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COMMISSION ON HUMAN RIGHTS  
Fifty-second session  
Agenda item 10

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS  
IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND  
OTHER DEPENDENT COUNTRIES AND TERRITORIES

Australia, Austria, Belgium\*, Canada, Czech Republic\*, Denmark, Finland\*,  
France, Germany, Greece\*, Ireland\*, Italy, Liechtenstein\*, Lithuania\*,  
Luxembourg\*, Netherlands, Norway\*, Portugal\*, San Marino\*, Spain\*, Sweden\*,  
Switzerland\*, United Kingdom of Great Britain and Northern Ireland and  
United States of America: draft resolution

1996/... Situation of human rights in China

The Commission on Human Rights,

Guided by the principles embodied in the Charter of the United Nations,  
the Universal Declaration of Human Rights and the International Covenants on  
human rights,

Recalling the Vienna Declaration and Plan of Action in which the World  
Conference on Human Rights reaffirmed the obligation of all Member States to  
promote and protect human rights and fundamental freedoms and to fulfil the  
obligations they have undertaken under international instruments in this  
field,

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\* In accordance with rule 69, paragraph 3, of the rules of procedure of  
the functional commissions of the Economic and Social Council.

Mindful that China is a party to the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of the Child, and welcoming China's expressed interest in acceding to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recognizing the significant transformation Chinese society has undergone since the introduction of the reform policies and the successful efforts of the Chinese Government in the development of the economic situation of the country and in reducing the share of its people living in extreme poverty, thus enhancing the enjoyment of economic rights,

Welcoming certain recent positive developments taking place in the framework of the reform of the Chinese legal system, in particular the adoption by the Chinese Parliament of a criminal procedure more respectful of the rights of the defendant, adopted with a view to bringing China's legislation towards higher standards consistent with the rule of law,

Concerned, however, about reports of the persistence of violations of human rights and fundamental freedoms throughout China, including inadequate protection of the distinct cultural, ethnic, linguistic and religious identity of Tibetans and others,

Taking note of the reports of the Special Rapporteurs on the question of torture (E/CN.4/1996/35 and Add.1), on extrajudicial, summary or arbitrary executions (E/CN.4/1996/4 and Corr.1) and on religious intolerance (E/CN.4/1996/95), as well as the report of the Working Group on Enforced Disappearances (E/CN.4/1996/38),

Concerned at the treatment of political dissidents often sentenced to long-term imprisonment for non-violent activities, and the practice of administrative detention,

1. Expresses its concern at continuing reports of violations of human rights and fundamental freedoms in China by local, provincial and national authorities and severe restrictions on the rights of citizens to freedom of assembly, association, expression and religion as well as to due legal process and to a fair trial;

2. Calls upon the Government of the People's Republic of China to take further measures to improve the impartial administration of justice, to ensure

the observance of all human rights for all women and men, and to ensure full implementation of its obligations under the human rights conventions to which it is a party, including its obligations under the Convention on the Rights of the Child;

3. Welcomes the Chinese Government's readiness to exchange information on human rights issues, and encourages the People's Republic of China to continue and strengthen its bilateral dialogues as an important instrument of mutual information and cooperation, with a view to reaching further positive developments before the next session of the Commission on Human Rights;

4. Also welcomes the willingness of the Government of the People's Republic of China for its acceptance of a visit by the Special Rapporteur on religious intolerance, and invites the Chinese Government to cooperate fully with all thematic and special rapporteurs and working groups;

5. Requests the Secretary-General to bring the present resolution to the attention of the Government of the People's Republic of China and to submit a report to the Commission on Human Rights at its fifty-third session on the situation of human rights in China.

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