

# HUMAN RIGHTS AND THE BEIJING OLYMPICS

**Keynote address by**

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## **Introduction**

On 8 August 2008, the Beijing Olympics will commence. Regretfully, these Olympics are not likely to only be about excellence in sportsmanship and the coming together of all nations in a spirit of good will.

The recent controversy about the Olympic torch relay is an indication of things to come. Despite the Chinese security forces guarding the torch and local officials trying their best to manage any dissent, we witnessed numerous disruptions in the UK, France and US with the torch being kept away from people, locked up on occasions or extinguished.

This happened because the torch became a magnet to those who wanted to protest against the lack of civil liberties and freedoms in contemporary China. In fact the protests associated with the torch relay look like a timid prelude to the human rights protests that we will witness in context of the Beijing Olympics.

In early August we may now find that, again, the Olympics itself continues to be a magnet for human rights activists.

## **Olympics and the Politics**

Beijing has complained persistently over the past few months that human rights critics have politicized the Olympics and are trying to use the games for their own propaganda purposes.

But the fact is that most of the past Olympics have involved some politics and that PR China is using the 2008 Olympics for political purposes too.<sup>i</sup>

Looking at the past Olympics - just think about Mexico City where Tommie Smith and John Carlos made a protest gesture on the podium against the segregation in the United States; Munich in 1972, where Palestinian terrorist group named Black September murdered a number of Israeli athletes and officials; the Montreal Games with a boycott by African nations to protest against apartheid South Africa; the Moscow Olympics that was boycotted by 66 nations because Soviet invasion of Afghanistan; or the 1984 Los Angeles Olympics boycotted by the Soviet Union and 14 Eastern Bloc countries.

Regarding PR China, most recently the International Olympic Committee (IOC) had to rebuke China for political remarks made by Zhang Qingli, the Communist Party (CCP) official in Tibet, as the Olympic torch passed through Lhasa. Zhang said the following in a public speech:

*"The sky above Tibet will never change. The red five-star flag will always fly above this land. We can definitely smash the separatist plot of the Dalai Lama clique completely."*

The undeniable fact is that for the Chinese Government the Olympics are primarily about enhancing China's world status and about politics. The Chinese Communist authorities hope that the Olympics will showcase her economic might and achievements while consolidating China's status as a world super power. To this extent, massive amounts of money have been spent on buildings and security measures and will continue to be spent to create a utopian vision of Beijing as a city of harmony and social peace.

Looking back through history, Nazi authorities held the same hopes for the 1936 Berlin Olympics which they saw as an occasion to showcase the so-called German economic miracle and to assert Germany's world power status.

As we know in 1936 Nazi dictatorship was already well established with political executions taking place without trial, censorship of the media, abolition of the freedom of association and the racist Nurnberg Laws of September 1935 taking away all civil liberties from Jews.

Despite this, the Western democracies decided to overlook these developments in the name of unity of Olympic spirit.

And let us not forget the Soviet Union had similar goals for its 1980 Moscow Olympics.

## **The 2008 Olympics and Human Rights**

The purpose of this paper, however, is not to examine the grand historical juncture between politics and the 2008 Olympics but rather to focus on the issue of linkage between human rights and the Beijing Olympics.

So, with this in mind, let us start with a question: Can we legitimately discuss the human rights issues in the context of Beijing Olympics, and if so, why?

I would like to offer a three prong answer.

### **Promises made by PR China**

To start with, China in lobbying the IOC to host the 2008 Olympic Games, promised that it would use the Beijing Olympics to advance the human rights of its people.<sup>ii</sup> Mr Liu Jingmin, the Vice President of the Beijing Olympic bid told us in 2001 that *"By allowing Beijing to host the Games you will help the development of human rights."* and the Mr Jacques Rogge, IOC President reassured the world in April 2002 that *"We are convinced the Olympic Games will improve human rights in China"*.<sup>iii</sup> The Seoul Olympics were given as an example to be followed as they contributed to democratisation of South Korea. Then, when China was granted the right to host the Olympics, the government again reaffirmed its promise to live up to the Olympic spirit and uphold human rights.

The world was collectively told “*trust us*” – China is rapidly becoming a modern global society and the abuses of the Cultural Revolution and the Tiananmen Square massacre were a thing of the past to be banished to the annals of history.<sup>iv</sup>

We were told that the Constitution of the People's Republic of China (PRC) included freedom of speech, freedom of the press, the right to a fair trial, freedom of religion, universal suffrage and property rights and that the authorities were doing everything in their power to implement these fundamental rights. China also went on record when making the bid promising that the Beijing games will be the “*greenest*” Olympics ever.

Since then however, China's record on human rights has continued to cloud its Olympic preparations. Today the major complaint made by Amnesty International, Human Rights Watch and other watchdog groups alleges that China has failed to keep the promise they made in 2001 when Beijing was bidding to host the games in regards to improving their human rights record. Some activist groups have even asked for countries to actively boycott the Games.<sup>v</sup>

Further down this paper will examine in more detail to what extent China is meeting its solemn assurances and promises to improve human rights.

### **The Olympic Charter**

Second, for centuries the Olympic spirit has been linked to human rights, civility and peace. In ancient Greece, a truce was announced before and during each Olympic festival. During the truce, wars were suspended, the carrying out of death penalties was forbidden and safety of visitors travel guaranteed.

This linkage of the Olympic movement with human rights has been incorporated into the *Olympic Charter* which defines sport as a human right and specifically prohibits any form of discrimination. For example, it states in *Fundamental Principles of Olympism*<sup>vi</sup> that:

*Principle 4. The practice of sport is a human right. Every individual must have the possibility of practising sport, without discrimination of any kind and in the Olympic spirit, which requires mutual Understanding with a spirit of friendship, solidarity and fair play. /.../*

*Principle 5. Any form of discrimination with regard to a country or a person on grounds of race, religion, politics, gender or otherwise is incompatible with belonging to the Olympic Movement.*

So the question that needs to be asked is this: Is China honouring that ancient tradition of declaring and enforcing the truce in the Olympic year 2008 and the non-discrimination principles of the Olympic Charter?

### **International Human Rights Law Obligations**

And third, China has definite human rights obligations under the international human rights law.

Although in the Chinese record of participation in international human rights regime has been largely negative, China has managed to enter a range of human rights obligations in international law.

