996.
17. <http://web.amnesty.org/web/web/nsf/print/chn-summary-eng>
18. Safeguards guaranteeing protection of the rights of those facing the death penalty, adopted by Economic and Social Council resolution 1984/50 of May 25, 1984.

19. See also UN Commission on Human Rights resolution on the Question of Death Penalty E/CN.4/RES/2003/67
20. E/CN.4/1998/44/Add.2
21. No official figure for 2003 is available yet, because the figures are published incidentally in specialized literature, not in yearbooks or government statistical dispatches. *The Yearbook of Judicial Administration in China* (Beijing: Legal Publishing House) states that the RTL population “continued to rise steadily”.
22. *China Rights Forum*, Winter 2003, <http://hrichina.org>
23. http://www.clearwisdom.net/emh/special_column/death_list.html
24. July 20, 1999–December 31, 1999.
25. Human Rights Watch participated for the

first time in a dialogue seminar in Venice in December 2003; the FIDH was invited to participate in a pre-seminar briefing for EU experts in 2000 (French presidency), while it participated in a pre-seminar briefing and in the seminar in 2001 (Belgian presidency). In spite of repeated requests, FIDH participation was impossible in 2002, but it was invited to participate in the December 2003 seminar in Venice. HRIC as the China affiliate of FIDH represented FIDH at the 2000 and 2001 pre-seminar briefing and in the seminars in 2001 and 2003. Amnesty International participated in several dialogue seminars.

26. See Endnote # 12.

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