

# Human Rights Watch

## Discrimination, Detention, and Deportation: Immigration & Refugees

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## Annual reports

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### Human Rights Watch World Report 1998

## CHINA AND TIBET

Despite China's ongoing violations of human rights, the international community with few exceptions continued to let itself be intimidated into silence by threats of commercial sanctions. It expressed more concern during the year over the prospect of the erosion of civil liberties in Hong Kong than over the virtual elimination of the dissident movement on the mainland. The release of Wei Jingsheng, China's best-known prisoner, in November, shortly after the U.S.-China summit, was a victory for international pressure, particularly for the Clinton administration and concerned individuals and organizations around the world who had worked on Wei's behalf. But, one man's release, however significant, changed little in terms of the overall human rights situation. Thousands of political prisoners remained behind bars, and prison conditions continued to be poor with consistent reports of torture and denial of medical care. "Unauthorized" religious congregations were subjected to a widening government campaign aimed at forcing them to register with state-sanctioned religious bodies or face dissolution. Suspected supporters of nationalist movements in Tibet, Xinjiang and Inner Mongolia were subjected to increasingly severe policies of surveillance, harassment and persecution. In Xinjiang, where the level of political violence was high, the crackdown extended well beyond those directly engaged in violent acts. Much-heralded legal reforms had little impact on those detained for peaceful expression of their beliefs. Assaults on freedom of expression, through print and electronic media, continued. In view of this pattern of abuse, the failure of some of China's key trading partners to make a credible effort to censure China at the U.N. Commission on Human Rights was particularly striking.

### Human Rights Developments

Chinese authorities continued to hold dissidents and other activists in incommunicado detention before trial and then to sentence them harshly. The release of Wei Jingsheng was therefore not an indication of an increased tolerance for dissent. In December 1996, Ngawang Choephel, a thirty-five-year-old U.S.-based Tibetan ethnomusicologist, was sentenced to eighteen years in prison by a Lhasa court for alleged "espionage" in connection with research he had been carrying out in Tibet. Around the same time, Li Hai, a former philosophy student from Beijing University who had been detained incommunicado since May 1995, was sentenced to nine years in prison on state secrets-related charges for compiling a list of names and other details of Beijing residents still in prison in connection with the 1989 prodemocracy movement. Also in December, Wang Ming, a longtime Sichuan-based activist and former editor of several unofficial journals from the 1978-81 Democracy Wall movement, was sentenced without trial to three years' "reeducation through labor" for writing and distributing a document titled "A Manifesto for Citizens' Freedom of Speech." Hu Kesi, an editor of the Hong Kong magazine *Pacific Economy* who had been secretly detained the previous March, received a similar administrative sentence in connection with unspecified alleged dissident activities in Shanghai. Chen Longde, a veteran dissident from Hangzhou also serving a three-year labor reeducation term, was sent back to his cell after receiving only cursory medical treatment for serious injuries sustained when he leapt from a three-story prison building to escape persistent torture.

In January, five prominent dissidents from Guiyang, detained since mid-1995 for advocating democratic reform, were tried and sentenced for alleged "subversive activities." Chen Xi, leader of the group and a lecturer at Guizhou Jinzhu University, received a ten-year prison term. The other men received sentences ranging from two to five years.

The defeat in April of an effort at the Geneva-based U.N. Human Rights Commission to censure China for human rights violations was soon followed by reports of serious ill-treatment of detained political dissidents. That month, Yao Zhenxian began a hunger strike at Dafeng Labor Reeducation Camp to protest the frequent beatings, deprivation of family visiting rights, and confiscation of correspondence that both he and his brother had endured since their joint detention in April 1996. His brother, Yao Zhenxiang, is a Shanghai dissident who had fled to France in 1994 and then returned to China in 1996 after receiving official reassurances for his safety.