As early as 1947 China was a member of a Drafting Committee of UN Commission on Human Rights developing the *Universal Declaration of Human Rights* (UDHR). This declaration adopted by the UN General Assembly on 10 December 1948 has established a list of “*common standard of achievement for all peoples and all nations*” which, until today, constitutes the listing of most basic human rights standards for all<sup>vii</sup>

In fact, according to Eide and Alfredsson book on *The Universal Declaration of Human Rights. A Common Standard of Achievement*, published by Martinus Nijhoff Publishers in 1999: *The performance of governments, and even their legitimacy, is being measured against the standards of the UDHR. No government can afford to ignore these standards, and all governments are bound to feel their impact at home and in external relations.*

Allow me now to quote here few principles from this Declaration:

Article 2. *Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political opinion, national or social origin, property, birth or other status.*

Article 3. *Everyone has the right to life, liberty and the security of person.*

Article 5. *No one shall be subjected to torture or cruel, inhumane or degrading treatment or punishment.*

Article 9. *No one shall be subjected to arbitrary arrest, detention or exile.*

Article 11. *Everyone charged with a penal offence has a right to be presumed innocent until proven guilty according to law in a public trial....*

Article 18. *Everyone has the right to freedom of thought, conscience and religion.... this includes freedom to manifest religion or belief in teaching, practice, worship and observance.*

Article 20. *Everyone has a right to freedom of peaceful assembly and association.*

It is also important to note that since the late 1970's China has actively sought to increase its participation in multilateral affairs. In fact, out of 273 international treaties China had become party to 239 had become applicable to China only after 1979. These decisions to sign and ratify a wide range of international treaties decisively showed China's acknowledgment the universal applicability of international law.

Some of this international law has even been used by Chinese authorities to modify some of its domestic standards -- in particular in economic governance through accepting membership and the rules of, for example, the International Monetary Fund or the World Trade Organisation.

Since the early 1980's China has also signed and ratified most of the principal international human rights treaties including:

- *Convention on the Prevention and Punishment of the Crime of Genocide* approved by UN General Assembly on 9 December 1948 and ratified on 18 April 1983

- *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment* of 1984.; ratified on 3 November 1988; although it sought to block any strengthening of the UN Committee Against Torture powers and voted against its Optional Protocol.
- *International Covenant on Economic, Social and Cultural Rights* adopted by UN December 1966 and ratified on 27 June 2001

China has also ratified a full range of anti-discrimination instruments including the Convention on Elimination of All Forms of Discrimination against Women, Convention on the Elimination of All Forms of Racial Discrimination, Convention of the Rights of the Child and the most recent disability convention. Regarding *the International Covenant on Civil and Political Rights* adopted by the UN General Assembly on 16 December 1966, China had signed in 1998 but it is yet to ratify it.

In addition, China plays an important and active role in the UN human rights structures and, for example, continues to serve on the UN Commission on Human Rights as well as currently had played a very active role in the development of the Disability Convention.

Finally, PR China participates in a range of bilateral human rights arrangements such as the human rights dialogue with the European Union established in 1997 with Australia, Canada and some other countries. There are however some doubts as to the effectiveness of these dialogues. Recently HREOC President John von Doussa in an extraordinary interview for Chinese state television stated that protests associated with Olympic torch relay have breached human rights and backed China's argument that it can wait to grant full human rights until it has eliminated poverty - an argument to justify tyranny and repression for decades to come.<sup>viii</sup>

The point to remember is that the People's Republic entered these human rights international law obligations voluntarily and, as a result, is now subject to international accountability as to its human rights performance. Furthermore, by ratifying these conventions China has ceded part of its sovereignty and its human rights performance has become a legitimate subject of international scrutiny.<sup>ix</sup>

This means that human rights situation in China constitutes a legitimate subject for international scrutiny.

The above three reasons place human rights firmly at the centre of 2008 Beijing games as the Chinese government is responsible for both conduct of the games itself and the commitments it made to observe Olympic Charter and international human rights obligations. Thus to ask the Chinese authorities questions about human rights issues does not constitute "*interference into Chinese domestic affairs*" or mixing of the politics with sport.

## **The Current Human Rights Situation in PR China**

In order to answer the question on whether China is meeting its human rights promises made to the international community and its international human rights law obligations, I examined a range of documents by the Chinese and other governments (such as the recent *US Department of State Country Report on Human Rights Practices in China*), information generated by UN (for example, the 2006 report by *the UN Special Rapporteur on Torture, Manfred Nowak*) and by a range of international human rights

NGO's (for example, by Amnesty International and Human Rights Watch) and by individual experts.

I regret to conclude that since China was granted the right to host the 2008 Olympics, China's civil and political rights record has not improved, but it has, instead, grown progressively worse

Furthermore, I regret to say that some human rights violations have directly resulted from China being granted the right to host the Olympics.<sup>x</sup>

Below, is a list that states both the on-going human rights violations as well as the additional violations which emerged since the Olympic bid was made by China.

### ***Tibet***

The on-going brutal occupation and colonisation of Tibet by Communist China started 60 years ago and continues to this day. There are about 300,000 Chinese troops stationed in Tibet. The destruction of Tibetan culture, spirituality and environment is well documented. The recently opened railway link appears to be the Beijing's final solution for Tibet, as it helps to dominate Tibet by Han Chinese and further reduces Tibetans to second class citizens in their own country. Due to newly found accessibility, further land owned by nomadic Tibetans is given to Chinese for agricultural purposes and Tibetans are forced to live in cities with no jobs and send to "patriotic re-education" camps.<sup>xi</sup>

The on-going political unrest in Tibet that started in March 2008 ensures that we are fully aware of current the human rights situation in Tibet. As a result, I do not propose to elaborate this point in my paper now. Allow me however to make two points.

First, the Chinese authorities promised to the IOC "free and unrestricted access to all regions of China" to the participants in the Beijing Olympics. Until now the journalists and other travellers are not allowed to visit Tibet. This appears to be a clear breach of China undertakings.

Secondly, on 12 June, I attended, as a part of Refugee Week Celebrations, a University of Western Sydney Open Forum on Tibet. What was interesting to find it was that Tibetan refugee speakers were very moderate in their demands and called only for cultural autonomy for Tibet, and not for Tibet independence, and for human rights. This is despite the fact that Tibet deserves independence because of its history and cultural separates from China and that the Forum was free to express all ideas.

