

# Bulletin

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COMPILED BY MELISSA SHORE

## DOMESTIC WORK

### HUMANITARIAN SUPPORT AND ADVOCACY FOR POLITICAL PRISONERS AND OTHER HUMAN RIGHTS DEFENDERS

By submitting cases of human rights abuses to UN bodies and international governments, HRIC advances international pressure on China to respond to claims of torture, lack of due process and denial of medical care for political prisoners. HRIC also provides humanitarian aid to human rights defenders and their families inside China, in addition to assisting exiled political prisoners with initial arrangements for access to health care, housing and media work. HRIC brings these cases to the attention of the international community by issuing Chinese- and English-language press releases, and providing print and radio interviews.

In November, HRIC submitted the following cases to the UN Working Group on Arbitrary Detention, presenting evidence that these subjects are being arbitrarily deprived of their liberty in violation of international principles:

- Hu Shigen, 50, is a veteran political activist who in 1992 was detained after planning June 4th memorial activities, and was later sentenced to 20 years in prison for counterrevolutionary crimes that have since been abolished.
- Zhao Yan, 42, is a journalist detained in September 2004 on suspicion of leaking state secrets. Zhao has not had contact with his lawyer or family since his detention.

HRIC has advocated extensively on behalf of Lu Decheng, a 1989 democracy activist arrested in Thailand in December and threatened with repatriation to China by the Thai government. HRIC issued a press release in December urging the Thai government to comply with the non-refoulement policy mandated by human rights conventions during Lu's appeal for refugee status. HRIC also wrote to the UN High Commissioner for Refugees (UNHCR), coordinated with Thai groups appealing to the

Thai government and UNHCR on Lu's behalf, liaised with communications groups that had assigned lawyers to Lu's case, and urged the U.S. government to pressure the Thai government to facilitate Lu's interview with the UNHCR.

## INTERNATIONAL ADVOCACY

HRIC Executive Director Sharon Hom spoke at the following international conferences and high-level policy meetings, where she advocated the rights of peaceful grassroots activists and vulnerable groups in China. She also presented frameworks for strengthening dialogues with China and assessing the Chinese government's compliance with international obligations:

- The EU-China dialogue's human rights seminar was convened by the Dutch Ministry of Foreign Affairs in November at The Hague, and included Chinese and European government officials, NGO representatives and scholars. HRIC's presentation urged greater scrutiny of human rights policies affecting the health of vulnerable groups in China, including women, children, migrants and ethnic minorities, especially those from rural areas. Additionally, it recommended institutionalizing the government's financial commitment to healthcare reforms and public participation.
- The 6th EU Human Rights Discussion Forum, "Implementing the Guidelines on Human Rights Defenders," convened by the Dutch Ministry of Foreign Affairs in early December in The Hague, included EU and European governments, NGOs and human rights defenders, and focused on developing actions for implementing the EU Guidelines on Human Rights Defenders, adopted in June 2004. HRIC's presentation focused on how specific cases of human rights defenders might be more effectively integrated into existing human rights dialogues, and emphasized the need to affirm EU Guidelines and their implementation.
- The Wilton Park Conference, "What future policies for protecting human rights?", was convened by the Swiss Federal Department of Foreign Affairs and the Royal Norwegian Ministry of For-

eign Affairs in mid-January in Sussex. Attended by international governments, NGOs and academics, the conference aimed to develop policy recommendations for urging governments to comply with international human rights standards. HRIC's presentation proposed strategies for increasing the effectiveness of human rights dialogues, including involving multiple stakeholders, using human rights benchmarks and facilitating "in-country" engagement.

- The Berne Process organized by the Swiss government in mid-January in London brought together UNHCR representatives, including the High Commissioner for Human Rights, NGO representatives, and government officials from 12 countries that are involved in dialogues with China. HRIC's presentation focused on how governments can gain greater leverage from their dialogues with China through information-sharing systems, increasing cross-sector collaboration, using the media to counter China's dominant spin, and allowing NGOs to participate and contribute to pre- and post-dialogue briefings.
- A panel on corporate social responsibility (CSR) in Asia was convened by Amnesty International and the India Committee of the Netherlands as part of the European Conference on CSR convened by the Dutch government in early November in Maastricht. HRIC's presentation focused on the role key actors must play in ensuring that economic developments in China are sustainable and in compliance with international treaty obligations and domestic law, with special attention paid to the needs of social welfare networks and the treatment of women, children, migrants, rural residents and ethnic minorities.

## U.S. GOVERNMENT

In addition to HRIC's regular contacts with U.S. government bodies, including the CECC and State Department, HRIC also submitted the following statements:

- In a statement to the U.S. House of Representatives' Committee on International Relations for its December hearing on the one-child policy, HRIC pointed out that the effectiveness of the policy's

2001 reforms hinges upon full implementation. HRIC also recommended motivating the international community to hold China to its international legal obligations, as well as urging the U.S. government to use its leverage with the Chinese government to foster the growth of civil space in China, and to reassess its position on funding the UN Population Fund. HRIC consulted other concerned NGOs and public health academics in developing its statement.