In May, labor rights activist Liu Nianchun, serving a three-year labor reeducation term in Shuanghe Labor Reform Camp in the far northeast of the country, also staged a hunger strike in protest against the authorities' unlawful extension of his own prison term and those of two other Beijing dissidents, fellow labor rights activist Zhou Guoqiang and a Christian activist named Gao Feng. The sentence extensions (288 extra days for Zhou, and 216 days each for Liu and Gao) were ordered by the prison governor because the dissidents had continued to refuse to write confessions since the time of their initial sentencing hearings. As punishment for carrying out the hunger strike, Liu was subsequently subjected to beatings with electric shock batons, denied water for an extended period, and placed in solitary confinement. As of September, he was reported to be suffering from a blocked intestine, swollen lymph nodes and extensive mouth ulcers but had received no medical treatment. Similarly, Zhou Guoqiang, whose original three-year jail term was earlier extended by one year after he made a failed escape attempt, was said to be receiving no treatment for his prison-contracted tuberculosis.

Wang Guoqi, an independent labor activist serving an eleven-year sentence in Beijing, was denied all family visits during 1997 on the grounds that he had "failed to memorize the prison rules."

The medical condition of several other prominent Chinese political prisoners also deteriorated during the year. Gao Yu, a woman journalist serving a six-year sentence for allegedly "leaking state secrets" in articles written for the Hong Kong press, was denied release on medical bail despite suffering from a deteriorating heart condition, repeated loss of consciousness, and skin disease. (In May, when Gao was awarded the UNESCO World Press Freedom Prize, the Chinese government threatened to withdraw in protest.)

Wang Dan, the principal student leader of the 1989 prodemocracy movement serving an eleven-year sentence for continuing to speak out against the government's human rights record, was reported to be suffering from an enlarged prostate gland, a stomach disorder, and persistent headaches and dizziness. Despite repeated requests from his family and several governments, Chinese authorities as of October were still refusing to release him on medical parole.

In June, a Shenzhen court finally announced the verdicts in the cases of two young labor rights activists charged with "conspiracy to subvert the government" who had been detained since May 1994 and brought to trial only in November 1996. Li Wenming, a journalist from Hunan, and Guo Baosheng, a former philosophy student from Beijing University, both received prison terms of three and a half years—a relatively light punishment.

At the same time, attempts during the year by jailed Chinese dissidents, including Liu Nianchun, Zhou Guoqiang, Bao Ge, the Yao brothers, Liu Xiaobo and others, to appeal their punishments or pursue lawsuits protesting ill-treatment in prison through domestic legal channels were rejected by the courts. In the case of several Shanghai-based dissidents, the local court even claimed it had no jurisdiction in the matter since the sentences in question had been imposed by the police.

In March and August, the security authorities placed veteran dissident Ren Wanding, released from jail in June 1996 after completing a seven-year sentence, under close house arrest throughout the respective visits to Beijing of U.S. Vice-President Al Gore and U.S. National Security Adviser Sandy Berger.

Despite the inhospitable climate, political dissent continued to surface. On the eighth anniversary of the Tiananmen Square crackdown, Shen Liangqing, a state prosecutor-turned-dissident from Anhui province and a former political prisoner, sent a petition to the National People's Congress (NPC) demanding an official reassessment of the 1989 crackdown, the release of all political prisoners, and permission for the return to China of exiled prodemocracy activists. Two months later, the government responded by ordering Shen to evacuate his private residence and surrender it to the local authorities. The following month, Shen was taken into police detention after he signed a letter expressing solidarity with demonstrating workers in Mianyang, Sichuan province (*see below*); as of October he was still being held incommunicado.

In August, prior to the landmark Fifteenth Congress of the Chinese Communist Party, the veteran Wuhan dissident Qin Yongmin issued an open petition to President Jiang calling for wide-ranging democratic reforms. In September, Lin Mu issued a public appeal to senior delegates to the congress urging them to introduce freedom of the press, publication and speech, a reversal of the official verdict on the June 1989 protests, and an end to one-party rule in China. A few days later, another dissident, Lin Xingshu, sent an open letter to congress delegates raising similar demands and stressing that the congress should serve as a platform for the public debate of urgent social issues. And when the former detainee Bao Ge petitioned the congress to show its opposition to "despotism and the cult of personality" by cremating the mummified corpse of Mao Zedong, his telephone line was cut off, and he was placed under intense police surveillance. Around the same time, supporters of ousted former party chief Zhao Ziyang issued an unprecedented appeal to government leaders calling for Zhao's release from eight years of house arrest ahead of the forthcoming congress. In the event, the congress made no discernible progress towards the introduction of democratic political reform.

