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HUMAN RIGHTS COUNCIL  
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**HUMAN RIGHTS SITUATIONS THAT REQUIRE THE COUNCIL'S ATTENTION**

**Written statement\* submitted by the International Humanist and Ethical Union (IHEU),  
a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 May 2009]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## **20 years since Tiananmen Square: Human rights abuses continue at the hands of the Chinese Government**

### **The Tiananmen Square Massacre (June 4<sup>th</sup>, 1989)**

1. 20 years ago this year, beginning on April 14<sup>th</sup>, 1989, students, intellectuals and others led demonstrations in and near Tiananmen Square in Beijing. Participants, mourning the death of pro-democracy official Hu Yaobang<sup>1</sup>, rallied against the authoritarianism of their government and called for both democratic reform and economic change within the governmental structure.
2. After seven weeks of such protesting, tanks cleared Tiananmen Square on 4<sup>th</sup> June; the resulting military response to the protestors by the PRC government led to up to 2,600 deaths<sup>2</sup>. This Tiananmen Square Massacre demonstrated to the world the Chinese government's utter disregard for the human rights of its citizens.

### **Chinese Human Rights Versus the Universal Declaration of Human Rights**

3. The Constitution of the People's Republic of China states that "The State respects and preserves human rights."<sup>3</sup> However, it also defends the notion of a "harmonious society" which protects "Asian values" – in other words, a society where the welfare of the collective takes precedence over the rights of any individual where there is any conflict between the two<sup>4</sup>.
4. The government of the PRC argues that the concept of human rights should include measures of health and economic prosperity, as well as economic standards of living – it points to China's progress in those respects. At the same time, it cites increasing racial, religious and geographic segregation and social deterioration in Western societies, claiming these are a direct result of too much individual freedom. In short, China has its own definition of human rights which prioritises economic wellbeing and actively downplays the freedom of the individual.
5. Such a definition stands in stark contrast to the one laid out in the Universal Declaration of Human Rights (1948). The Declaration, the foundation stone of international human rights law, gives primacy to *individual* human rights – encompassing not only the rights to health and economic prosperity but also to personal life, nationality, freedom of thought, conscience and religion, freedom of opinion and expression, freedom of peaceful assembly and association, rest and leisure, social services and education.<sup>5</sup> In four key respects, China violates citizens' rights as enshrined in the Universal Declaration.

### **Human Rights Abuses since Tiananmen: Tibet**

6. 58 years after the Chinese government invaded Tibet there are still a quarter of a million Chinese troops stationed there. In 2008 there was a substantial military crackdown on dissidents throughout Tibet who were demonstrating to mark the anniversary of the unsuccessful 1959

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<sup>1</sup> [http://news.bbc.co.uk/onthisday/hi/dates/stories/june/4/newsid\\_2496000/2496277.stm](http://news.bbc.co.uk/onthisday/hi/dates/stories/june/4/newsid_2496000/2496277.stm)

<sup>2</sup> <http://www.pbs.org/wgbh/pages/frontline/tankman/cron/>

<sup>3</sup> <http://www.washingtonpost.com/ac2/wp-dyn?pagename=article&contentId=A57447-2004Mar14>

<sup>4</sup> <http://www.asianews.it/index.php?l=en&art=9070&size=A>

<sup>5</sup> <http://www.un.org/en/documents/udhr/index.shtml>

uprising against Chinese rule<sup>6</sup>. A number of demonstrators were killed – a low number according to Chinese authorities, a high number, according to Tibetans and the international media.

7. The Chinese government has tried to effect rapid economic development in Tibet in an attempt to modernise what it sees as a backward nation. However, although ethnic Chinese living in Tibet have enjoyed an increase in wealth, the vast majority of Tibetans experience little benefit from that growth and prosperity. Jampal Chosang, the head of the Tibetan coalition at a 2001 United-Nations-sponsored meeting of non-governmental organisations, summarized the fate of Tibetans by saying the Chinese government has implemented “a new form of apartheid” in Tibet because “Tibetan culture, religion, and national identity are considered a threat” to them<sup>7</sup>.

8. The situation in Tibet is one example of the fact that, 20 years after the events in Tiananmen Square, grave human rights abuses – particularly of dissidents – still occur at the hands of the Chinese government. Since Tibetans are not given access to the same rights and freedoms as their Chinese neighbours, either in economic terms or in terms of freedom of speech, their situation represents a contravention of Article 2 of the UDHR: “Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind such as... national or social origin... or other status.”<sup>8</sup>

### **Human Rights Abuses since Tiananmen: Capital Punishment**

9. China executes more people each year than the rest of the world combined.<sup>9</sup> Approximately 68 crimes are punishable by death in China: these include non-violent crimes such as tax fraud and embezzlement.<sup>10</sup> Executions are effected by hanging, lethal injection or a shot in the back of the head.

