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General policy debate on the situation in China

Report
Committee on Political Affairs and Democracy
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Summary

It is fair to say that China has made tremendous progress in recent decades in a number of fields, especially as regards its economy and its modernisation programmes. Because of its dynamic economy and high growth, China is now the world's fourth largest economy and it also has excellent trade relations with the Council of Europe member states.

Yet this progress, appreciable though it might be, has been accompanied neither by significant reforms of the political system nor by tangible progress in the protection of human rights, as the recent events in Tibet have demonstrated. The economic power of China will only be able to remain in the foreground on the condition that it makes a commitment towards democracy. While one can understand that every country is strongly marked by its own culture, it is important to stress that the principles of human rights, the rule of law and democracy are universal. Therefore, the defence of those principles should not stop at the frontiers of the 47 member states of the Council of Europe, as recognised by the final declaration of the Warsaw Summit.

The present report aims at offering China the opportunity to commit itself to a dialogue with the Council of Europe because the diversity of cultural approaches with China can only be a source of mutual enrichment, particularly through political, intercultural and inter-faith dialogue. The Parliamentary Assembly is ready to offer the benefit of its considerable experience in the field of democracy, while being aware that it is up to each democracy to choose its own approach.

As the organiser of the summer 2008 Olympic Games, China has a unique opportunity to demonstrate to the world at large not only its organisational ability but also its determination to improve its record in the field of democracy, human rights and the rule of law.

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A. Draft resolution

1. The Parliamentary Assembly presents its condolences to the Chinese nation for the victims of the earthquakes which hit the country so terribly. It welcomes the rapidity with which assistance was provided to the population although it regrets that the Chinese military was instructed to protect the military installations instead of immediately assisting the threatened population.

2. The Assembly wishes to pay tribute to the tremendous progress China has made in recent decades, especially with its economy, which is flourishing, its foreign policy, which is designed to create a stable international environment conducive to the pursuit of the country's development, and its key role as a mediator in numerous crises.

3. This progress, appreciable as it may seem, has, however, been followed neither by significant reforms of the political system nor by the necessary progress in the protection of human rights, as proved, among others, by the increased repression conducted by the Chinese communist party on groups of dissidents. China cannot remain a leading economic power unless it succeeds in extending the benefits of its economic development to the population at large.

4. The Assembly reaffirms that the principles on which the fundamental rights of human beings rest are universal. It notes that the Popular Republic of China has ratified the United Nations Charter like the 47 member states of the Council of Europe. While respecting the diversity of cultural approaches, it considers that the promotion of these principles should not stop at the frontiers of the 47 member states of the Council of Europe.

5. The Assembly therefore believes that it has a duty to look into the political situation in China and to voice its concern over the situation in respect of human rights and democracy. In doing so, the Assembly is not seeking to impose its point of view on China unilaterally, but believes it is fulfilling the vocation it has had ever since it was set up.

6. In the light of the core values for which the Council of Europe stands, the Assembly is ready to enter into dialogue with the Chinese authorities on a whole range of matters of common interest, in particular human rights, democracy and the rule of law, in order to encourage China to pursue reforms in those fields.

7. The Assembly is convinced that the diversity of cultural approaches with China can only be a source of mutual enrichment, particularly through political, intercultural and inter-faith dialogue.

8. As the organiser of the summer 2008 Olympic Games, China has a unique opportunity to demonstrate to the world at large not only its organisational ability but also its determination to improve its record in the field of democracy, human rights and the rule of law. There are many in China and beyond who have high expectations of progress in this respect on the occasion of the Olympic Games. It is to be regretted that these expectations have so far not been met.

9. The Assembly is, however, concerned that, two months away from the Olympic Games, basic freedoms, such as freedom of expression and association, are not guaranteed. Chinese citizens are still at risk for voicing their views, for criticising the government, for posting articles on the Internet, for giving interviews to foreign journalists or for not practising their religion within the confines of government-controlled places of worship.

10. Access to information is limited and the Internet and the press are subject to tight censorship. Moreover, the death penalty continues to be applied. Abusive forms of administrative detention are still widespread; arbitrary detention, imprisonment, torture and harassment of human rights activists, including lawyers and journalists, are common. Discrimination against rural migrants, ethnic minorities and women is widespread.

11. The Assembly condemns the violent repression of demonstrations which have taken place over the past months in Tibet and neighbouring regions, which led to arrests, disappearances and deaths.

12. At the same time, the Assembly is encouraged by the renewed, albeit informal, talks which took place on 4 May 2008 between envoys from the Dalai Lama and representatives of the Chinese authorities in southern China. This was a laudable initiative.

13. The Assembly does not wish to condemn China but rather questions the political functioning of the Chinese communist regime which stands far from the principles of modern democracies.

14. In this context, the Assembly urges the Council of Europe member states and the international community to:

14.1. continue to discuss the major challenges of our constantly changing world with China and try to solve them together, in such fields as climate change, terrorism and trafficking in human beings;

14.2. adopt a consistent and coherent approach to China, aimed at bringing about tangible progress in the field of democracy, the rule of law and human rights;

14.3. exert individual influence on China to persuade it to engage in a substantive dialogue regarding Tibet and neighbouring regions.