Several dissidents and others jailed for exercising their rights to freedom of expression and association were freed during the year, mostly after having completed their prison terms in full. One of the most notable early releases was that of Xi Yang, a journalist on Hong Kong's *Ming Pao* newspaper who had been sentenced to twelve years of imprisonment in March 1994 for allegedly leaking state secrets in articles about the Chinese economy. His release in late January was an apparent gesture to Hong Kong public opinion in advance of the former British colony's return to Chinese sovereignty.

The releases in May of labor activists Tang Yuanjuan and Li Wei were also noteworthy. In a significant departure from previous judicial practice, the court authorities quashed one of the two principal counts ("organizing a counterrevolutionary group") on which the men had originally been convicted; the other main charge ("counterrevolutionary propaganda and incitement") was upheld, but the surprise move paved the way for the two dissidents' release from prison in July.

The year brought news of two unannounced releases that had occurred several years ago. Ding Junze, a fifty-five-year-old former lecturer in philosophy at Shanxi University, who had been serving a twelve-year prison term for his involvement in the 1989 prodemocracy movement, was released on medical parole in 1994. Suffering from high blood pressure, heart disease and arteriosclerosis, he reportedly had been close to death on several occasions over the past few years. Chen Zhixiang, a former teacher at the Guangzhou Maritime Transport Academy who had been sentenced to ten years in prison in 1990 for writing "reactionary" speeches and around the time of the June 1989 crackdown, was also released, apparently in 1996.

Dissidents freed from untried detention after completing their administrative sentences of labor reeducation in full included Zhang Lin, a labor-rights activist; Tong Yi, Wei Jingsheng's former secretary, who had suffered numerous harsh beatings at the hands of fellow prisoners during her incarceration in Wuhan; and Bao Ge, a founder of the unofficial Shanghai-based Association for Human Rights and a longtime campaigner for Japanese war reparations to China. Both described punishingly long hours of work in prison.

In August, Bao Tong, former chief aide to ousted party leader Zhao Ziyang, was finally released from de facto detention in a government compound in western Beijing to which he had been consigned immediately after his completion in May 1996 of a seven-year prison term imposed for his alleged role in the 1989 protests; Bao's freedom was made conditional upon his family agreeing to evacuate their government-supplied residence in central Beijing and relocate to a closely monitored apartment in the far western suburbs of the city.

In several reported cases, the authorities denied Chinese citizens the right to return to their own country, in violation of Article 13 of the Universal Declaration of Human Rights. The government appeared to have expanded an internal blacklist of overseas-based Chinese activists officially barred from reentering China. In April, Han Xiaorong, wife of exiled dissident Liu Qing, was refused permission by mainland immigration officials to enter China from Hong Kong. The following month, Hou Xiaotian, the wife of U.S.-based dissident Wang Juntao, was also denied entry to China from Hong Kong. Dissidents who did succeed in reentering China were subjected to various forms of harassment. The U.S.-based poet Bei Ling endured surveillance, detention and interrogation by the police; Liu Hongbin, a London-based poet, was expelled. In addition, numerous prodemocracy activists and politicians in Hong Kong, including leading members of the Democratic Party, continued to be denied permission to enter mainland China for any purpose.

A series of major protests by workers and other disaffected urban residents occurred during the year in a number of Chinese cities. The root cause appeared to be layoffs at state-owned enterprises that have left an estimated 25 percent of the urban industrial workforce (or roughly thirty million people) actually or effectively unemployed, compounded by the influx of as many as 130 million migrants from the countryside and the lack of a social security or welfare system.

