



Mr Donald Tusk  
President of the European Council  
Rue de la Loi 175  
1048 Brussels

Mr Jean-Claude Juncker  
President of the European Commission  
Rue de la Loi 200  
1049 Brussels

Ms Federica Mogherini  
High Representative of the European Union for Foreign Affairs  
and Security Policy / Vice-President of the European Commission  
Rue de la Loi 200  
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Brussels, May 22, 2017

Re: EU China Summit

Dear President Tusk, President Juncker and High Representative Mogherini,

Our organizations have documented and advocated solutions to human rights violations in China for decades. We write ahead of the June 2, 2017 European Union (EU)-China Summit in Brussels to urge you to use that occasion to lead the EU and its member states in demonstrating unified and unambiguous commitment to promoting human rights in China. We note that the summit will be

held two days before the 28<sup>th</sup> anniversary of the 1989 Tiananmen Square massacre. It is an important reminder of your responsibility to raise in private and public interactions EU and member states' concerns about human rights violations in China in all exchanges with your Chinese counterparts.

Under President Xi Jinping, who will remain in power at least until 2022, restrictions on human rights, including freedoms of expression, peaceful assembly, association, and religion or belief, have tightened. The government has silenced independent civil society voices, adopted abusive new laws, and carried out a highly politicized “anti-corruption” campaign that further undermines a judicial system already lacking independence. Authorities particularly in Tibetan areas and the Xinjiang Uyghur Autonomous Region remain deeply hostile to Tibetan and Uyghur communities.

The EU and its member states have raised similar concerns. For instance, in December 2016, the EU noted China's “failure to implement current legal protections and the adoption of laws and regulations which run contrary to China's stated commitment to advance the rule of law,” “deterioration of the situation with respect to freedom of expression and association,” and its “arrest, detention and conviction of human rights defenders, lawyers and others exercising rights such as freedom of religion or belief.” The EU has also expressed support for independent civil society in China, and made Item 4 statements at the United Nations Human Rights Council.

However, while these actions are useful, overall the EU and its member states have not taken China's leadership to task for its gross and systematic violations of human rights. As China is an EU Strategic Partner and its second largest trading partner, the EU and its member states have considerable leverage, yet it has repeatedly failed to use that leverage to press Chinese authorities to change their policies and practices. Even when EU leaders have spoken out, they tend to be perfunctory: in her April 2017 remarks in Beijing, for instance EU High Representative Mogherini said, “I conveyed to the State Councilor the European Union's concern about human rights in China.”

While EU officials are willing to engage in very public, critical battles with China over steel tariffs, solar panels, or the South China Seas, most senior EU officials are not willing to engage publicly in such debates over China's use of torture and arbitrary detention, even when those detained were human rights defenders or EU citizens. Our organizations had hoped that the human rights-related steps in the EU's June 2016 China strategy would inform more robust diplomacy, but that has not proven to be the case.

In the face of Chinese government obstruction of the bilateral human rights dialogue, the EU had the opportunity to pursue other meaningful avenues of engagement—such as a “shadow” dialogue with independent civil society groups. Senior EU and member state leaders should have

used high-profile occasions, which matter to Chinese leaders, to loudly and publicly call for the release of baselessly imprisoned individuals like 2010 Nobel Peace Prize winner Liu Xiaobo, Uyghur economist Ilham Tohti, and Tibetan activist Tashi Wangchuk. By comparison, the European Parliament has adopted three resolutions with detailed critiques of human rights abuses.

Over the years, our organizations have met with EU and member state officials, written briefing papers, and offered extensive guidance on how to more effectively engage Chinese officials to mitigate human rights abuses. Our core premise—that improving human rights in China is essential for the overall EU-China relationship—has been accepted, yet few of those recommendations have been pursued in practice. While the greatest obstacle remains Chinese government intransigence, more than two decades of hesitant, formulaic EU approaches to human rights have done little to improve the situation inside China.