15. The Assembly calls on the Government of China to:

15.1. engage in a frank, sincere dialogue with the member states of the Council of Europe so that the major challenges of our constantly changing world can be solved together;

15.2. respect its ratification of the Universal Declaration of Human Rights, like all the Council of Europe member states;

15.3. implement far-reaching reforms regarding respect for democracy, human rights and the rule of law, beyond the close of the Olympic Games;

15.4. take concrete steps to fulfil its promise to improve its record in respect of fundamental freedoms, for example by lifting the Internet blockade, releasing cyber-dissidents, ending house arrests of human rights activists, stopping harassing and arresting members of religious communities, including members of the Falun Gong, stopping the arbitrary detention, harassment and unfair dismissal of reporters and journalists, and guaranteeing freedom of movement and reporting for both domestic and foreign journalists during the Olympic Games;

15.5. end the crackdown on activists raising human rights concerns;

15.6. continue the dialogue with Tibetan representatives on the situation in Tibet;

15.7. consider setting up a truth and reconciliation commission so that both Chinese and Tibetans may deal with the legacy of the conflict in this region and to reconstitute the history of abuses committed and injustices suffered on all sides.

16. The Assembly invites the Chinese Parliament to engage in a political dialogue in order to promote parliamentary democracy, the rule of law and respect for human rights. Once China has accomplished appreciable progress in these fields, the Chinese Parliament could apply for observer status with the Assembly.

17. The Assembly, and the Council of Europe in general, have considerable experience in the field of democracy. The Assembly, while aware that it is up to each democracy to choose its own approach, is prepared to offer the benefit of this experience.

18. The Assembly encourages the European Union to continue to raise such issues as the death penalty, torture and inhuman and degrading treatment or punishment, the situation of human rights activists, media freedom and freedom of expression in its political and human rights dialogue with China.

19. Finally, the Assembly is ready, through its Political Affairs Committee, to send a delegation of parliamentarians on a fact-finding visit to China in order to gather in the field more information on the current situation in the country.

B. Explanatory memorandum, by Mr Mignon

1. Introduction

1. This report stems from a hearing on the political situation in China in the run-up to the Olympic Games, organised in Strasbourg on 17 April 2008 by the Political Affairs Committee, on the occasion of the second partsession of the Parliamentary Assembly.

2. During the exchange of views that took place at the hearing, concerns were expressed by committee members over the continuing lack of progress in improving democracy, the rule of law and human rights in China. This led the chair, on behalf of the committee, to ask the Bureau of the Assembly for a general policy debate on the political situation in China on the eve of the Olympic Games, during the third part-session of the Assembly in June 2008. The Bureau agreed to this proposal.

3. Before going further into the topic of this report, I wish to express my gratitude to Mr Jianli Yang, Chinese researcher and human rights activist, founder of the nonprofit forum Initiatives for China (Boston), Mr Jampal Chosang, Representative of the Dalai Lama (Paris), Ms Corinna-Barbara Francis, Researcher from the Amnesty International East Asia team (London), and Mr Olivier Basille, Permanent Representative of Reporters Without Borders to the European Institutions (Brussels) for taking part in the hearing. Their input was highly appreciated by committee members and was extremely helpful for my work.

4. Equally, I would like to express my grateful thanks to Mr Quan Kong, Ambassador of the People's Republic of China in France. Mr Kong was kind enough to receive me so that I could seek his advice on the current situation in China. The fruits of this interview were significant and indispensable to the credibility of this report.

5. I regret, however, that the Chinese authorities turned down the Political Affairs Committee's invitation to take part in the hearing in order to present their position. The Chinese authorities simply chose to send a representative to observe the exchange of views from the audience, without taking part.

6. It is fair to say that China has made tremendous progress in recent decades in a number of fields, especially as regards its economy and its modernisation programmes. Because of its dynamic economy and high growth, China is now the world's fourth largest economy. It should be stressed that China also has excellent trade relations with the Council of Europe member states.

7. Yet this progress, appreciable though it might be, has been accompanied neither by significant reforms of the political system nor by tangible progress in the protection of human rights.

8. Although China is neither a member state of, nor an observer state to, the Council of Europe, in the light of the above-mentioned hearing and bearing in mind the role the Assembly can play in promoting democracy in China, I am convinced that the Assembly has a duty to look into the political situation in China as the Olympic Games draw near.

9. The purpose of the present report is not to condemn China for its poor human rights, rule of law and democracy record. It is not our intention to impose specific "models" of democracy, but we can offer a platform for dialogue on the core values the Council of Europe stands for; those of democracy, human rights and the rule of law. It is up to China to accept this proposal and undertake to introduce genuine reforms in those fields, in the run-up to the Olympic Games and thereafter.