Perhaps final point I would wish to make here is in response to the Chinese government saying that it has invested billions of dollars in Tibet to improve its economy. To me, this argument has the logic of the argument of a person who has invaded to your home and locked you and your family in a room for your good because he has decided to repaint and refurbished your home to suite his own needs and taste.

### ***Civil and Political Liberties***

The Chinese citizens are denied of their basic civil and political liberties. For example:

- Chinese citizens cannot elect their own government.
- There is no freedom of speech; and censorship by the Communist Party apparatus dominates every aspect of life. Censorship of political speech and information is openly and routinely used to protect what the government considers

national security interests. In particular, press control is notoriously tight. In the *Reporters without Borders'* Annual World Press Freedom Index of 2005, the PRC ranked 159 out of 167 places. PRC journalist He Qinglian in her 2004 book *Media Control in China* documents government controls on the Internet and other media in China.<sup>xii</sup>

- Citizens are arrested and sent to jail simply because of the content of their private e-mails, sometimes courtesy of Yahoo dob-ins<sup>xiii</sup>. According to Amnesty, today, there are over 80 cyber-dissidents and journalists behind bars in China, hundreds international Web sites blocked from being accessed by citizens and sophisticated systems of filtering and monitoring political information – Amnesty International called it The Firewall and called for end of internet repression in China.. The situation was much better in 2001 when the games were awarded to Beijing.
- Amnesty International and Human Rights Watch<sup>xiv</sup> recently reported a crackdown on journalists and human rights activists. Here I could provide you with names of many human rights activists who in Australia for their work would be recommended for Australia Order, but in China are imprisoned and tortured. For example:
  - **Hu Jia**, 34, civil rights defender and campaigner for rights of AIDS patients. At the end of January he was sentenced for three and a half years for "inciting subversion of state power" – a catch-all charge frequently used against dissidents.
  - **Lu Gengsong**, an online dissident in Zhejiang province, was sentenced to four years in prison on the same charge.
  - **Liu Jie**, a long-time protester of land issues in Beijing and **Gao Zhisheng**, an outspoken lawyer and **Yang Chunlin**, a factory worker were arrested last July after collecting thousands of names under his online petition calling for "*human rights not the Olympics*".

And these are just a few names on a long list. Most recently, on 10 June 2008, a former political prisoner for 5 years, Mr Huang Qi, was arrested for interviewing the parents of children killed in the earthquake.

- Over 1.4 million Chinese citizens were forcibly removed out of Beijing and elsewhere to make room for the Olympics. In fact, Chinese law allows for the detention for up to four years without trial for any person living - without authorisation - within the Beijing city limits.<sup>xv</sup>
- Recently the *UN High Commissioner for Human Rights* expressed concern at the extensive use of the death penalty, including for offences that do not meet the international standard of "most serious crimes". In fact, China leads the world in capital punishment, accounting for roughly 90% of total executions in 2004.
- According to the 2006 report by UN special reporter, torture is regularly used in Chinese prisons. Manfred Novak further concluded that two third of those being tortured (66%) in Chinese prisons were Falun Gong practitioners. When I spoke with one of Falun Gong practitioners who was tortured in Chinese re-education camp, I was told that she was forced to torture other Falun Gong prisoners in order to prove that she was re-educated and no longer practices Falun Gong.

- There exists a policy of forced abortions for people who break China's rigid one-child policy. Chen Guangcheng, a blind civil rights activist who exposed this policy has been under house arrest in Shandong Province for the past four months.
- There is significant evidence pointing to continuance of religious persecution of Christians, Tibetan Buddhists, and others.

### **Falun Gong**

In particular, the oppression of Falun Gong spiritual movement which started in 1999 is extremely brutal and has the hallmarks of genocide.<sup>xvi</sup> Falun Gong practitioners are the prime target for human rights abuse in the contemporary China.<sup>xvii</sup> They are denied basic civil rights - they are arrested, routinely tortured and sent to prisons and forced labour and re-education camps bypassing any court proceedings. Others are used as slave labour to produce cheap goods for export.

A recent report and well documented report by David Kilgour, former Canadian MP and Secretary of State for Asia-Pacific and human law lawyer David Matas, alleges that Falun Gong practitioners are locked up, medically tested and murdered so their corneas, heart and lungs, livers, kidneys could be stolen for sale to commercial customers.<sup>xviii</sup>

What is of particular concern is the use of Nazi like world wide propaganda campaign to dehumanise the practitioners. Falun Gong is being portrayed by Chinese authorities as a dangerous religious sect whose followers are coming to your neighbourhood to steal your children and money.

Recently an official Chinese policy statement was issued to preclude Falun Gong practitioners and others from participating in the Olympic Games.<sup>xix</sup> To implement this policy, for example, Shanghai authorities prohibited Falun Gong practitioners to travel during the Olympics and ordered them to report weekly to their local police stations. This clearly echoes Hitler's policies excluding Jews from the Berlin Olympics.

To sum up, the Chinese authorities are clearly breaching international human rights standards. It is ironic that, while the Olympics were given to China to advance human rights, the games are being used by Communist authorities to instead violate numerous human rights of Chinese citizens and to impose their totalitarian controls on the Western media to suppress what is reported back to the world.

Furthermore, the exclusion of Falun Gong practitioners, independence for Tibet supporters and other categories of people by Chinese authorities from participation in the Olympics is in clear breach of the non-discrimination clause of the Olympic Charter.

The Peoples' Republic of China government usually responds to the criticisms such as above by arguing that the notion of human rights should factor in standards of living; rise in the standard of living for some Chinese is seen as an indicator of improvement in human rights. I agree with the Chinese authorities' statement that progress has been made in securing economic rights of some Chinese.

The international law, however, holds all human rights as indivisible. This means that any possible improvement in economic rights cannot be used as an excuse for the Chinese officials' blatant disregard of basic political and civil rights.

## **China international practices**



Our analysis of human rights practices by Chinese authorities would not be complete without examination of China's actions in the international scene.