In May, the official *Workers Daily* newspaper reported that "in theory" the urban unemployment rate stood at 24 percent, although the official unemployment rate in the cities was said to be in single digits. In October 1996, when the magazine *Chinese Writers* tried to publish its own unemployment figures, the magazine was promptly closed down by the authorities, and 100,000 copies of the issue were reportedly destroyed. According to several reports, internal decrees issued during 1997 ordered a media blackout on incidents of unauthorized labor unrest and reiterated a government ban on the formation of unofficial trade unions.

The most serious of large-scale worker demonstrations erupted in the first half of the year in a number of cities in Sichuan. Other provinces experienced similar unrest. In March, in Nanchong, more than 20,000 workers from the city's largest silk factory took the factory manager hostage, paraded him through the streets, and besieged the city government hall for thirty hours until local leaders pledged that the workers would be paid. Four of the demonstrating workers were detained, one of whom was reportedly released. Several weeks later, a large pipe bomb was exploded in the city hall by someone believed to be an unemployed worker. (The same month, unemployed workers were officially blamed for setting off bombs on two buses in central Beijing, injuring around a dozen people.)

In July, upwards of 4,000 workers from three bankrupt textile plants in the city of Mianyang, Sichuan, staged a demonstration outside the city government office, demanding jobs. When city officials refused to meet with the workers, the protests became more heated and the government sent in People's Armed Police officers to break up the gathering. Several dozen demonstrators were reportedly injured in the ensuing confrontation, and a similar number of arrests were made. The following month, in the Sichuan city of Dujiangyan, a crowd of several hundred demonstrators, comprising both unemployed workers and retired elderly people who had not received their pensions or were demanding overdue cost-of-living increases, staged a sit-in protest outside the government offices for several days. Meanwhile, Li Bifeng, a former tax officer who had faxed reports about the protests to overseas human rights groups and sent appeals to the central authorities in Beijing, went into hiding in late July after learning that the security authorities were searching for him. Li's girlfriend, Zhang Jian, and two of his other friends were detained and interrogated several times by the police in an attempt to ascertain his whereabouts. Zhang was released after three days.

In May, when laid-off workers from the Zhongyuan Oilfield in Henan province reportedly organized an unofficial union and sent delegates to Beijing to plead their case, the delegates disappeared and were feared to have been arrested, with no further word on their fate.

Freedom of expression and association remained tightly constrained. In January, the Ministry of Civil Affairs imposed an indefinite nationwide moratorium on the creation or registering of any new "social bodies," a broad and inclusive category encompassing all non-governmental organizations as well as academic societies, business associations and social pressure groups.

The government devoted particular attention to controlling organized religious activities. Local officials redoubled their efforts to implement regulations issued by the government in 1994 requiring all "unofficial" Christian, Muslim, Daoist, Buddhist, and other religious congregations to register with the Religious Affairs Bureau or face dissolution. In December 1996, some eighty members of the underground Catholic church near Linchuan city in Jiangxi province were reportedly detained, beaten and fined by the police, apparently in an attempt to dissuade them from carrying out plans to hold a large outdoor mass at Christmas. Around the same time, CCP officials in Jiangxi reportedly issued an internal directive on registering such persons and forcing them to write letters denying their faith and pledging to join the official church. Similarly, an internal document issued by the authorities in Zhejiang province's Tongxiang municipality in February 1997 outlined a three-stage "special campaign" against all unauthorized religious activities by local Christians, including Catholics. A new requirement that all religious groups and organizations undergo annual government inspections was instituted during the year.

In March, eight public security officers conducted a night-time raid at the home of Bishop Joseph Fan Zhongliang, leader of the city's underground Catholic diocese, and confiscated Bibles, medals, rosaries and cash amounting to 20,000 *yuan* (around U.S. \$2,500); no receipt was issued, and the goods and money were subsequently not returned. The following month, police ransacked the home of another local underground Catholic priest, Rev. Zen Caijun, and seized religious articles, cash, a telephone and a video-recorder.