10. China often claims that Europe should not interfere in its internal affairs and thus should not probe into its democracy and human rights record, arguing the uniqueness of each culture, contesting the universality of human rights and putting forward the specificities of China and its political system. While one can understand that every country is strongly marked by its own culture, it is important to stress that the principles of human rights, the rule of law and democracy are universal. Therefore, the defence of those principles should not stop at the frontiers of the 47 member states of the Council of Europe, as recognised by the final declaration of the Warsaw Summit.

11. In that context, I would like to recall what was said by both the German Federal Chancellor, Angela Merkel, and the French Minister for Foreign Affairs, Bernard Kouchner, during their addresses to the Assembly on 15 and 17 April 2008 respectively. The former stressed that: "… in the human rights sphere, a country can have no internal affairs …",[1] while the latter referred to the "duty of interference"[2] when it comes to human rights issues.

12. Before going into the substance of my report, I would like to express my solidarity with the Chinese people in connection with the catastrophe that hit their country on 12 May 2008 and led to deaths and disappearances on a massive scale.

13. I would like to pay tribute to the Chinese authorities' reaction to this large-scale natural disaster, which was speedy and efficient. Their readiness to accept international emergency intervention is to be underscored.

14. While I appreciate that China is currently focusing all its efforts on coping with the consequences and aftermath of the earthquake, I nevertheless consider it important, in the run-up to the Beijing Olympic Games, to deal with the general political situation in this report, as it has long-term effects on Chinese society at large.

2. The political situation in China

2.1. Opportunities arising from the choice of China to host the 2008 Olympic Games

15. On 13 July 2001, at the 112th International Olympic Committee (IOC) Session in Moscow, Beijing was elected host city for the Games of the XXIX Olympiad in 2008. The vote reflected the IOC Evaluation Commission's view that "a Beijing Games would leave a unique legacy to China and to sports."[3]

16. Both during the IOC selection process and after Beijing had been chosen to host the Olympic Games in 2008, the Chinese authorities repeatedly committed themselves publicly to improving human rights in China and ensuring media freedom in the run-up to the Olympics.

17. For its part, the IOC echoed the Chinese statements and stressed that, if the human rights situation in China was not acted on to its satisfaction and if it undermined the Games, the IOC would step in.

18. The Olympic Charter, and more specifically the section dedicated to the "Fundamental Principles of Olympism", highlights the importance of "universal fundamental ethical principles". The goal of Olympism is described, *inter alia*, as being to promote "a peaceful society concerned with the preservation of human dignity".

19. Unfortunately, only two months before the Olympics and seven years after China's promise to improve human rights and the political situation in the country as a whole, not much progress has been achieved.

20. In an attempt to portray a stable and harmonious image of the country, China, in the run-up to the Olympic Games, seems to have cracked down further on human rights activists and the population in general. The argument often put forward by the Chinese authorities is that of "state security". This argument is frequently not supported by tangible evidence.

21. It is in China's interest to realise that hosting the Olympic Games means being given unprecedented international exposure along with a unique opportunity to show the world its achievements in the fields of human rights and democracy. China should not waste such an opportunity.

22. Although very little time is left before the start of the Olympic Games, China would gain international support and praise if only it could show, through concrete action, its determination to improve the situation on the ground.

2.2. Democracy, the rule of law and human rights in China

23. Although the majority of the Chinese people is rightly proud to be hosting the Olympic Games, this pride is undermined by the current of dissatisfaction linked to the discrepancy between what is being shown to the world and the reality on the ground.

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1. See the address by Angela Merkel, Federal Chancellor of Germany, on the occasion of the second part of the 2008 Ordinary Session of the Council of Europe Parliamentary Assembly on: http://assembly.coe.int/Sessions/2008/Speeches/20080415_Speech-Merkel.htm.
2. See the address by Bernard Kouchner, French Minister for Foreign Affairs.
3. See the official website of the Olympic Movement on: www.olympic.org.

24. This reality is largely linked to the way in which the Chinese regime operates politically. It has to be observed that the values on which modern democracies are based are rejected by this communist regime: political party pluralism, free elections, the separation of powers (the executive, the legislature and the judiciary), the rule of law, the peaceful settlement of conflicts in society, freedom of expression and freedom of the media, freedom of association and freedom of worship.

25. The Chinese regime is characterised by the dominance of a single mass party attached to communist ideology, with power concentrated in the hands of a few leaders, who are answerable to no one and who are not obliged to observe the rule of law. They consequently abuse their power, particularly when it comes to legislation, passing large numbers of laws that are controversial, to say the least, such as the legislation concerning the onechild policy, which is all too often still enforced by coercive methods.

26. According to the Chinese dissident Yang Jianli, who attended our hearing on the political situation in China in April 2008, "communism in China is dead, but it has never retreated from seeking new ways to control the Chinese people". Indeed, the party exercises unprecedented control over the state, blurring the boundary between the two concepts and extending this control to all aspects of the daily lives of the Chinese people. It is therefore hardly surprising to learn that China deploys considerable resources to assure itself of a network of police and informers, who enable it to keep a grip on politics and the private sphere and prevent any action that escapes its control.