## **Export of human rights abuse**

The Chinese government exports its human rights abuses to other countries such as:

- **Zimbabwe** - where China remains the chief political and financial backer of the Mugabe regime and provider of arms to Mugabe loyalists.
- **Burma** - where China sells arms and politically protects the military junta.
- **Darfur** - where China supports a genocidal regime in Sudan and blocks the UN Security Council resolutions aiming at peace. Furthermore, it provides effective financial and diplomatic protection of the first genocide of 21 century in exchange for access to Sudanese oil. In fact, China continues to be a key arms supplier to Sudan. In 2005, according to Amnesty International, China sold \$83 million worth in weapons to Sudan providing it with bomber aircrafts, helicopter gunships and other weapons used in the recent proxy invasion of Chad.

## **International campaign of Intimidation**

Then there is emerging evidence that PR China authorities, and under their leadership pro-PR China sympathisers, are using their influence to intimidate human rights activists and in particular to target Falun Gong and pro-Tibet activists around the world.

Below there are few examples of intimidatory action against Falun Gong practitioners.

### ***Flushing Incidents***

In late May 2008 organized Chinese crowds of several hundreds physically and verbally attacked over a number of days Falun Gong practitioners who organized of the Quit the CCP Service Center, in Flushing, New York. Several attackers were arrested on physical assault charges. .

In a recorded phone conversation with New York City's Chinese Consul General, Mr. Peng Keyu indicated that he had a role in organizing a mob of Chinese immigrants to assault Falun Gong practitioners in Flushing.

This is not an isolated incident of intimidation. Incidents of similar nature were reported elsewhere.

### ***Poland***

On 7 June in my native Poland, Ms Zhang Qian, a 14 year resident of Poland and a Falun Gong practitioner was physically assaulted while delivering the Chinese language edition of the Epoch Times newspaper to Chinese businesses. The attacker, identified by witnesses as Chinese national Ms Lei Wu, grabbed the newspapers from Ms Zhang, tore them up, and punched Ms Zhanf from behind on an attempt to steel more papers. Ms Lei then returned two hours later, telling Ms Zhang "If I see you here again, I will kill you." Ms Lei is known to be closely associated with the Chinese Embassy in Warsaw.

The incident resulted in calls by a number of Parliamentarians (both government and the opposition) to investigate the matter and writing letters of protest to the Chinese Ambassador.

There are also reports from other countries of organised intimidation of Falun Gong members, including from South Korea and Japan.

### ***Australia***

Looking at Australia some disturbing trends are starting to emerge. They involve political violence or intimidation encouraged and/or practiced by Chinese diplomatic and consular authorities in Australia.

#### *Attacks on Practitioners*

In Australia at least five Sydney Falun Gong practitioners have reported recent verbal and physical attacks in public by pro-communist Chinese because their beliefs.

#### *Torch Relay in Canberra*

The mass travel of pro-PR China activist to “defend” the torch relay in Canberra from protesting Tibetans and other human rights activists left many of us with mixed feelings.

On one hand, we recognise the right of so called “Chinese patriots” to the freedom of expression.<sup>xx</sup> They have right to defend ideas associated with the torch relay and the contemporary Chinese human rights practices, even if most Australians are appalled by them.

On the other, there are at least two issues that are of concern to many Australians. First, there is an issue of alleged involvement of Chinese officials in Australia with the alleged mobilisation of and support for the “patriots” travel to Canberra in order to defend the Olympic torch relay. Some people have rightly or wrongly asked questions about the loyalties of Chinese community in Australia.

Secondly, it appears that the visit of Chinese “patriots” to Canberra was not only about peaceful protection of lofty Olympic ideals and of the freedom of expression. Numerous Tibet supporters reported that they were spat upon by the pro-Chinese mobs and many complained about more serious physical assaults. I hope that the Australian Federal Police took notice of these alleged incidents.

#### *Australian Universities<sup>xxi</sup>*

The Centre of Peace and Conflict Studies, Sydney University, invited visiting Chinese dissident Ms Rebiya Kadeer, former member of the ruling China People’s Congress and the current head of the World Uighur Congress (indigenous people of East Turkestan known also as Xinjiang Province in Northern China) to give a seminar at the Centre.<sup>xxii</sup> The officials from Chinese Consulate general in Sydney made representations to the Vice-Chancellor of Sydney University protesting against the invitation,

On 18 June 2008 it was reported<sup>xxiii</sup> that the University of Sydney has become the fourth university in Australia to set up a Confucius Institute to teach Chinese languages and run workshops in Chinese culture and business. The University of Sydney's Confucius Institute receives 50% of its funding from Hanban, an organisation linked to China's Ministry of Education. The total start-up cost is \$200,000 per year.

China's consul-general, Shaofang Qiu, said Beijing would not take kindly to the institute hosting students or academics who were opposed to China's policies on Falun Gong or Tibet. Such position, if adopted by the University, may be in breach of Australian anti-discrimination laws.

The question is how many other universities or businesses<sup>xxiv</sup> are subject to similar pressures from Chinese officials.<sup>xxv</sup>

## **Public Concern about China's Human Rights Abuses**

The controversy associated with the Olympic torch relay was an expression of the fact that there is growing world-wide concern about continuing human rights abuse in China.

### **Emergence of modern China**

The protest movement also indicated that China has come of age. China is no longer romanticised by Westerners as Mao's country of perpetual revolution, high on equality, low on economic wealth and of no local relevance. The past massive, and certainly more extensive, human rights violations during the Mao's rule that resulted in well over 70 million dead in peace time<sup>xxvi</sup> were known in the west, but did not inspire so much protestation.

Contemporary China starts to be seen for what it really is – a world power with global economic and military interests run by an autocratic government with all the human rights consequences resulting from such status.

Thus today different rules are starting to apply to the new China. The new rules apply not only because of its emerging world power status, but also because its power is starting to impact on people living in liberal democracies of the West.

In Australia, for example, our living standards, our economy and our security are directly linked to the decisions of Chinese Politburo. As a result, contemporary Australians know more about China and its system of government than their parents knew and are increasingly concerned about the future impact of non-democratic world power on their daily lives.

### **Human Rights Concerns**

In this context many Australians would regard the human rights situation in China as a legitimate subject of conversation and as of direct concern to them. If it is considered OK to criticise the United States - another global power - for its human rights shortcomings, why is it not OK to criticise China? So let me reassure Chinese authorities, there is no global conspiracy to use human rights to damage the Beijing Olympics or China's long term standing in the world.

