

CANADIAN COALITION ON HUMAN RIGHTS IN CHINA

October 6, 2006

Right Honorable Stephen Harper
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2
FAX: +1 613 941-6900

Re: Government of Canada Policy regarding Human Rights in China

Dear Prime Minister Harper,

We are a coalition of Canadian organizations that has been working together since 1993 to promote human rights in China.¹ In particular, the coalition submits annual recommendations to the Government of Canada around the UN Commission on Human Rights (now Human Rights Council), participates in government briefing sessions related to the Canada-China bilateral human rights dialogue and maintains an updated prisoner list. In May 2005 and June 2006, we co-organized roundtable discussions with the Human Rights Division of Foreign Affairs Canada to press for a formal evaluation of the bilateral dialogue and, with it, a strengthened approach to the promotion of human rights in China.

The Canada-China bilateral human rights dialogue is a policy of quiet diplomacy adopted by the Government of Canada in 1997 as an alternative to sponsorship of a resolution at the United Nations Commission on Human Rights. It became the centre piece of Canada's efforts to promote human rights in China. Since 1997, our coalition has expressed numerous concerns about the dialogue, in particular the lack of a clear definition and objectives, poor transparency and the absence of benchmarks and monitoring procedures and above all concrete results.

We were therefore pleased that the government agreed, following the May 2005 meeting with our coalition, to conduct a formal evaluation of the dialogue. The report, issued in April of this year, makes clear that there are substantial shortcomings and failings with both the content and process of the dialogue. It also supports many of the concerns expressed by civil society over the years. Notably, the report's author, Professor Charles Burton of Brock University, indicates that the Chinese Ministry of Foreign Affairs

¹ The coalition currently includes Amnesty International, ARC International, Canada Tibet Committee, Canadian HIV/AIDS Legal Network, Canadian Labour Congress, Democracy China-Ottawa, Falun Dafa Association of Canada, Human Rights Watch/Canada, PEN Canada, Rights & Democracy, Students for a Free Tibet (Canada), Toronto Association for Democracy in China, and the Uyghur Canadian Association.

considers that the main purpose of the dialogue is to “defuse foreign unease with China’s human rights record.”

We understand that another session of the bilateral dialogue is now being planned for later this fall. In our view, this is happening without adequate reflection by government concerning the contents and import of the Burton Report. The logical next step would be to undertake a full policy development process not only for the dialogue, but also for Canada’s broader China policy. Recent media reports raise concerns that Canada lacks a coherent China policy. We believe that the time is right to launch a public process to develop and adopt such a policy with human rights at its centre. Among areas needing attention are:

- fundamental reforms to the human rights dialogue between Canada and China;
- other strategies and mechanisms focused on human rights;
- trade and investment;
- conditions for development assistance;
- various matters associated with immigration;
- protection measures for the human rights of Canadian citizens detained in China, as typified currently by the case of Huseyin Celil.

In the absence of such a process, and in light of the recent crackdown on human rights defenders in China, we recommend that the dialogue meetings be temporarily suspended. This will allow time for a policy reflection as described above including a re-visioning of the bilateral dialogue. Our coalition is currently in the process of developing recommendations specifically for the bilateral dialogue:

- The level of official participation should be raised to Deputy Director. While we do not necessarily endorse or take a position regarding the Canada-China Strategic Partnership, we do consider that as long as the Partnership continues, the human rights dialogue should be situated within it. Inherent in this recommendation is the view that human rights should not be de-linked from other elements of the Canada-China relationship, but should, rather, be part of a “whole of government” approach.
- The dialogue should better integrate the participation of relevant civil society organizations in both Canada and China. Civil society participants should be self-selecting and have established expertise in China issues. Diaspora NGOs should not be excluded from the dialogue process.
- Prisoner lists and support for human rights defenders should be better managed and should include additional dimensions such as prison visits, trial observation, family support and other visible signs that the Government of Canada is strongly supportive of the work of human rights defenders in China.

- CIDA programming and the plurilateral symposium, both announced as part of the bilateral dialogue process, should be subject to a comprehensive and public review.

It must be emphasized that we are not advocating cancellation of the Canada-China bilateral dialogue. We are, however, suggesting that further sessions be delayed until the findings of the Burton Report are adequately addressed. Almost ten years have been spent in a process that was undefined and non-accountable. We now have an opportunity to learn from these mistakes and build a new approach, one that will make a more meaningful contribution to improving the protection of human rights in China.

As always, the members of our coalition offer our support and participation in the next steps of this important process. Please feel free to contact us through Carole Samdup at Rights & Democracy (csamdup@dd-rd.ca, tel: +1 514 283-6073, extn. 247). We look forward to continued collaboration with government in the interests of human rights promotion in China.

Sincerely,

Joanne Csete
Executive Director
Canadian HIV/AIDS Legal Network

Xun Li
President
Falun Dafa Association of Canada

Luisa Durante
National Coordinator
Canada Tibet Committee

Constance Rooke
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PEN Canada

Ken Georgetti
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