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HUMAN RIGHTS IN CHINA

February 12, 2009

Secretary of State Hillary Clinton
US Department of State
2201 C Street NW
Washington, DC 20520

VIA FACSIMILE

Dear Secretary Clinton,

As you prepare to make your first trip to the People's Republic of China as Secretary of State, our organizations strongly urge you to make human rights issues a prominent topic in your public and private discussions with the Chinese leadership and people.

Your visit will set the tone for the US-China relationship in the new Obama administration. This will be the crucial moment to signal to the Chinese government that the quality of its relationship with the United States will depend in part on whether it lives by universally accepted human rights norms in its domestic and foreign policies. Sending such a signal in Beijing will be especially important given the United States' unfortunate absence from China's Universal Periodic Review on February 9 at the UN Human Rights Council in Geneva. Most important, the Obama administration has pledged to return the United States to a position of leadership in defending human rights; doing so with a rising power such as China will be a key test of that commitment.

Thirteen years ago in Beijing, you spoke eloquently about the duty of all governments to respect the fundamental human rights of women and men. Respect for human rights, you said, means “not taking citizens away from their loved ones and jailing them, mistreating them, or denying them their freedom or dignity because of the peaceful expression of their ideas and opinions.”

In recent years, however, human rights concerns have been pushed progressively further to the margins of the US-China relationship. The Chinese government’s growing financial, diplomatic, and military strength, coupled with its hostility to reforms that challenge the Chinese Communist Party’s grip on power, make China a difficult country in which to effect change.

But the advancement of human rights in, and with, China is arguably more central to US interests than ever before. Press censorship in China makes it possible for toxic food and public health crises to spread globally. Suppression of dissent removes internal checks against environmental damage that has global impact. Abuses of low-wage labor implicate international firms operating inside China and compromise goods that come into the US. The government’s control of mass media and the internet allow it to stoke nationalist anger against the United States in moments of crisis. The export from China of internet-censoring technologies and its provision of unconditional aid to repressive regimes increases the US’s burdens in fighting censorship and human rights crises worldwide.

As much as the Chinese government appears to resist outside pressure to improve its record, experience suggests that it does respond to such pressure. American interventions on behalf of jailed government critic Hu Jia contributed to his being moved to a prison closer to his family; sustained international pressure on the Chinese government to permanently relax rules on foreign journalists in China resulted in success. Ordinary people in China will also appreciate hearing the United States raise human rights issues in ways that echo their own day to day concerns about rule of law and government accountability. And we urge that you be mindful of the converse: that the Chinese government and people take careful note when the US is silent.

While the Chinese government has taken some steps to promote human rights, such as enshrining the concept in the Constitution, the gap between its rhetorical commitments and the reality on the ground remains vast. We urge that you raise on this visit the following issues:

- Tibet and Xinjiang. Tibetans and Uighurs continue to suffer indiscriminate crackdowns on their rights, typically on the grounds that their peaceful calls for genuine autonomy are in fact a cover for “separatist activity.” You should press Beijing to end the criminalization of peaceful advocacy in and to engage in constructive dialogue over the future of both regions.
- Torture. As documented most recently by the United Nations Committee Against Torture’s review of China, police torture remains a serious problem, yet evidence obtained through torture is routinely admitted in

Chinese courts. You should urge Beijing to alter this policy, and put in place mechanisms whereby alleged incidents of torture are consistently and impartially investigated and evidence procured through torture excluded.

- Censorship of the domestic press. The Chinese government continues to strictly control Chinese journalists; at least 26 remain in prison due to their work, many on ambiguous charges including “revealing state secrets” and “inciting subversion.” You should urge the Chinese government to cease its widespread media and internet censorship, and fully honor its obligation to guarantee freedom of expression, information, and freedom of the press under Article 35 of the Constitution and international standards.
- Abuses of human rights defenders, including Huang Qi and Liu Xiaobo. Rather than embrace those who urge greater rights protections, the Chinese government continues to persecute those who publicly criticize it. Veteran dissident Huang Qi faces a possible three year prison term as he reportedly faces trial in Sichuan on charges of “possessing state secrets,” in a prosecution linked to his investigation of poorly constructed schools destroyed in the May 2008 earthquake. Writer Liu Xiaobo, a veteran of the 1989 Tiananmen Square protests, has now been held by Chinese police since December 2008 for his involvement in organizing Charter 08, a petition calling for greater respect for human rights and democracy in China.
- The use of extrajudicial forms of detention. Chinese police continue to make frequent use of house arrest, residential surveillance, and administrative detention. There is no basis for these tactics in Chinese law, and you should urge the Chinese government to publicly eschew further use of them.

We strongly urge that you raise these issues early in your tenure as Secretary. We are acutely aware that the US's agenda with China is a broad one, but we believe that the desired economic, security, and diplomatic progress can be reinforced through more vigorous and public defense of human rights.



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