In April, eight Protestant house-church leaders, including Peter Xu Yongze, leader of the Zhengzhou-based "Born Again" evangelical group, were detained by police in Henan province after a meeting. On September 25, the Zhengzhou Intermediate Court reportedly sentenced Xu to a ten-year term for "disturbing public order." The sentence is believed to be the longest meted out to a religious dissident since 1983.

In November 1996, a peasant named Jiang Fenglan and other prominent members of a Sichuan-based chapter of the Asia-wide sect devoted to the worship of a charismatic woman known as the "Qinghai Master" were arrested; by the end of the year, there had been no further word on the detained sectarians.

Freedom of expression suffered further assaults. New government press regulations introduced in February stipulated that publishing houses were forbidden to publish anything that opposed China's constitution, revealed "state secrets," "harmed national security," or jeopardized "socialist public morality or the people's fine cultural traditions." New controls on the Internet were introduced in June, requiring all Internet service providers to apply for licenses from the authorities and provide data on the scope and nature of their activities. Meanwhile, dozens of World Wide Web sites that had been proscribed and electronically blocked by the government in 1996, including those of overseas-based dissident groups and human rights organizations, remained inaccessible to the country's estimated several hundred thousand Internet users. Also in June, academics in Beijing were ordered to inform the police in advance if they planned to hold conferences attended by more than twenty participants, in or out of the capital, and scholars wishing to engage in exchange programs or joint activities with foreign and Taiwanese institutions were required to secure prior permission from the Ministry of State Security, the Ministry of Public Security and the State Education Commission, in addition to that from their college party committees.

Censorship of books continued, the most notable being *Wrath of Heaven*, a novel by Chen Fang that was a thinly disguised fictionalized account of the saga of disgraced former mayor of Beijing, Chen Xitong, charged with corruption.

The human rights picture in Inner Mongolia, Xinjiang and Tibet remained bleak. On February 5 and 6, the city of Yining in northwestern Xinjiang was shaken by large-scale riots after local people tried to prevent police from arresting an ethnic Uighur. Uighurs, a predominantly Muslim people, form the core of several separatist movements in Xinjiang. The authorities responded by sending in armed police to quell the protests. According to official reports, ten people were killed, 198 injured, and about 500 were arrested. (Exiled Uighur opposition sources claimed far higher figures.) On the afternoon of February 25, at least three homemade bombs exploded on crowded public buses in the regional capital of Urumqi, killing nine people. The Chinese authorities later blamed these incidents on "outside instigation" by foreign radical Muslim groups, in particular by the Pakistan-based "Tableeghi Jamaat" sect. An underlying factor, however, was rising tension over dominance by Han Chinese of what was formerly a Uighur majority region, home in 1944 to the short-lived Republic of East Turkestan. The collapse of Communism in Eastern Europe and the subsequent emergence of the independent republics of Kazakhstan, Kyrgyzstan and Tajikistan gave considerable impetus to pro-independence sentiment in Xinjiang.

Few details have come to light regarding the many Uighurs reportedly arrested in the crackdown that followed the incidents described above. Those known include: Abudu Heilili, twenty-nine, reportedly the "ringleader" of the Yining riots; Abu Khair and Abdu Medchit, both said to be students and around twenty-five years old; and Abdulkhalil Abdulmedchit, whom Uighur exiles claimed had swiftly been executed by the authorities. In late March, the Urumqi People's Procuratorate announced that nine people had been arrested in connection with the incidents, including one ethnic Han and eight Uighurs, and the group included people who had allegedly sold and supplied weapons and explosives to the separatist groups concerned. Reuters news agency reported that three men were executed in April and twenty-seven others had been sentenced to prison terms ranging from seven years to life, and that another eight were executed in May in connection with the Urumqi bus bombings.

In response to the unrest, the government carried out a major purge of local officials and targeted "underground" Muslim religious activities, including banning the construction or renovation of 133 mosques. Altogether forty-four "core participants in illegal religious activities" were arrested in the Yili region. In addition, more than one hundred "illegal classes" teaching the Koran were broken up by security authorities, five school principals were sacked and numerous teachers threatened with dismissal for allegedly stirring up separatist sentiment.