This public concern about China's domestic human rights situation is not always reflected by our democratically elected governments. They tend to give higher priority to good government to government relations, to pragmatic economic objectives and sometimes are afraid of possible retaliation. But to talk about Finlandisation of Australia by China is clearly not justified at this moment; it could be, however, considered as one of possible scenarios for future relationships between Australia and China.

It would be fair to say that now in some countries it is politically correct to discuss political independence of Kosovo, but not that of Taiwan or Tibet. To put it simply, this political correctness is best explained by a massive difference in power between Serbia and the People's Republic of China. It would be also fair to say that some authorities, businesses or universities may be willing to sacrifice their freedom of expression in order to please Chinese authorities.

## **Emergence of People's Power**

There is, however, a growing peoples' movement focussing on the human rights in China. And this public awareness has resulted in the emergence of coalitions of people who are working to advance human rights in China and who are not afraid of intimidation by the Chinese authorities.

And here I am talking of the emerging world wide peoples' power movement that is able to articulate its demands and is starting to impact on public opinion around the world and on China itself.

For example, the contemporary unrest in Tibet has mobilised many people of good will to focus not only on the Tibet situation, but also more broadly on overall human rights situation in China.

The World Organisation to Investigate the Persecution of Falun Gong Practitioners emerged as a grass root movement aiming to stop a campaign of abuse and murder inflicted on Falun Gong practitioners by Chinese authorities. This organisation relies on people power and has undertaken many pioneering initiatives. It organised the first ever Olympic Human Rights Torch Relay which visited many countries including Australia. This has created new tradition and informed the public about the fate of Falun Gong practitioners in China around the world.

Many other non-government organisations were created around the world to take direct action to address particular human issues.

For example, the New York-based campaign Olympic Dream for Darfur has staged Olympic-style torch relays to bring attention to China's role in Darfur. Campaign director Jill Savitt says the relays have gone through countries affected by genocide: the Chad-Darfur region, Rwanda, Armenia, Germany and Cambodia. She says there are plans for protests in other cities, including San Francisco, as the Olympic torch travels from Athens to Beijing in March.

Stephen Spielberg withdrew as artistic adviser to the 2008 Olympic Games because of China doing nothing to end Sudan's attacks in the Darfur region.

On 11 February 2008 a London paper *The Evening Standard* reported that after "a storm of protest" the British Olympic Association agreed to look again at the wording of the contract handed out to all prospective competitors. The contracts banned the UK competitors at Beijing Olympics from commenting on "politically sensitive issues", that is China's human rights record. The move also conjured up the spectre of 1938, when the England football team was told to make Nazi salutes in the Berlin Olympic stadium before playing Germany.

The Western governments, being democratically elected governments, will have to reflect in time the changing public opinion about China. This would lead to changes in government attitudes towards the Chinese authorities. So one could hypothesise that the "honeymoon" period in relations between the West and China will have to come to an end one day.

At the moment there was no serious attempt by the western public to boycott China-made goods that dominate our stores. However, one could imagine a significant change in consumer sentiment in the future, if China does not address our current human rights concerns.

## People's Power in PR China

Last but not least, people power is starting to develop in China itself. The official Chinese statistics indicate enormous growth in citizens' protests since 1999 – there were 10,000 public protests (some with violence) in 1999; according to unofficial calculations the number was closer to 130,000 protests in 2007.<sup>xxviii</sup> There are also mass desertions from the Communist Party. Recently, for example, despite enormous personal risk some 60 intellectuals have signed a public petition calling for immediate release of human rights advocate Hu Juanita was also reported that a large number of Chinese bloggers have taken Mr Hu's cause demanding his immediate release.

Falun Gong appears to be a particularly important element in this struggle for the advancement of human rights in China and for its democratisation. On the one hand, members of the movement are the most victimised citizens group in China. One could even say that the key difference between China in 2008 and Hitler's Germany is that while Germans prosecuted Jews, Chinese authorities focus on Falun Gong practitioners.

On the other hand, Falun Gong is an important element of China's growing people's power movement. It has similarities with the Solidarity movement of Poland. It is popular, well organised, has high moral standards and is no longer afraid of government. What is the most important however is it works outside the government propaganda realm and denies legitimacy to the communist authorities.

## The Way Forward

So where do we go from here?

The 2008 Beijing Olympics have provided a historic occasion to positively impact on human rights situation in China. In fact, we have had a unique window of opportunity to improve the human rights for one third of the world's population.

This opportunity was partially largely wasted by the Chinese authorities. The expected human rights improvements did not eventuate and regrettably some worsening of human rights situation was observed over the years leading to the Olympics.<sup>xxviii</sup> What should be our response? Should human rights movement call for the boycott of the Olympics in response?

I believe that an overall boycott would be counter-productive. It would only strengthen the hand of nationalist and "patriotic" sections of Chinese Han population. And let us be clear. The past disruptions of the torch relay or calls for boycott of the Beijing Olympics were never an aim in itself. They were not directed against the Chinese nation as such but against oppression of dissidents and minorities by the current Communist regime of China. The improvement of human rights in China was the objective.

The key benefit is that the human rights situation in China has been firmly placed on the world human rights agenda. It also assisted in educating the public, both in China and elsewhere, about the human rights situation in China. From this point of view – the Beijing Olympics constitute an enormous success for human rights advocates and from my point of view at least, I wish that the Olympics are held in China every year. It is our responsibility now to ensure that the focus on human rights situation in China is on-going and does not fade after the Beijing Olympics.

## **Democratic China is our business**

It is a disappointment that although PR China was given the Olympics to advance the international human rights and liberal Western values, China has instead decided to return to totalitarian practices to run the Games. But this is not the end of the road. Considering China's growing interest in projection of its power into Asia Pacific region and US formidable presence in the same region – it is inevitable that this competition will lead to increased international tension in our backyard. Such tension would be much better handled if China is a democratic nation.

This makes that human rights and democracy in China are our core business also after the 2008 Olympics.

I am an optimist and like many Chinese believe that democratisation of China is inevitable. One academic quoted to me at a conference in Taiwan an old Chinese saying when referring to the future of Communist system in China – *“regardless whether you are a slim or fat pig, your destiny is to be slaughtered”*.

The democratic change will be initiated and delivered from within China. But for the democratisation of China to happen, it needs to be ushered and supported from outside. Thus, Australia needs to continually press the Chinese authorities to reform its political system and protect human rights; and to support and protect human rights activists and other change agents in China.