10. Amnesty International claimed that in 2004, 3,400 people were executed in China. The Chinese government refuses to provide official figures for annual executions, but in March of that year a delegate at the National People’s Congress stated that “nearly 10,000” people are executed each year in that country. As Kate Allen, Director of Amnesty International UK, said: “[The] figures uncovered from China are genuinely frightening.”<sup>11</sup>

11. Following a United Nations review of China this year, the country rejected proposals to end the death penalty. Officials stated that, although the country would continue to use such punishment, its use may be restricted.<sup>12</sup> Yet the fact remains that, even 20 years after the events

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<sup>6</sup> <http://www.globalissues.org/article/144/china-and-human-rights#Tibetcrackdown2008>

<sup>7</sup> Goble, Paul. “China: Analysis From Washington – A Breakthrough For Tibet”, *World Tibet Network News*, Canada Tibet Committee, 31 August 2001.

<sup>8</sup> <http://www.un.org/en/documents/udhr/index.shtml>

<sup>9</sup> <http://www.amnesty.ie/amnesty/live/irish/action/article.asp?id=18423&page=18378>

<sup>10</sup> [http://www.thechinadebate.org/en/?page\\_id=7](http://www.thechinadebate.org/en/?page_id=7)

<sup>11</sup> [http://www.amnesty.org.uk/news\\_details.asp?NewsID=16034](http://www.amnesty.org.uk/news_details.asp?NewsID=16034)

<sup>12</sup> <http://www.guardian.co.uk/world/2009/feb/11/china-death-penalty-united-nations>

of Tiananmen Square, China still does not safeguard the “right to life, liberty and security of person” enshrined in Article 3 of the UDHR.<sup>13</sup>

### **Human Rights Abuses since Tiananmen: Freedom of Speech**

12. According to Article 35 of the Chinese Constitution, Chinese citizens enjoy freedom of speech and freedom of the press<sup>14</sup>. However, pervasive and extremely effective Government censorship denies Chinese citizens these freedoms. China ranks 167 out of the 173 states listed in the 2008 World Press Freedom Index compiled by Reporters Without Borders.<sup>15</sup>

13. The Chinese government forbids the advocacy of self-determination or independence for territories Beijing considers under its jurisdiction, as well as any public challenge to the Chinese Communist Party’s monopoly in ruling China. So, references to anything questioning the legitimacy of the CCP, such as certain religious organisations, references to Taiwan as an independent state, the Free Tibet movement or democracy are forbidden in publications and on the Internet. Editors of publications that critique government policies, like Li Datong of the *China Youth Daily* and Yang Bin of the *Beijing News*, have been sacked<sup>16</sup>.

14. China still imprisons journalists who provide news to foreigners. In 2006, Ching Cheong was condemned to five years’ imprisonment for writing articles containing “burning state secrets” – in China, most information regarding the nation is described as a state secret and publicising it is seen as an attack on state security<sup>17</sup>. In 2005, Shi Tao was sentenced to 10 years for releasing a CCP document to a Chinese pro-democracy website based in the USA<sup>18</sup>; in 2006, again, *New York Times* researcher Zhao Yan was given a three-year sentence for fraud after an initial charge of treason and divulging state secrets was dismissed for lack of evidence<sup>19</sup>.

15. Such imprisonments contravene Article 35 of the Chinese Constitution as mentioned above. They also constitute a gross breach of Article 19 of the UDHR, which states that “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”<sup>20</sup>

### **China’s continuing membership of the Human Rights Council**

16. When former UN Secretary General Kofi Annan proposed the creation of a Human Rights Council to replace the discredited Commission on Human Rights, his vision was of an organisation whose members would be fully committed to the promotion and protection of human rights. Yet the record of the PRC on human rights in Tibet, regarding the death penalty, and on freedom of expression, all fail to conform to even the minimum standards of international

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<sup>13</sup> <http://www.un.org/en/documents/udhr/index.shtml>

<sup>14</sup> <http://www.cecc.gov/pages/virtualAcad/exp/>

<sup>15</sup> [http://www.rsf.org/article.php3?id\\_article=29031](http://www.rsf.org/article.php3?id_article=29031)

<sup>16</sup> <http://www.asiamedia.ucla.edu/article.asp?parentid=40066>

<sup>17</sup> <http://www.asianews.it/index.php?l=en&art=8127&geo=33&theme=1&size=A>

<sup>18</sup> [http://www.amnesty.org.uk/actions\\_details.asp?ActionID=202](http://www.amnesty.org.uk/actions_details.asp?ActionID=202)

<sup>19</sup> [http://www.rsf.org/article.php3?id\\_article=18663](http://www.rsf.org/article.php3?id_article=18663)

<sup>20</sup> <http://www.un.org/en/documents/udhr/index.shtml>

law. Furthermore the PRC has still not ratified the ICCPR, and prior to its re-election to the Council failed to make any pledge regarding its conduct in the field of human rights.

17. Even 20 years after the Tiananmen Square Massacre, China abuses the human rights of Chinese and Tibetan citizens in contravention of Articles 2, 3, 12 and 19 of the UDHR.

18. We note the incompatibility with international human rights standards of the Chinese government's definition of human rights, which focuses on high economic standards of living, downplays the freedom of the individual and prioritises 'Asian values', according to which the rights of the individual may be trampled on for the good of the collective.

19. We urge the international community, the UN General Assembly and the Human Rights Council to reconsider the criteria for membership of the Council, and in particular to consider whether membership should be restricted to those States who have ratified the ICCPR without reservations and who pledge to protect and promote human rights.

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