27. Chinese citizens are still at risk for voicing their views, for criticising the government, for posting articles on the Internet, for giving interviews to foreign journalists and for not practising their religion within the confines of government-controlled churches. Moreover, the death penalty is widely applied in China. There is widespread recourse to abusive forms of administrative detention; arbitrary detention, imprisonment, torture and harassment of human rights activists, including lawyers and journalists, are common; freedom of expression is a cause for concern, especially as regards the censorship of the Internet. Discrimination against rural migrants, ethnic minorities and against women is widespread.

28. Admittedly, China has had welcome successes on a number of fronts: its economy is flourishing; its foreign policy is geared to bringing about a stable international environment conducive to the pursuit of the country's development; it plays a key role as a mediator in numerous crises; it is in the process of ratifying some 20 international conventions concerning the protection of human rights; and the number of higher education graduates is increasing sharply each year – to mention only a few examples.

29. China cannot continue to be a leading economic power unless it succeeds in extending the benefits of its economic development to the population at large. The Chinese Government has officially set itself the objective of achieving a "harmonious society", but inequalities in terms of employment, income and quality of life generally are being exacerbated, preventing proper development of the Chinese middle classes.

30. As previously underlined by the Assembly in its report on "Implications for Europe of the economic resurgence of China" by Mr Wille, Rapporteur of the Committee on Economic Affairs and Development, in January 2006, in order to sustain this undeniable economic success, it seems more important than ever that China should embark on the road to democracy. Admittedly, the Chinese regime has become more flexible over the decades, and we Europeans cannot ask China to change overnight from totalitarianism to democracy. China has every interest in reforming its political system, however, in such a way as to respect the fundamental values that define a modern democracy, for its international appeal will be all the stronger for it.

2.2.1. The death penalty

31. The Council of Europe's attitude to the death penalty has always been clear and unequivocal: the death penalty is an absolute violation of the fundamental rights of any human being. It must be definitively and completely removed from the legislation of states that believe in respect for democracy, the rule of law and human rights. The abolition of the death penalty in Europe is one of the Council of Europe's greatest achievements.

32. Over the decades, the Parliamentary Assembly has constantly reaffirmed its complete opposition to the death penalty, which it considers as an act of torture and an inhuman and degrading punishment. Accordingly, we can but welcome official statements by the Chinese authorities to the effect that China's ultimate objective is the complete abolition of the death penalty. It is our duty to encourage China to continue its efforts in this respect.

33. China is by far the biggest perpetrator of capital punishment in the world.[4] For individuals sentenced to death in China, the road to death is paved with a series of violations at every stage of the legal proceedings, due to the failure of China's criminal justice system to guarantee everyone a fair trial. Most of the time, people

sentenced to death have had no immediate access to a lawyer, have been tortured in order to extract confessions, have had no guaranteed presumption of innocence and have been detained beyond legal time limits.

34. There would therefore appear to be an urgent need, pending full abolition of the death penalty in law, for China to begin by removing non-violent crimes, including economic and drug-related offences, from the scope of the death penalty, and to impose a moratorium on executions.

2.2.2. Arbitrary detention

35. Detention without trial is a widespread practice in China. As a result of an attempt to "clean up" the country, and especially Beijing, the city hosting the Olympic Games, China has recently witnessed an increase in administrative detention, which is a system whereby people can be imprisoned for up to four years without being brought before a judge or benefiting from a fair trial.

36. The practice of "re-education through labour" is also of concern. Re-education through labour is an administrative measure designed to reform people through compulsory education and change offenders into people who "obey the law, respect public virtue, love their country, love hard work, and possess certain standards of education and productive skills for the building of socialism."[5] It is a system of detention and punishment which is imposed administratively on those who are deemed to have committed minor offences but who, from a legal standpoint, are not considered criminals.

37. Several major problems are linked to the system of re-education through labour: the lack of any kind of procedural restrictions; the use of re-education to incarcerate political and religious dissidents; the lack of means of appeal; the poor conditions in the camps; and the system of "retention for in-camp employment" which permits the authorities to keep prisoners in the camps once they have served their sentences.[6]

38. It is, however, encouraging that the Chinese authorities have promised to reform the system. We have no doubt that China will redouble its efforts to do so as soon as possible, as this seems to be on the country's agenda more than ever before.

39. Furthermore, political arrests in China more than doubled in 2006, in comparison with the previous year. The Chinese Government often levies the charge of "endangering state security" against dissidents and government critics.[7]

2.2.3. Human rights activists

40. Chinese human rights activists play a key role in pushing for progress in the field of human rights in China. They are courageous individuals who believe in the fundamental principles of human rights and strive to defend them, fully conscious that they are putting themselves at great risk of reprisals from the authorities.

41. By intensifying recourse to the pretext of state security, the Chinese authorities have increased the crackdown on human rights activists by detaining and imprisoning a large number of them. A recent example is the arrest of Hu Jia, who is a well-known figure, both in China and internationally, and who has organised information campaigns on the taboo issue of HIV/Aids and given several interviews to foreign journalists regarding the failed promises of the Chinese authorities to improve human rights in the run-up to the Olympic Games. He was recently sentenced to three-and-a-half years in prison on the charge of subversion of state power.

