

To:

Ursula von der Leyen
President of the European Commission

Charles Michel
President of the European Council

CC:

Josep Borrell Fontelles
High Representative for Foreign Affairs / Vice-President of the European Commission

Foreign Ministers of EU Member States

Members of the European Parliament

Brussels, 18 March 2022

Re: European Union-China summit

Dear President von der Leyen, President Michel,

We are writing to share our concerns and recommendations ahead of the forthcoming European Union (EU) - China summit. While we understand that the main topic of discussions will be the Ukraine crisis and the Chinese government's position on it, we urge you to dedicate adequate time to also discuss those authorities' assaults on human rights both within and increasingly outside China's borders. In that regard, we would also like to caution you against spending time persuading your Chinese counterparts to holding yet another round of the bilateral human rights dialogue.

Our concerns are consistent with High Representative Borrell's [remarks](#) at the recent Munich Security Conference about the need to resist the "revisionist campaign" by the Chinese and other governments against human rights and international institutions.

Since the last EU-China summit, our organizations have published additional information that Chinese authorities are committing mass atrocity crimes targeting Uyghurs and other Turkic communities. Beijing's actions are eliminating Tibetans' cultural, linguistic, and religious rights, and similarly threaten Hong Kong's once-vibrant civil society and democratic rights. The government has deepened its use of high-tech state surveillance, persecuted or prosecuted countless independent activists, and sought to weaken international mechanisms by which it could be held accountable at the United Nations. Recent events further show how empty the Chinese government's alleged commitment to "*respect for international law and for fundamental norms governing international relations, with the United Nations (UN) at its core*" were, as [expressed](#) at the end of the 2019 summit.

We acknowledge that the EU has taken a series of steps in reaction to the profound human rights crisis unfolding under State Chairman Xi Jinping – significant achievements given the challenges of unanimity in EU foreign policy. However, we regret that Europe's approach has yet to match the severity of that crisis.

In this context, we are particularly concerned about allocating precious time during the upcoming summit to discussions over holding yet another round of the bilateral human rights dialogue. Despite

truly commendable efforts by the European External Action Service (EEAS), the exercise itself is, at best, incapable of triggering any meaningful human rights progress in the country, and, at worst, a counterproductive public relations coup for the Chinese government.

President Xi and the Chinese Communist Party actively reject and oppose universally enshrined human rights concepts, norms, and laws. Beijing rejects any criticism of its ruthless, systematic repression as “interference in domestic affairs,” and concerns expressed during the human rights dialogue – however strong and well informed – are unlikely to change that position. The human rights dialogue is an inadequate tool relative to the scope and the severity of China’s human rights crisis. As the February 4 Joint Statement by Russia and China expressly stated, while undermining the universality of human rights norms, the two states seek to make “dialogue” and “cooperation” among states, with no input from civil society, the main form of human rights promotion. The EU dialogue thus risks helping to fulfil this vision of a diminished role for human rights.

Finally, a deeply worsening situation despite 37 previous rounds of this meeting should suffice for the EU and its member states to realize that the exercise has not contributed to human rights progress in China.

For all these reasons, we urge the EU leaders to publicly announce a suspension of the human rights dialogue with Chinese authorities until it can be a meaningful exchange capable of producing positive impact on the human rights situation in the country. The EU and its member states should establish clear human rights benchmarks for progress in their relations with China, and focus their efforts and energy towards considering more effective tools to secure positive change in the country. Specifically, we urge the EU and its member states to:

1. **Suspend the bilateral human rights dialogue and pursue a “shadow” or “structured” human rights dialogue with civil society.** An EEAS shadow or structured dialogue with representatives of the human rights community, convened in Europe, will better inform the EU and member states’ understanding of the Chinese government’s repressive policies, and help devise more effective tools to address those.
2. Establish an **independent, international investigation** into atrocity crimes/crimes against humanity targeting Uyghurs and other Turkic communities, with a view towards accountability proceedings, and work toward the establishment of a standing mechanism to monitor and report to the UN Human Rights Council on Chinese government human rights violations, as recommended in June 2020 by 50 UN human rights experts. To that end, enhance outreach to Human Rights Council members, including members of the Organization of Islamic Cooperation. Furthermore, considering how unlikely it is that the UN High Commissioner for Human Rights, Michelle Bachelet, will be allowed a credible visit with unhindered access across the Uyghur region, the EU and its member states should urge her to publish without further delay her remote assessment of the human rights situation in that region.
3. Dedicate EEAS and member state efforts to mapping the prospects for **universal jurisdiction** cases against Chinese officials responsible for atrocity crimes, and to monitoring and responding to Chinese government threats to human rights across the EU.

4. Adopt additional **targeted sanctions** against Chinese government officials and entities responsible for devising and implementing abusive policies, including in Hong Kong, Tibet, Xinjiang, and against peaceful critics and human rights defenders, and seek greater coordination in that regard with like-minded partners.
5. Launch an initiative, drawing support from UN member states and co-signatories of China-focused joint statements, designed to **strengthen the UN human rights system's resilience** to Chinese government encroachments. This should include ensuring positions across the system, such as Human Rights Council membership and representation on the ECOSOC NGO Committee, are contested, that misinformation and disinformation are challenged, and that efforts to weaken norms and institutions protecting human rights are firmly rebutted.
6. Urge **unfettered and reciprocal access to Tibet, and across China**, for foreign diplomats, parliamentarians, UN experts, journalists, non-governmental organizations.
7. **Call publicly** at the beginning of the EU-China summit and at all high-level interactions **for the release** of arbitrarily detained human rights defenders and activists, including those who are gravely ill, such as citizen journalist Zhang Zhan, and economist and Sakharov laureate Ilham Tohti, Swedish publisher Gui Minhai, social justice activist Li Qiaochu, monk Rinchen Tsultrim, legal advocate Xu Zhiyong, environmentalist Anya Sengdra, and human rights lawyers Chang Weiping, Ding Jiaxi, Li Yuhan and Gao Zhisheng.

We stand ready to discuss these issues with you at your convenience.

Sincerely,

Christian Solidarity Worldwide (CSW)
Front Line Defenders
Human Rights Watch
Ilham Tohti Initiative
International Campaign for Tibet (ICT)
International Federation for Human Rights (FIDH)
International Service for Human Rights (ISHR)
The Network of Chinese Human Rights Defenders (CHRD)
The Rights Practice
World Uyghur Congress