To adopt Neville Chamberlain's attitude from Munich would lead to a disaster. The policy of appeasement rarely works with aspiring world powers with global aspirations.

### **Time for action**

It is up to us people living in free world to take a calculated risk and to express our solidarity with the Chinese victims of rights violations. It is our responsibility to act in support of democratisation in China.

As Edmond Burke, an English philosopher once said *“the only thing necessary for the triumph of evil is for good men to do nothing.”* And our action can achieve much.

### **Response to Political Pressure**

There is a school of thought that suggests that Chinese government responds only to polite diplomacy and that any political pressure has no impact. Such a view is pure nonsense. PR China, as any former communist authorities, is interested in its good image world wide, because of its ideological and commercial interests.

And there are some signs that Chinese officials are starting to respond to political pressure. For example, as reported by David Kilgour, the Chinese Medical Association recently agreed that “organ tourists” will no longer be eligible to obtain transplants in China.

Not that long ago, because of international pressure China released two journalist prisoners, Yu Huafeng, a senior editor of the *Southern Metropolis Daily* and Ching Cheong, a Hong Kong reporter for the *Straits Times of Singapore*, after having served half of a five-year sentence. Thousands of prisoners arrested recently in Tibet were released mainly due to the campaign of Amnesty International.

Remember not that long ago peoples' power crumbled the Berlin wall and brought an end to the Soviet empire. People's power abolished apartheid in South Africa. Looking further back it took Christians about 300 years to stop persecution by the Roman Empire and declare it to be state official religion.

### **What do we want now?**

So what should be our priorities in trying to improve human rights situation in China:

1. First, we should work to protect the immediate victims - Falun Gong practitioners and other human rights activists - from government institutionalised violence. We should demand their release from prisons and labour camps. We should demand stop to executions, human organs harvesting and torture.
2. We should demand PR China is a good international citizen and part of international human rights system. It should stop export of human rights violations. In particular, we should insist on of withdrawal political support for the Sudanese regime and cooperation with the UN to end the Darfur genocide.
3. Third, we need to work towards improving of civil and political freedoms in China. And Australian and other Western governments should offer our "*know how*" and technical assistance to build democratic structures and civil society in China.
4. We should demand China granting wider cultural autonomy to Tibet and other cultural minorities. I personally would encourage the Chinese to create Vatican-like status for Tibet. This is a practical suggestion to get out of current mess. Tibet is the holy place of Buddhism, lies on periphery of China and cannot threaten China either politically or militarily.

And let's remember – all these proposals are doable and can be accomplished.

### **When the change will take place?**

Full democratisation of China and in particular better protection of civil and political rights may take time to deliver. How long? It is difficult to be precise in estimation.

Despite of my earlier comments about emergence of people's power in China, at the moment the Chinese regime seems to be stable.<sup>xxix</sup> Since the 1989 Tiananmen protests, it seems to have regained support of its intellectuals and educated classes. One party rule seems not to be under challenge. CCP controls the lion's share of economic resources and dispenses the most valued economic, professional and intellectual opportunities and rewards. Any dissent is punished by removal of livelihood and professional recognition or even imprisonment.

But it is not only about carrots and sticks. Patriotism and nationalism resulting from the current economic success play also an important role and Chinese government seems to be benefiting from the current wave of nationalist fever.

The question is how long the Party will be able to maintain China's economic growth and its current ability to co-opt its educated elites is yet to be answered.

But many Chinese believe that democratisation of China is inevitable. As one academic quoted to me an old saying when referring to the future of "Red Dynasty" in China – "*regardless whether you are a slim or fat pig, your destiny is to be slaughtered*".

Not that long ago Soviet block looked equally stable. But if one takes Moscow Olympics as a guide, it did not add to the long term standing the Soviet Union. On the contrary, it delivered first important step on the way to the collapse of the Soviet Union ten years later in 1990. The Nazi regime only lasted nine years following the 1936 Berlin Olympics.

## Conclusion

China after the Olympics will be certainly a different nation. World perceptions of communist China will change, too.

The best long term legacy of 2008 Beijing Olympics should be not only new world records in different sporting disciplines, but also a lasting awareness leading to improvement in human rights of Chinese citizens. In fact my hope remains that China, sooner rather than later would emerge as a nation where civil liberties are valued and respected and China governments are elected by the people an for the people.

Let us however conclude with a suggestion that the Beijing Olympic slogan “*One world, one dream*” reads as Chinese dissidents suggested: “*One world, one dream -- same human rights*”.<sup>xxx</sup>

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## ENDNOTES

<sup>i</sup> As John Hoberman argues in *"Think Again: The Olympics"* in the new issue of *Foreign Policy*, the committee tries to have it both ways: Olympic diplomacy "has always been rooted in a doublespeak that exploits the world's sentimental attachment to the spirit of the games. In the absence of real standards, the spectacle of Olympic pageantry substitutes for a genuine concern for human rights. At the heart of this policy is a timid and euphemizing rhetoric that turns violent demonstrations and state-sponsored killings into "discussions," a combination of grandiosity and cluelessness that has long marked the IOC's accommodating attitude toward unsavory Olympic hosts. Even today, with regard to Beijing, the committee has fallen back on its old habit of claiming to be both apolitical and politically effective at the same time. Although the IOC "is not a political organization," it does claim to "advance the agenda of human rights." Sadly, neither is true.

<sup>ii</sup> When China first sought the games, it was still reeling from Tiananmen Square and the way it was covered around the world. The country lost its first bid, but in its second Liu Qi, the mayor of Beijing, made "the further development of our human rights cause" an explicit part of his presentation. Whether it was a pledge, or a promise, or in the text of the bid itself, is open to debate. The bid has never been published.

<sup>iii</sup> It is regrettable that the IOC no longer supports the human rights cause. For example the Australian IOC agreed that Australian athletes can exercise their freedom of expression as long as it is compliant with PR China domestic laws which prohibit any political dissent.

<sup>iv</sup> China still holds 130 prisoners from the Tiananmen Square protests

<sup>v</sup> There are also those who believe that such improvements, as promised to us, are still possible. According to USA Today of 9 February 2008 a US State Department spokesman, Mr Rob McInturff stated recently that "*Our current position is we don't support calls for an Olympic boycott. This is an opportunity for China to step up and show the world an open and tolerant face of China*", acknowledging world concern about China's human rights record, but, at the same time challenging the government to step up to the plate and deliver on promises made.