42. In the light of this arrest, one can but fear for the fate of many more human rights activists in China who are less well-known on the international scene.

43. An equally disturbing trend is the harassment of the families of human rights activists held under house arrest. Human rights activists are being charged with all sorts of criminal offences. Human rights lawyers have been particularly targeted, with Chinese officials confiscating their lawyers' licences and putting them under house arrest, thereby making it increasingly difficult for members of the public to have legal protection in respect of highly sensitive issues.

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4. See the latest Amnesty International report on the death penalty on: www.amnesty.org.
5. See Human Rights Watch campaigns on China: http://china.hrw.org.
6. Ibid.
7. According to a report from human rights group Dui Hua.

2.2.4. Freedom of expression

44. As the Olympic Games draw near, the situation regarding the freedom of expression in China would appear to be getting worse, with continuing restrictions and the tightening of the surveillance of journalists and censorship of the Internet.

45. According to Reporters Without Borders, China is the state in the world which spends the most amount of money on Internet surveillance. Highly sophisticated measures are put in place to filter, block and monitor the entire Internet infrastructure at all levels.

46. The Chinese Government tries very actively to control the Internet. New laws are being passed which makes it a crime to post anything on the Internet which might be viewed as subverting state power. Writers, webmasters, bloggers, editors and journalists risk punishment ranging from immediate dismissal to prosecution and lengthy jail terms for sending news outside China or posting articles criticising the Chinese political system. Self-censorship by Chinese Internet users is also encouraged by the Chinese authorities, which have an efficient "Internet police" constantly monitoring the Internet.

47. The complicity of an increasing number of foreign Internet service providers in the system of self-censorship is a matter of concern. At the request of the Chinese authorities, they provide e-mails that have been sent via their servers, thus helping the authorities to identify and subsequently detain people.

48. Chinese journalists are under constant pressure and have no leverage whatsoever to write about taboo topics in Chinese society or any topic that might be considered subversive by the authorities. Also, China has only one press agency, through which all the news is distributed and censored.

49. The law passed last year giving greater freedom to foreign journalists, which is meant to apply only during the period of the Olympic Games, is a step in the right direction. China could consider extending the scope of this law to Chinese journalists, as a sign of its readiness to improve its record in terms of freedom of expression in the country.

2.3. Specific concerns regarding the situation in Tibet

50. An overview of the political situation in China would be incomplete without a reference to the Chinese authorities' policy in Tibet, especially in the light of the recent events which took place there, and to the approach explored by the Dalai Lama, the spiritual leader of the Tibetan people, and by Tibetans in an attempt to find a solution to the situation by non-violent means.

51. At the heart of the conflict over the status of Tibet within China lies their historical relationship. It is true to say that the Chinese Government and Tibetan representatives offer competing versions as regards the status of Tibet and whether it is an integral part of China or has legitimate aims to independence or autonomy.

52. According to the Tibetan representatives, the geographical area of Tibet includes three main regions: Amdo, Kham and Ü-Tsang, covering a total area of 2.5 million square kilometres with 6 million Tibetan inhabitants.

53. According to China, Tibet, which is referred to as the Tibet Autonomous Region (TAR), covers Ü-Tsang and western Kham, while Amdo and eastern Kham are part of the Chinese provinces of Qinghai, Gansu, Yunnan and Sichuan.

54. It should be recalled that Tibet claimed independence until the early 1980s, when the Dalai Lama, who had established a so-called government-in-exile in India, abandoned such claims. It now favours a "middle way" approach, advocating political autonomy for Tibet under Beijing's rule.

55. Over the years, several rounds of official talks have been held between envoys from the Dalai Lama and the Chinese leadership, but they came to a standstill. No progress has been made on the major bones of contention, namely the economy, religion, demographics and the respective goals of each side.

56. In recent months, the tensions between Tibetans and the Chinese authorities led to an outburst of violence. Protests started in Lhasa in mid-March 2008 during demonstrations marking the anniversary of the failed 1959 Tibetan uprising. Hundreds of monks from Drepung monastery, west of the city of Lhasa, began peaceful protests calling for an end to religious restrictions and the release of imprisoned monks. The protests quickly spread to Tibetan communities in the neighbouring Gansu, Qinghai and Sichuan provinces, and in Kathmandu, Nepal, and Dharamsala, India.

57. The Chinese authorities responded by firing tear gas in order to try to disperse more than 600 monks taking part in the street protests. This subsequently led to looting and violence, prompting the Chinese authorities to blame the Dalai Lama for having masterminded the unrest.

58. The protests led to the death of numerous demonstrators and to the sealing off of Tibet. China suspended foreign travel permits to the region, preventing foreign journalists from having access to the area. The Chinese authorities quoted a low figure for the number of deaths, while the Tibetans and the international media reported a much higher one.

59. These dramatic events led to increased international mobilisation in connection with the situation in Tibet. Several demonstrations of solidarity with the Tibetan people were organised around the torch relay for the Olympic Games. While violence was breaking out in Tibet and neighbouring regions, the Olympic torch was touring some major cities in the world. Demonstrators seized the opportunity to voice their concerns about the human rights situation in Tibet by disrupting the torch relay.