In Inner Mongolia, two Inner Mongolian activists, Hada and Tegexi, were sentenced to fifteen and ten years of imprisonment respectively for helping to form the pro-autonomy Southern Mongolian Democratic Alliance.

In Tibet, a government-orchestrated campaign against the Dalai Lama continued throughout the year. In mid-April 1997, the party school in Tibet announced a meeting had been held to "expose the crimes" of the Tibetan leader. A ban on possession and sale of photographs of the Dalai Lama continued to be in force.

The campaign included a reeducation program for monks and nuns. Beginning in 1996 at Tibet's three most famous monasteries, Sera, Drepung, and Ganden, it had reached some fifty monasteries and nunneries by June and over 900 by September. Monks were supposed to denounce the Dalai Lama, accept that Tibet had been a part of China for centuries, and acknowledge the legitimacy of the Chinese government's selection of the new Panchen Lama, or resign.

Monks who refused to cooperate with reeducation officials faced punishment. In Gongkar county, Jampel Tendar, a twenty-year-old from Choede monastery, was arrested during the year after several monks refused to denounce the Dalai Lama in writing. In Nyemo county monks were locked in their rooms for at least three weeks for their intransigence, and in Tsethang county, Tandruk Samdrubling monks walked out *en masse* on June 18 after reeducation began. Refusing to comply with instructions to denounce the Dalai Lama, they opted to close the monastery and go home. At Terdrom nunnery in the Drigung area, some fifty miles northeast of Lhasa, over half the 240 residents nuns were expelled after reeducation ended in December 1996.

The issue of the Panchen Lama (*see* World Report 1997) remained unresolved. The Chinese government finally acknowledged that Chadrel Rinpoche, the abbot who had headed the committee to select the child later acknowledged by the Dalai Lama to be the reincarnation of the tenth Panchen Lama, had been sentenced on April 21, 1997 to a six-year term and three years' subsequent deprivation of political rights. He was charged with "conspiring to split the country," "colluding with separatist forces abroad," "seriously jeopardizing the national unification and unity of ethnic groups," and "leaking state secrets." Authorities did not disclose his whereabouts, and his trial was closed because "state secrets" were involved. It was not until September 9, 1997 that Human Rights in China reported that Chadrel Rinpoche was being held under horrendous conditions in a secret compound in Chuangdong No. 3 Prison, Dazu county, Sichuan province. Located behind an isolated "strict observation brigade," as the special section which houses recalcitrant prisoners is called, it is forbidden to all but three people, two commissars who report directly to the Ministry of Justice and a prisoner who acts as a guard and a cook. Chadrel Rinpoche was reportedly taken there shortly after sentencing. He is reported to be denied all outside contacts and to be restricted to his cell.

The child selected as the Panchen Lama, Gendun Choekyi Nyima, now eight years old, remains in state custody in an undisclosed location.

A comprehensive revision of the 1979 Criminal Law had little immediate impact on the human rights situation. Counterrevolutionary offenses abolished by the NPC in March were merely replaced by a new, largely identical set of offenses called "crimes of endangering state security." The changes opened the way for virtually any type of dissident activity to be judicially branded as criminal and those responsible sentenced to terms of up to life imprisonment. Nor would the reforms result in any kind of review of the cases of more than 2,000 sentenced "counterrevolutionaries" still officially said to be held behind bars in China.

The implementation in January of a revised Criminal Procedure Law (CPL), enacted by the NPC at its previous session in March 1996, somewhat strengthened the rights of suspects on paper but brought little in the way of enhanced legal safeguards for the rights of detained dissidents. Announcements by the government during the year that it planned to maintain the country's system of "reeducation through labor" ended hopes for an end to the use of such arbitrary forms of detention in China.

In July, the Ministry of Public Security called for teams of inspectors to be set up at all levels of China's police force to investigate the endemic problem of torture and ill-treatment in the country's prison and detention facilities.