<sup>vi</sup> *Olympic Charter* in force as from 7 July 2007.

<sup>vii</sup> Although, following the adoption of the UN resolution 2758 (XXVI) of 25 October 1971 that admitted the People's Republic of China to the United Nations, China stated that “*with regard to the multilateral treaties signed, ratified or acceded to by the defunct Chinese government before the establishment of the Government of the People's Republic of China, (the PRC) Government will examine their contents before making a decision in the light of the circumstances as to whether or not they should be recognised.*”, it needs to be noted that this qualification did of course not apply to the Universal Declaration, because it was adopted prior to of the PR of China on 1 October 1949.

<sup>viii</sup> See the Von Doussa interview:

[http://www.cctv.com/video/NewsHour/2008/04/NewsHour\\_300\\_20080422\\_4.shtml](http://www.cctv.com/video/NewsHour/2008/04/NewsHour_300_20080422_4.shtml) See also: [Andrew Bolt -](#)



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[blogs.news.com.au/heraldsun/andrewbolt/index.php](http://blogs.news.com.au/heraldsun/andrewbolt/index.php) and an article “*Engaging China doesn't mean you kowto*” by Rowan Callick, China correspondent, published in the Australian of 5 May 2008.

<sup>ix</sup> For some reasons why PR China did not fully implement its international human rights obligations see: S. Sitaraman “Explaining China’s continued resistance towards international human rights norms: a historical legal analysis. *Why does China not conform to human rights norms?*” in Program in Arms Control, Disarmament and International Security, University of Illinois at Urbana-Champaign Library, 2008

<sup>x</sup> Zhou Yongkang, Minister of Public Security said: “We must make efforts to create a harmonious society and a good social environment for successfully holding the 17th Communist Party Congress and the Beijing Olympic Games [...] We must strike hard at hostile forces at home and abroad, such as ethnic separatists...and ‘heretical organizations’ like the Falun Gong....” In Amnesty International report of November 2007

<sup>xi</sup> The situation in Tibet continues to be of concern to many. On the 10 July, European Parliament adopted a new resolution that specifically mentions Tibet and *‘deplores the fact that China's human rights record remains a matter for concern owing to widespread and systematic human rights abuses.’*

<sup>xii</sup> Human Rights Watch released its guidebook for the estimated 25,000 reporters travelling to China to cover the Olympics. The Reporters’ Guide is also downloadable online at no cost at <http://china.hrw.org/>

<sup>xiii</sup> Mr Shi Tao was sentenced in April 2004 for 10 years in prison for sending one e-mail to his friend in the West that was classified as “divulging state secrets abroad”. His crime was that he summarised in his email a local decree that ordered punishment for any commemoration of Tiananmen massacre. Mr Tao was identified as an author of e-mail courtesy of Yahoo cooperation with Chinese authorities.

<sup>xiv</sup> The Human Rights Watch report, “China’s Forbidden Zones: Shutting the Media out of Tibet and Other ‘Sensitive’ Stories.” draws on more than 60 interviews with correspondents in China between December 2007 and June 2008. It documents how foreign correspondents and their sources continue to face intimidation and obstruction by government officials or their proxies when they pursue stories that can embarrass the authorities, expose official wrongdoing, or document social unrest.

<sup>xv</sup> According to the Geneva-based Centre on Housing Rights and Evictions (COHRE) report the Beijing Olympics has displaced 1.5 million people since 2000. , According to COHRE’s research, based on statements and reports by the Chinese Government and estimates documented in the field, 1.5 million people have been displaced to create space for the principal Olympic venues, city ‘beautification’ for Olympics tourism, and other urban facilities and infrastructure related to the Olympic Games. Average annual displacements were approximately 2.3 times higher during the period of Olympic Games preparations, in which an average of 165,000 people were displaced annually, over the period of 1991 to 1999, in which an average of some 70,000 people were displaced annually. COHRE’s report also found that the Beijing Municipality has subjected people, including alleged unlicensed taxi operators, street vendors, vagrants and beggars, to ‘Re-Education through Labour’ – a form of imprisonment without charge. Moreover, demolitions have often been undertaken without due process, without the provision of adequate compensation sufficient to attain alternative accommodation, and without access to legal recourse. In some cases, tenants were given little or no notice of their eviction and did not receive the promised compensation.

<sup>xvi</sup> In July 1999 Jiang Zemin, the then CCP head, established the “610 Office to implement nationwide policy to eradicate Falun Gong.

<sup>xvii</sup> According to statistics by the Falun Dafa Information Center in New York between 200,000 - 1 million Falun Gong practitioners were sent to forced labour camps without trial. Some 51,000 specific cases of torture or severe abuse were documented. Over 3,150 deaths through police abuse and torture have been confirmed by Falun Gong; with government sources inside China indicating that the actual number could be as high as 10,000 or more. In addition over 1,000 healthy individuals were incarcerated in mental hospitals and tortured there, an act condemned by World Psychiatric Association.

<sup>xviii</sup> David Matas and David Kilgour’s investigative report “Allegations into Organ Harvesting from Falun Gong Practitioners in China” found that over 41,500 organ transplants in China where there was no known organ donor. China’s massive expansion in organ transplants from 2000 to 2006 had coincided with the mass incarceration of Falun Gong practitioners, held as a captive “organ bank”. On January 2007 Matas and Kilgour released their revised report. It includes interviews with organ recipients in 30 countries and Canadian hospital staff who cared for more than 100

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patients who had undergone suspicious transplant surgeries in China. Their report is accessible at the following website. <http://investigation.go.saveinter.net/>