60. I do not believe that disrupting – sometimes violently – a torch relay, whose message is purportedly one of peace and harmony, was the most appropriate means of addressing the situation in Tibet.

61. In this context, the Chinese authorities' decision to renew dialogue with envoys from the Dalai Lama is to be welcomed. Envoys sent by the Dalai Lama and Chinese officials from the Communist Party's United Front Work Department held a round of informal talks in Shenzhen, in southern China, on 4 May 2008. Both sides seem to have shown a readiness to agree to a joint approach to overcoming the problems at issue in Tibet. Although this informal meeting did not lead to any concrete action, both parties agreed to hold a seventh round of official talks in the near future. With the dramatic earthquake which shook China recently, one can imagine that further official talks will not be an immediate priority for the Chinese Government. However, I do hope that talks resume as soon as possible.

3. Conclusions and recommendations

62. One of my aims as rapporteur on this topic has been to seize the opportunity of the imminent Olympic Games in China to mobilise Council of Europe member states, which will be sending athletes to the Games, to respond to the political and human rights situation in China, and invite China to agree to a dialogue with us concerning the fundamental values upheld by the Council of Europe.

63. China is our partner and, accordingly, I hope that the Assembly can establish a dialogue with it. Hence, the following recommendations:

– European states should be coherent in their approach to China with the aim of obtaining tangible improvements in the field of democracy, the rule of law and human rights;

– European governments should have a strategy for influencing China, with a view to securing sustainable improvements in the long term, beyond the summer of 2008. They should be franker with China and heighten calls pressing it to strive for substantial human rights improvements and, with regard to Tibet, to engage in constructive dialogue with the Dalai Lama;

– China should take specific, tangible steps to honour its promise to improve its record. For example, it could lift the Internet blockade, release cyber-dissidents, end house arrests and guarantee freedom of movement and reporting for both domestic and foreign journalists during and after the Olympics. China should take urgent measures to prevent arbitrary detention, harassment and unfair dismissal of journalists, in violation of their freedom of expression;

– the Olympics should leave a positive legacy in the field of human rights and democracy, and improvements should continue after the Olympic Games;

– China should end the crackdown on activists raising human rights concerns during the Olympics;

– the Assembly could urge the European Union to continue to raise such issues as the death penalty, torture and inhuman or degrading treatment or punishment, the situation of human rights activists, media freedom and freedom of expression in its political dialogue with China;[8]

8. This recommendation has already been made in Parliamentary Assembly Recommendation 1760 (2006) on the position of the Parliamentary Assembly as regards the Council of Europe member and observer states which have not abolished the death penalty.

– in order to promote parliamentary democracy, the rule of law and respect for human rights, the Assembly could invite the Chinese Parliament to engage in political dialogue with it, once China has made appreciable progress in those fields, so that the Chinese Parliament can apply for observer status with the Assembly;

– the informal talks on 4 May 2008 between envoys from the Dalai Lama and the Chinese authorities should be welcomed, and the launching of a new round of official talks with envoys from the Dalai Lama should be supported. Any concrete dialogue between the two sides should be encouraged;

– in the long run, the Chinese authorities should be encouraged to consider setting up a truth and reconciliation commission so that both the Chinese and the Tibetans can deal with the legacy of the conflict in the region and reconstitute the history of abuses committed and injustices suffered, allowing all sides to express their views.

Appendix – China – Tibet: Chronology of events

13 July 2001: award by the International Olympic Committee of the Olympic Games to Beijing, People's Republic of China.

9-24 September 2002: following a nine-year impasse, contact between Beijing and Tibetan representatives resumes.

25 May-8 June 2003: second round of talks between envoys of the Dalai Lama and the Chinese leadership.

12-29 September 2004: third round of talks between envoys of the Dalai Lama and the Chinese leadership. The international community views these visits as positive steps forward, but few governments make legitimate efforts to bring both parties to the negotiating table.

30 June-1 July 2005: fourth round of meetings between the Tibetan team and the Chinese leadership, in Berne, Switzerland.

15 February 2006: envoys of the Dalai Lama visit China from 15 to 23 February and take part in the fifth round of talks with their Chinese counterparts in Guilin, Guangxi Province of China.

15 February 2007: The European Parliament, meeting in Strasbourg, France, adopts a resolution on the dialogue between the Chinese Government and envoys of the Dalai Lama. The comprehensive resolution includes recommendations to the European Union on a more vigorous approach in support of the dialogue.

July 2007: sixth and last inconclusive round of talks in Shanghai between envoys of the Dalai Lama and the Chinese leadership.

10 March 2008: demonstrations marking the anniversary of the failed 1959 Tibetan uprising against Chinese rule begin. Hundreds of monks from Drepung monastery, west of the city of Lhasa, begin peaceful protests calling for an end to religious restrictions and release of imprisoned monks. Several days later, protests spread to Tibetan communities in neighbouring Gansu, Qinghai, and Sichuan provinces, and in Kathmandu, Nepal, and Dharamsala, India.