The nationwide anti-crime campaign known as "Strike Hard" resulted in the highest number of judicial executions (more than 4,000) and suspended death sentences since the first such campaign in 1983.

The government's chief response to continuing foreign criticism of the conditions in state orphanages was to continue to restrict access for foreign volunteers and aid agencies. It also announced that rather than allocating any additional state funds toward the upkeep of these institutions, it would seek to raise money from the public through a state-sponsored charitable lottery.

Virtually the only bright spot on China's human rights front were the release of Wei Jinsheng and its signing of the U.N. International Covenant on Social, Economic and Cultural Rights in October. The undertaking did not include any pledge to ratify the covenant, however, thus relieving the Chinese government of becoming legally bound by its provisions.

### **The Right to Monitor**

No independent human rights advocacy organizations were allowed to operate in China or Tibet. In September, China prevented two nongovernmental organizations highly critical of its human rights record, Human Rights in China and the Hong Kong Human Rights Monitor, from attending the annual meeting of the World Bank in Hong Kong by denying them accreditation on the grounds that their work was not relevant.

The emergence of quasi-nongovernmental organizations on the mainland, some of them dealing with women's rights and community empowerment, continued, although such groups were subject to strict surveillance. They did not monitor human rights abuses by the government.

**A meeting between the International Committee of the Red Cross (ICRC) and Chinese officials took place in May, resuming long-stalled negotiations over access to Chinese prisons, although China continued to maintain that it could not accept the ICRC's conditions for such access.**

### **The Role of the International Community**

China escaped serious international pressure on its human rights record during the year, with its key trading partners continuing either to trade silence on human rights for commercial contracts or to express concern that too much emphasis on rights would lessen their leverage on security issues.

### **United Nations**

By delaying a final decision on sponsoring a resolution on China at the U.N. Commission on Human Rights until after U.S. Vice-President Albert Gore Jr. visited China in late March, the Clinton administration joined the European Union (E.U.) in handing China another major victory at the commission's meeting in Geneva. China succeeded in splitting the E.U., normally the lead sponsors of a resolution, by promising to sign contracts with French companies and the Airbus consortium during a visit by President Jacques Chirac in May. France was joined by Germany, Spain, Italy and Greece in failing to sponsor the resolution. When President Chirac went to Beijing, he reportedly raised the cases of seventeen political dissidents, although their names were never made public, and he was praised by Jiang Zemin for the "wise and far-sighted" decision to sabotage action in Geneva. The Chinese authorities also persuaded other key governments such as Japan, Canada and Australia to abandon their sponsorship in exchange for bilateral human rights "dialogues" and a promise to sign the International Covenant on Economic, Social and Cultural Rights before the end of the year. The Chinese government signed the covenant in late October. Denmark, under U.S. pressure, put forward a measure at the last minute despite threats of trade retaliation by China. However, a Chinese no-action motion was adopted (27 to 17) on April 16, keeping the resolution off the agenda and preventing a debate or vote.

In October, the U.N. Working Group on Arbitrary Detention visited China.

### **United States, European Union, and Canada**

In addition to defeating a resolution at the U.N. Commission on Human Rights, President Jiang Zemin scored a huge diplomatic triumph as the first Chinese leader to be hosted for a state visit to Washington since the June 1989 crackdown. The late October summit went forward without any human rights preconditions although human rights concerns were clearly addressed privately and publicly by President Clinton. President Clinton announced plans to visit China in 1998. Jiang Zemin was also scheduled to visit Canada for a state visit in late November, in conjunction with the Asia-Pacific Economic Cooperation (APEC) forum in Vancouver.

The U.S. State Department's annual report on human rights practices, issued on January 30, declared that in 1996 "all public dissent against the government and the party was effectively silenced" in China. This was preceded by a stunning admission by President Clinton in a nationally televised news conference that his "constructive engagement" policy had failed to produce any significant human rights progress.