In a statement to the U.S. Commission on International Religious Freedom's 2004 China human rights forum in November, which focused on the possibility of resuming a bilateral U.S.-China human rights dialogue, HRIC contributed suggestions for improving the dialogue process. Some suggestions included 1) creating transparent and measurable benchmarks; 2) building on the assessment processes, criteria, benchmarks and deliverables of other dialogues; 3) involving NGOs, independent social groups, scholars and lawyers in meetings and pre-dialogue briefings; 4) developing a more consistent information-sharing system with the UN and other multilateral processes; and 5) monitoring and assessing China's human rights situation with greater coherency and transparency.

## OUTREACH AND EDUCATION

### OUTREACH TO CHINESE DIASPORA COMMUNITIES

HRIC co-sponsored a January 22 memorial service in Flushing, Queens for former Party General Secretary Zhao Ziyang, who died on January 17, 2005 while under house arrest in Beijing. The service was attended by members of New York City's overseas dissident community, scholars and local government officials, including New York State Senator Jimmy Meng and New York City Councilor John Liu. Zhao's former personal secretary Bao Tong, now under government surveillance in Beijing, sent a wreath for the service.

### BRIEFINGS AND CONFERENCES

HRIC presented a briefing on Zheng Enchong's case to the Asian Affairs Committee of the Association of the Bar of the

City of New York in December. A former legal advisor to Shanghai families affected by redevelopment projects, Zheng was sentenced to three years' imprisonment and one year's deprivation of political rights in October 2003 for "illegally providing state secrets to entities outside of China." HRIC used Zheng's case to raise broader issues, including the independence of lawyers and official intimidation, and urged a Bar resolution and a mission to China.

HRIC hosted a breakfast briefing in mid-November in New York during which Research Director Nicolas Becquelin presented an overview of China's state secrets law and its use in prosecuting human rights defenders, including journalists, academics, lawyers, dissidents and government critics, as well as the constraints impeding its reform. Aryeh Neier, President of the Open Society Institute, moderated the briefing, which was attended by NGO representatives, academics, donors and policy makers.

Nicolas Becquelin also delivered a briefing paper entitled "Right to Development in Xinjiang" at a *Beijing Spring* International Conference, and another, "Human Rights Situation in Xinjiang/East Turkestan," in mid-November in New York.

In Hong Kong, Nicolas Becquelin represented HRIC at a roundtable forum with activist Christine Loh presented by the British Council on December 8. The forum was chaired by Hong Kong Court of Final Appeal Justice Kemal Bokhary and attended by the Baroness Scotland of Asthal QC, British Consul-General Dan Chugg and leading members of Hong Kong's academic, legal and human rights community.

### NGO COLLABORATION

To expand and strengthen the human rights community's outreach and advocacy networks, HRIC collaborates regularly with international human rights NGOs, including La Fédération Internationale des Droits de l'Homme (FIDH), Human Rights Watch, Amnesty International, China Labour Bulletin and International Campaign for Tibet, among many others. Joint analyses, reports, and events are produced in cooperation.

Along with 14 other Hong Kong-based NGOs, HRIC ran a booth at the International Human Rights Day Carnival in Hong Kong in

early December, which attracted more than 1,000 local and mainland visitors. HRIC informed visitors about arbitrary detention cases on the mainland, demonstrating how Chinese authorities have used state security "needs" to suppress political criticism. The booth, arranged to resemble a prison cell, exhibited ten detention cases deemed arbitrary by the UN Working Group on Arbitrary Detention.

### OUTREACH TO ACADEMIA

Nicolas Becquelin gave two talks in mid-November. The first, "China's War on Terror in Xinjiang," was delivered at an event sponsored by NYU Law School's Asia Law Society, and the second, "The Coming Collapse of Media Control in China," was presented at Columbia University's Weatherhead East Asian Institute.

### Media and Press Work

Over the last three months, President Liu Qing, Sharon Hom and Nicolas Becquelin fielded print and radio interviews on a range of issues including: a mid-October public appeal for the release of Zhao Ziyang, who had been under house arrest since 1989 for supporting the Tiananmen Square protests; Tibetan writer Wei Se's loss of housing and employment following claims by Chinese officials that her writings were exceedingly supportive of the Dalai Lama; the early release of Chinese dissident Liu Jingsheng; the status of higher education in China; Inner Mongolian prisoner-of-conscience Hada's subjection to torture and need for medical treatment; and recently instituted reforms to China's religious policy. Liu Qing also participated in weekly interviews with Radio Free Asia.

Sharon Hom was interviewed twice on Chicago Public Radio's *Worldview* in late January. The programs examined China's present and future as well as Communist Party rule in light of China's rapidly growing economy, migrant population, entrepreneurialism and role in the global economy. Sharon Hom spoke on how HRIC focuses international attention and activism on human rights protections in China. She also spoke on the development of institutional human rights counterweights to dominant economic interests as China's economic power grows.