11 March 2008: China is dropped from the list of the world's worst human rights abusers as indicated in the US State Department's annual report on human rights, but is classified as an authoritarian country undergoing economic reform and rapid social change that has not undertaken democratic political reform.

12 March 2008:

– thousands of Chinese security personnel fire tear gas to try to disperse more than 600 monks taking part in another day of street protests;

– a group of Chinese intellectuals including prominent dissidents, lawyers, human rights activists and writers circulate a petition supporting calls for an independent investigation in Tibet by the United Nations and urging the Chinese Government to reconsider its policies in Tibet so as to work towards "national reconciliation, not continue to increase divisions between nationalities".

14 March 2008: hundreds of residents and monks take to the streets of Lhasa; looting and violence breaks out. Chinese authorities seal off Drepung, Sera and Ganden monasteries. China says 10 people are killed in Lhasa, in unrest masterminded by the Dalai Lama. Spokesman for the Dalai Lama rejects the claim as baseless.

15 March 2008: Chinese authorities say Lhasa rioters will be treated leniently if they give themselves up by midnight on Monday, 17 March.

16 March 2008: Chinese authorities crackdown on peaceful Tibetan demonstrators demanding independence for Tibet at a protest in Ngaba. China suspends foreign travel permits to Tibet.

18 March 2008: Chinese Premier Wen Jiabao dismisses calls for a boycott of the Beijing Olympics in August, and accuses the Dalai Lama of inciting unrest to sabotage the Games. Protests result in the killing of numerous demonstrators. Chinese authorities claim that there were few deaths, while Tibetans and international media state that the number of deaths was higher.

24 March 2008: the torch lighting in Olympia, Greece, is disrupted by a protest. This is to be the first of a series of protests disrupting the torch relay in London, Paris and San Francisco.

26 March 2008: Parliamentarians from the European Parliament hold a debate in Brussels on the situation in Tibet, with some parliamentarians calling for a possible boycott of at least the opening ceremony of the forthcoming Olympic Games to be held in China in August, while others argue that a boycott would be futile.

27 March 2008: Chinese state-organised trip for the media and diplomats to Lhasa interrupted by protesting monks who accuse the government of lying to the outside world.

4 April 2008: Chinese official media announce that Tibet will be reopened to foreign tourists on 1 May, after a six-week closure.

9 April 2008:

– China reaffirms its commitment to take the Olympic torch through Tibet despite strong international pressure;

– the United States Senate unanimously approves a resolution condemning violence in Tibet and urging a process of reconciliation and dialogue between the Chinese authorities and the Dalai Lama. The resolution stipulates that the US Department of State should fully implement the Tibetan Policy Act, which refers to the establishment of an office in Lhasa to monitor political, economic, and cultural developments in Tibet.

10 April 2008:

– the Dalai Lama says he supports the Beijing Olympics and opposes violent protests that have disrupted the Olympic torch relay around the world;

– the European Parliament adopts a resolution on Tibet following on from its debate of 26 March. The resolution condemns the repression by the Chinese security forces, demands an independent inquiry under United Nations auspices and calls for a common European stance regarding attendance by European Union leaders at the Olympic Games' opening ceremony in August;

– China abruptly reverses a decision to reopen Tibet for foreign tourists;

– China rejects a demand from Louise Arbour, United Nations High Commissioner for Human Rights, to visit Tibet.

12 April 2008: the Chinese President, Hu Jintao, affirms that the problems in Tibet are not linked with human rights but rather with the issue of Chinese national sovereignty.

18 April 2008: the Bureau of the Parliamentary Assembly of the Council of Europe decides to invite the Dalai Lama to address the Assembly.

21 April 2008:

– the Dalai Lama is made an honorary citizen of the city of Paris by the Paris city council. Hu Jia, a prominent human rights activist who has recently been jailed in China on charges of attempted subversion, is also awarded an honorary citizenship in the French capital;

– Paula J. Dobriansky, US Special Co-ordinator for Tibetan issues and Under Secretary of State for Democracy and Global Affairs, meets the Dalai Lama in the context of his visit to the United States, in spite of China's firm opposition.

22 April 2008:

– Chinese authorities express their "strong dissatisfaction and resolute opposition" to the Paris city council's decision, calling it interference in China's internal affairs;

– China calls for the European Union's (EU) support over Tibet, arguing that the EU is a strategic partner of China and should support it regarding matters linked to its sovereignty and territorial integrity.

23 April 2008: a representative of the Dalai Lama in Washington announced that the Dalai Lama had sent a letter to the Chinese President Hu Jintao proposing to send envoys to Tibet in order to calm tensions, and that Beijing had sent an answer without giving any concrete proposals.

25 April 2008:

– official visit to Beijing of José Manuel Barroso, President of the European Commission, and nine EU Commissioners. In Beijing, Mr Barroso expresses his hopes for "positive developments" on the Tibetan question, while reaffirming the EU's opposition to the independence of Tibet and to the boycott of the Olympic Games;

– the official Chinese Xinhua news agency announces that China has accepted to hold talks with envoys of the Dalai Lama. The Dalai Lama welcomes this decision as going in the right direction.