If the EU truly seeks human rights improvements in China, the following steps should be taken, including publicly, by you and your member state counterparts in advance of and at the summit:

- Identify specific human rights violations that the Chinese government needs to address as a strategic priority for the EU and its member states;
- Announce the EU and member states' intention to suspend and review the bilateral human rights dialogue, as made possible by the June 2016 China strategy, and the intent to pursue dialogues with good-faith actors until a meaningful exchange with the Chinese government can be established;
- Announce the establishment of an accountability mechanism to ensure that human rights issues or cases are discussed in all high-level EU-China meetings, and the pursuit of new Foreign Affairs Council conclusions on human rights in China;
- Explain the steps the EU and its member states will pursue if the Chinese government does not address the concerns raised, invoking the June 2016 China strategy, which states that the EU “will hold China to account for its human rights record”;
- Reiterate the need to resume dialogue with the Dalai Lama's representatives and to release immediately and unconditionally those detained solely for engaging in peaceful support for the Dalai Lama
- Given the timing of the Summit, call for full accountability for the 1989 Tiananmen Square massacre

Absent such steps, we believe that the EU and member states' approach will do little to mitigate abuses in China, and increasingly gives those most responsible for systematic human rights violations a free pass. If the EU is unwilling to make use of the "unprecedented level of maturity" in the EU-China relationship to challenge China effectively on human rights, it undermines its own ability to promote them anywhere—harming its own long-term goals with China.

Sincerely,

- Amnesty International
- China Labour Bulletin
- DEMAS
- Freedom House
- Human Rights in China
- Human Rights Watch
- Human Rights Without Frontiers International
- International Campaign for Tibet
- International Federation for Human Rights
- International Service for Human Rights (ISHR)
- Initiatives for China/Citizen Power for China
- Reporters Without Borders (RSF)
- Society for Threatened Peoples
- Unrepresented Nations and Peoples Organization (UNPO)
- World Organisation Against Torture (OMCT)
- World Uyghur Congress

CC:

Head of Cabinet of the High Representative of the Union for Foreign Affairs and Security Policy /

Vice-President of the Commission, Ms Fabrizia Panzetti

Secretary-General of the European External Action Service (EEAS), Ms Helga Schmid

Deputy Secretary General for the European External Action Service (EEAS), Mr Jean-Christophe Bel-  
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Deputy Secretary General for economic and global issues, EEAS, Mr Christian Leffler

Chair of the EU's Political and Security Committee, Amb. Walter Stevens

Ambassadors to the EU Political and Security Committee

Head of Cabinet of the President of the European Council, Mr Piotr Serafin

Chief Foreign Policy Advisor to the President of the European Council, Ms Riina Kionka

Head of Cabinet of the President of the European Commission, Mr Martin Selmayr

Diplomatic Adviser to the President of the European Commission, Mr Richard Szostak

EU Special Representative for Human Rights, Mr Stavros Lambrinidis

Head of the Delegation of the European Union to China, Amb. Hans-Dietmar Schweisgut

Managing Director for Asia and Pacific, EEAS, Mr Gunnar Wiegand

Director, Deputy Managing Director for Asia and Pacific, EEAS, Ms Paola Pampaloni

Head of Division for China, EEAS, Mr Ellis Mathews

Managing Director for Human Rights, Global and Multilateral Issues, EEAS, Ms Lotte Knudsen

Director, Deputy Managing Director for Human Rights, Global and Multilateral Issues, EEAS, Mr  
Marc Giacomini

Head of Division for Human Rights, EEAS, Ms Mercedes Garcia-Perez

Chair of the EU's Working Party on Asia (COASI), Mr Filip Grzegorzewski

Members of the EU's Working Party on Asia (COASI)

Chair of the EU's Working Party on Human Rights (COHOM), Ms Ciara O' Brien

Members of the EU's Working Party on Human Rights (COHOM)

President of the European Parliament, Mr Antonio Tajani

Vice-President of the European Parliament responsible for Democracy and Human Rights, Mr Alex-  
ander Graf Lambsdorff

Vice-President of the European Parliament, Ms Ulrike Lunacek

Chair of the European Parliament's Foreign Affairs Committee, Mr David McAllister

Chair of the European Parliament's Subcommittee on Human Rights, Mr Pier Antonio Panzeri

Chair of the European Parliament's Delegation for relations with the People's Republic of China, Mr  
Jo Leinen