Vice-President Gore's visit to China was largely a wasted opportunity to press for concrete rights improvements. Gore signed \$685 million worth of contracts for Boeing Corporation in a high-profile ceremony with Premier Li Peng while saying nothing publicly about human rights and bypassing Hong Kong altogether just months before the July 1 handover. Following his meetings, Gore proclaimed that China's leaders had "a more receptive ear" to concerns about human rights and cautioned that results might take time.

International concern during the first half of the year was mostly focused on Hong Kong, and the Group of Eight (G8) leaders of industrialized nations at their summit meeting in Denver on June 20-23 did include in their final communique an appeal to China to fulfil its promises to protect Hong Kong's "fundamental freedoms and the rule of law" after July 1. However, the G8 failed to discuss or adopt any long-term strategy for promoting human rights and the rule of law in China during the crucial post-Deng Xiaoping transition.

Just weeks before the July 1 handover, a report of Wei Jinsheng's beating by other inmates provoked expressions of concern by some officials, including U.S. Secretary of State Albright, who met with Chinese Foreign Minister Qian in Hong Kong. Other governments, including Japan, were silent. U.S. Congressional concern was also focused on the President's decision to renew Most Favored Nation (MFN) trading status. A coalition of religious and labor groups led a campaign for revocation of MFN. But the debate, focused on a broad range of issues including religious persecution, China's family planning practices, and repression in Tibet, was countered by a business and a White House-led lobbying effort to maintain unconditional MFN. A House motion of disapproval, to revoke MFN, was defeated (259 to 175) on June 24.

In mid-July, the first of a series of human rights exchanges between China and Canada took place in Ottawa. A combined Ministry of Justice and Foreign Ministry

delegation discussed a wide range of concerns, including political prisoners and treatment of minorities, but made no new commitments. A second session was scheduled for Beijing in October.

A parliamentary delegation from Germany visited Tibet in late August and was given a guided tour of detention centers and monasteries.

On September 22, foreign ministers of the E.U. *troika* (from the United Kingdom, Netherlands and Luxembourg) met with Chinese Foreign Minister Qian Qichen at the U.N. in New York and agreed to resume the E.U.-China human rights dialogue, with talks scheduled to take place in Brussels. The question of E.U. sponsorship of a 1998 resolution in Geneva next year was left unresolved. However, during its October session the European Parliament passed an urgent resolution urging E.U. member states to jointly sponsor a China resolution in Geneva.

## Asia

Australian Prime Minister John Howard's visit to China in late March focused almost exclusively on solidifying commercial relations. He was accompanied by a large business delegation. In mid-August, Australian Foreign Minister Alexander Downer went to Beijing for four days of talks on human rights issues and pledged \$300,000 (Australian dollars) to support "policy development, research, training and administrative resources" for China's criminal and judicial systems. Downer also urged ICRC access to Chinese prisons.

Japan's prime minister, Ryutaro Hashimoto, visited China in early September, mainly to promote Japanese investment and stable diplomatic relations. Hashimoto raised concern about human rights with Premier Li Peng and other leaders only in the most general terms in the context of "global issues." The trip ended with no date set for the first Sino-Japanese bilateral dialogue on human rights, agreed to when Foreign Minister Yukihiko Ikeda went to Beijing on March 30, and Tokyo said it would drop its cosponsorship of the Geneva resolution.

## The World Bank

The World Bank, in a prominent report on China's future economic development issued at the opening of its annual meeting in Hong Kong in late September, warned that continued growth would be hindered by the lack of the rule of law and by corruption. But the bank in 1997 gave more funds to China than any other government; during fiscal year 1997 China received a total of \$2.8 billion in World Bank loans. Legislation introduced in the U.S. Congress aimed to cut off China's access to multilateral funds, but absent a coordinated effort with other donors, passage of such a law was unlikely to produce any change in current bank policy.

### Relevant Human Rights Watch reports:

*State Control of Religion in China*, 10/97

*"State Security" in China's New Criminal Code*, 4/97

*Chinese Diplomacy, Western Hypocrisy and the United Nations*, 3/97

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