4 May 2008: envoys from the Dalai Lama and Chinese officials from the Communist Party's United Front Work Department hold a round of informal talks in Shenzen, in southern China. Both sides show a willingness to agree to a joint approach to overcome the problems at issue in Tibet. They also agree to hold a seventh round of official talks in the near future.

12 May 2008: a terrible earthquake devastates the Sichuan province in south-western China leading to tens of thousands of deaths and disappearances.

15 May 2008: the 25th round of the EU-China Human Rights Dialogue is held in Brdo, Slovenia, under the Slovenian presidency of the EU. Special attention is given to questions related to freedom of expression, the rights of minorities, in particular Tibet, and co-operation in UN fora.

22 May 2008: the Dalai Lama is invited to speak before the Foreign Affairs Committee of the House of Commons in London. He urges the British Prime Minister to back an international investigation into the violent crackdown on pro-Tibetan protests in March.

Reporting committee: Political Affairs Committee. Reference to committee: Decision of the Bureau dated 18 April 2008.

Draft resolution unanimously adopted by the committee on 23 June 2008.

Members of the committee: Mr Göran **Lindblad** (Chairman), Mr David **Wilshire** (Vice-Chairman), Mr Björn **Von Sydow** (Vice-Chairman), Mrs Kristina **Ojuland** (Vice-Chairperson), Mrs Fátima **Aburto Baselga**, Mr Francis **Agius**, Mr Miloš **Aligrudić**, Mr Claudio **Azzolini**, Mr Alexander Babakov, Mr Denis **Badré**, Mr Ryszard **Bender**, Mr Fabio Berardi, Mr Radu Mircea Berceanu (alternate: Mrs Cornelia **Cazacu**), Mr Andris **Bērzinš**, Mr Aleksandër **Biberaj**, Mrs Gudfinna Bjarnadottir, Mr Giorgi **Bokeria**, Mr Pedrag Boškovic, Mr Luc Van den Brande, Mr Mevlüt **Çavuşoğlu**, Mr Lorenzo **Cesa**, Ms Elvira **Cortajarena**, Ms Anna **Čurdová**, Mr Rick Daems, Mr Dumitru **Diacov**, Mr Michel **Dreyfus-Schmidt**, Ms Josette Durrieu, Mr Frank **Fahey**, Mr Joan Albert Farré Santuré, Mr Pietro Fassino, Mr Per-Kristian Foss, Ms Doris Frommelt, Mr Jean-Charles Gardetto, Mr Charles Goerens, Mr Andreas Gross (alternate: Ms Doris **Fiala**), Mr Davit Harutiunyan, Mr Joachim **Hörster**, Mrs Sinikka **Hurskainen**, Mr Tadeusz **Iwiński**, Mr Bakir Izetbegović (alternate: Mr Mladen **Ivanić**), Mr Michael Aastrup Jensen, Mrs Birgen **Keleş**, Mr Victor Kolesnikov (alternate: Mrs Olha **Herasym'uk**), Mr Konstantion **Kosachev**, Ms Darja Lavtižar-Bebler, Mr René van der Linden (alternate: Mr Tuur **Elzinga**), Mr Dariusz **Lipiński**, Mr Younal Loutfi, Mr Mikhail Margelov, Mr Dick Marty, Mr Frano **Matušić**, Mr Mircea **Mereută**, Mr Dragoljub Mićunović, Mr Jean-Claude **Mignon**, Ms Nadezhda Mikhailova, Mr Aydin Mirzazada (alternate: Mr Sabir **Hajiyev**), Mr João Bosco **Mota Amaral**, Mrs Miroslava **Nemcova**, Mr Zsolt Németh, Mr Fritz **Neugebauer**, Mr Hryhoriy **Omelchenko**, Mr Theodoros Pangalos, Mr Aristotelis **Pavlidis**, Mr Ivan **Popescu**, Mr Christos Pourgourides, Mr John Prescott (alternate: Mr John **Austin**), Mr Gabino **Puche**, Mr Andrea Rigoni, Lord Russell-Johnston (alternate: Mr Rudi **Vis**), Mr Oliver Sambevski, Mr Ingo **Schmitt**, Mr Samad Seyidov, Mr Leonid **Slutsky**, Mr Rainder Steenblock, Mr Zoltán **Szabó**, Mr Mehmet **Tekelioğlu**, Mr Han Ten Broeke, Lord **Tomlinson**, Mr Mihai Tudose, Mr José Vera Jardim, Ms Biruté **Vesaité**, Mr Wolgang Wodarg, Ms Gisela Wurm (alternate: Mr Albrecht **Konecny**), Mr Boris **Zala**.

Ex officio: MM. Mátyás **Eörsi**, Tiny **Kox**.

NB: The names of the members who took part in the meeting are printed in bold.

See 25th Sitting, 26 June 2008 (adoption of the draft resolution, as amended); and Resolution 1621.