<sup>xix</sup> In April 2007, the Ministry of Public Security of the Chinese government issued an order requiring strict examinations on all people both in China and overseas who will participate in the Olympic Games. The order is a list of 43 types of people in 11 categories, namely 1. Antagonistic elements. 2. Adherents of Falun Gong, other cults and harmful Qigong organizations. 3. Religious extremists and religious infiltrators. 4. Secessionists of ethnic minorities. 5. Media employees who can harm the Olympic Games. 6. Non-government organizations engaging in activities that can pose a real threat to the Olympic Games. 7. Dangerous elements, key petitioners and other people who have serious grievances against the Party. 8. People for whom the judicial authorities have filed a case for investigation or have adopted forced criminal or administrative measures. 9. Criminals .... 10. Terrorists. 11. Members of illegal organizations. Category Three - *Religious extremists and religious infiltrators* - includes: 1. Members of illegal religious organizations both in China and abroad. 2. Members who have been caught by the Chinese authorities for engaging in illegal religious activities. 3. People who have given illegal sermons. 4. People who illegally distribute religious publications and video/audio materials. 5. People who have illegally established both in China and abroad religious organizations, institutions, schools, sermon sites and other religious entities. Examples of other people excluded from the Olympics include: Key figures in ideological disputes; Family members of people injured, disabled and killed in unrest and riots who currently still pose a threat; People who have participated in parades, demonstrations and protests for ethnic secessions; People who have repeatedly filed frivolous lawsuits and petitions; People who have complained against China to the foreigners and who collude with overseas forces; and so on. For more see: <http://www.christiannewswire.com/news/684864718.html>; [www.chinaaid.org](http://www.chinaaid.org), [www.monitorchina.org](http://www.monitorchina.org)

<sup>xx</sup> On 11 April 2008, a group named "4.24 Canberra Defend the Olympic Torch activities (Melbourne) leading group" published on Sina website ([sina.com.cn](http://sina.com.cn)) a "4.24 Canberra Olympic Torch Defence Activity Coordination Plan". It publicly announced the regular meetings on April 15, 20 and 22 to be held at the Chinese Consulate General to coordinate activities. The Australian Chinese Youth Exchange Promotion Association (ACYA) which claims to accept support from the Chinese Embassy to Australia issued an "Invitation to the Beijing Olympic Torch Relay in Australia Supporters League" on April 12, 2008 in China's largest portal web site, "Sohu blog" ([blog.sohu.com](http://blog.sohu.com)). The invitation stated that "the organizers would provide free Sydney - Canberra round-trips by bus, free food (breakfast and lunch), and that the ACYA would provide Olympic souvenirs and activity certificates" as incentives to encourage people to participate in the "supporters league" to welcome the Beijing Olympics Torch in Canberra. "Australian New Express Daily", part of the CCP's "Yangcheng Evening News newspaper group," reported on April 19, 2008 that ACYA took the lead and launched the "support torch relay, red flags cover Australia" activity, and ordered 1000 "five-star red flags" from multiple factories in Guangzhou to be express mailed to Canberra before April 24 and "donated them to local overseas Chinese to escort the Olympic torch.". Xinhua News Agency reported: "The Chinese Consulate in Sydney disclosed that the number was 5,000 people that went to the capital Canberra to protect the torch." Sydney Chinese organizations have formed a 400-member national flag square, and other small Chinese organizations have also formed their own national flag square. One of the activity planners, the vice president of Australia Chinese Youth Chamber of Commerce Suo Jiang said, "We want to dye the sky of Canberra red with the five-star red flags."

<sup>xxi</sup> PR China authorities also exercise pressure at universities in other countries. For example, recently The London Metropolitan University awarded the Tibetan leader the Dalai Lama with an Honorary Doctorate of Philosophy in May "in recognition of his outstanding achievements in promoting peace globally as well as for his inspirational spiritual guidance and leadership". But after protests by the Chinese and suggestions on Chinese internet groups that prospective overseas students boycott the university, the university's vice-chancellor, Brian Roper, met Chinese embassy officials and "expressed regret for any unhappiness that had been caused to Chinese people by the...honorary doctorate to the Dalai Lama".

<sup>xxii</sup> For more about Ms Kadeer, see p.8 of the Human Rights Defender, Amnesty International Vol. 27 No 2 June/July/August 2008

<sup>xxiii</sup> See Sydney Morning Herald of that day.

<sup>xxiv</sup> There are many examples of Chinese authorities putting political pressure on those seeking economic cooperation. Recently, on June 16, 2008, Eutelsat SA abruptly terminated the broadcast of New Tang Dynasty Television (NTDTV) over mainland China under the guise of a "power anomaly" to its W5 satellite. By this act, millions of Chinese people lost their access to the only uncensored Chinese-language channel that they have relied on since 2004 as the free alternative to the Communist state-controlled TV. Paris based Reporters Sans Frontiere reported that the shat down had nothing to do with "power anomaly" but it was political move to appease the Chinese Communist government to pave the way for future business deals.

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<sup>xxv</sup> Activities of Sydney consulate are not only limited to universities. On 11 July 200 The Canberra Times reported that the Sydney consulate of PR China was spying on top Australian Labour Party figures. For more see: <http://www.canberratimes.com.au/news/local/news/general/china-spies-on-top-alp-figures/809693.aspx>

<sup>xxvi</sup> Jun Chang and Jon Halliday “*Mao. The Unknown Story*”, Jonathan Cape, London 2005.

<sup>xxvii</sup> There is hardly a week without major riots and destruction of official buildings, For example, recently BBC reported that migrant workers rioted for three days in a town in eastern China, The protests began on 10 July in Kanmen in the coastal province of Zhejiang. Workers - reportedly angered by a beating meted out to a colleague - attacked a police station for three successive nights. The incident comes just weeks after a 30,000-strong crowd torched dozens of official buildings in Guizhou province. They were protesting about an alleged cover-up over the death of a teenage girl. Police said the girl committed suicide but her family said she was murdered by the son of a local official. See BBC NEWS: <http://news.bbc.co.uk/go/pr/fr/-/2/hi/asia-pacific/7505331.stm>

<sup>xxviii</sup> Chinese security agencies have been conducting large-scale arrests of Falun Gong adherents throughout China in recent months. There have been 1,878 arrests since January 1 of this year. Since January 2007, the Falun Dafa Information Centre has documented the cases of 129 Falun Gong practitioners who died of abuse in police custody or upon release as a result of injuries incurred while in detention. Other examples of deterioration in human rights situation include attempts to censor internet and forced acquisitions of land in Beijing and resulting in mass deportations.

<sup>xxix</sup> Some authors argue China elites no longer aspire to democratic change. For example see; John Lee “*China’s complicit universities*” in Campus Review, p. 9 in Vol. 18, No. 23, 10 June 2008