



***To the attention of:***

Catherine Ashton

High Representative of the European Union for Foreign Affairs and Security Policy

Vice-President of the European Commission

***Copy to:***

Ministers for Foreign Affairs of the European Union Member States

Brussels, 05th of October 2010

**Re: EU-CHINA SUMMIT**

Dear Ms Ashton,

FIDH and its member organisations Human Rights in China (HRIC) and the International Campaign for Tibet (ICT) wish to call upon you to publicly regret the lack of human rights progress in China on the occasion of the EU-China Summit, to be held on October 6, 2010, and initiate, on this occasion, a thorough review of the EU's strategy on human rights in China.

For the past 15 years, the EU has developed a “structured” and focused dialogue on human rights with China, held bi-annually, which has only led to limited improvements. While some steps have been taken in the right direction (labour reform, Supreme People’s Court review of death sentences), there remains an urgent need to undertake systemic reforms in response to serious social unrest and to assure a fair and independent judicial system.

At the same time, the deterioration of the human rights situation, marked by widening social unrest and tightening of the control and repression of human rights defenders, lawyers, bloggers, and social activists, the targeted policies aimed at marginalizing Tibetans, raise questions about the commitment and political will of the Chinese authorities to promote greater protections for human rights and peaceful social change.

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More recently, however, there have been renewed public references to the need to undertake political reforms, including by Premier Wen Jiabao. At this critical juncture, the EU must take the opportunity to send clear signals of support for these calls for political and democratic reforms. At the same time, the EU's strategy on human rights should be reviewed and strengthened with the following objectives:

***The EU's human rights engagement with China on cases and thematic issues of concern needs to be coherent and integrated into the overall Comprehensive Strategic Partnership being discussed with the Chinese authorities.***

***The EU should regularly publicize its assessment of the evolution of the human rights situation in China and increase the transparency of its engagement with China.*** Human rights evolution in China is a matter of primary and public interest, beyond the EU's own interest on the matter. A public assessment would also provide support to the courageous individuals and domestic groups raising human rights issues, including corruption and lack of accountability of the government. In particular, the lack of results of the bilateral dialogue on human rights should be publicly shared. In addition, the EU should publicise the list of all the political prisoners that it has asked to be released.

***The pursuit of the EU-China human rights legal experts meetings should be conditioned on the participation of independent Chinese NGOs.*** Our organisations have consistently been saying that a truly constructive dialogue must involve Chinese human rights advocates and independent social groups, promoting their contribution and “constructive criticism”. Legal seminars on human rights should include independent experts, scholars, and civil society groups, aimed at bringing together diverse expertise and experiences instead of excluding actors working for genuine change in China.

***Dialogue should only be one tool among others in the field of human rights.*** Beyond a regular public assessment of its investment in the human rights dialogue, reviewing the EU's overall relations with China could produce more results on the situation of human rights. In particular:

- The EU's existing regulatory framework **banning imports or exports of products** should be expanded to include any goods produced in any detention centers with forced labor.
- Modern **technology** in the field of information and communication developed by European companies should not be exported without a thorough human rights impact assessment that includes an identification of the risks and challenges under domestic and international law, with particular attention to the impact of the technology on freedom of expression and privacy. This assessment should also identify the planned steps that the company will take to address or minimize these risks.
- **Trade agreements** concluded with the Chinese authorities should be revisited and assessed to determine the ways they have impacted on human rights, and ways in which these agreements can include provisions that proactively anticipate and address potential human rights impacts.

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Trusting your consideration of these recommendations and thanking you for your deep reflection on these, we remain,

Yours sincerely,

Souhayr Belhassen  
FIDH President



Sharon Hom  
Executive Director of HRIC



Vincent Metten  
EU Policy Director, ICT

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