

# [HRC46 | Principled action needed as China steps up efforts to rein in accountability](#)

24.03.2021

**China strongarms diplomatic support and tactics to deflect criticism at the Human Rights Council, as credible evidence of grave and widespread rights violations increase. High Commissioner Bachelet should set the record straight by urgently initiating remote monitoring and reporting of China's human rights situation.**



□□□□□□□□

Kicking off the 46<sup>th</sup> session of the UN's Human Rights Council, UN High Commissioner for Human Rights Michelle Bachelet underscored [in her global update](#) that in China 'fundamental rights and civic freedoms continue to be curtailed in the name of national security and COVID-19 response'. This includes 'arbitrary detention and unfair trials' of human rights defenders and lawyers, as well as the investigation of 'more than 600 people' under Hong Kong's National Security Law.

## **Setting the scene**

The situation in Hong Kong, Uyghur and Tibetan regions was also on the Council's opening agenda, raised by foreign ministers of 13 countries, including [Germany](#), [Japan](#), [Denmark](#), [Canada](#) and the [United States](#), as well as the [European Union](#)'s foreign policy head. [Turkish](#) Foreign Minister Cavusoglu reiterated concerns at UN and civil society findings on Uyghurs, and 'expect[s] transparency' as it 'continue[s] to follow developments around a visit by the High Commissioner'. Sustained international concern reflects growing evidence of atrocities committed against Uyghurs and Turkic Muslims, [including serious allegations of systematic rape and sexual abuse](#); pervasive interference in religious life; and forced separation of children from their families, as noted by UN religious freedom expert in his [report](#) on anti-Muslim hatred presented to the Council.

Over two and a half years after publicly requesting prompt and unhindered access to Xinjiang, Bachelet still reiterates the 'need for independent and comprehensive assessment of the human rights situation', while remaining 'confident' that her dialogue with the Chinese government will result in 'mutually agreeable parameters for [her] visit'. [In response](#), the Chinese government regretted she had 'launched wanton accusations against China based on unfounded information'.

'Looking at China's hard-line statements, one cannot but wonder what the High Commissioner considers constructive dialogue,' said Sarah Brooks, Programme Director at the International Service for Human Rights (ISHR).

'Two and a half years since her first request, we still have no transparency over any meaningful steps taken by China or by the High Commissioner to advance a visit with unhindered access', said Brooks. 'She should urgently start remote monitoring and reporting, following her predecessor's steps on [Kashmir](#) and [Venezuela](#); otherwise, the Chinese authorities may simply run out the clock'.

Describing rights violations carried out on an 'industrial scale' as 'beyond the pale' in a [strongly-worded statement](#), UK Foreign Minister Dominic Raab pointed to States' 'collective duty to ensure this does not go unanswered'. From the position of a re-elected Council member, Raab urged the Council to 'live up to its responsibilities' by adopting a resolution to secure such 'urgent and unfettered access' to UN human rights experts.

## **Politics vs. principle**

In the weeks of Council debate that followed, twenty (20) States shared concerns over China's human rights situation in exchanges with the High Commissioner, and UN experts on human rights defenders and on torture. [Austria](#) called attention to 'severe human rights violations disproportionately targeting Uyghurs', including in

'political re-education camps', while [Czechia](#) urged the immediate release of human rights defenders Yu Wensheng, Ilham Tohti, Tashpolat Tiyp and Li Yuhan, as well as Hong Kong activists Joshua Wong, Agnes Chow and Ivan Lam. While adopting a more careful approach, even a few Global South countries have also taken note; [Ghana](#) briefly raised concerns and 'urge[d] the Chinese government at all times to continue to protect and uphold the human rights of all its citizens'.

Against this, China has pooled increasing diplomatic support among a loose group of countries (list below) to back two joint statements delivered by [Belarus](#) and [Cuba](#), expressing support for actions on Hong Kong and Xinjiang respectively. Worryingly, a number of countries, such as Tunisia, Ecuador or Colombia, who have nurtured a profile of being progressive players in multilateral fora, have reportedly been pressured into supporting these statements, or echoing this 'national sovereignty' narrative in their bilateral addresses to the Council.

'Transactional diplomacy, including on vaccines, flourishes in an environment where foreign policies lack principle', stressed Raphael Viana David, ISHR's Asia Programme Officer: 'by not addressing the situation on its merits, those countries deliberately chose to turn a blind eye to mounting allegations of sexual violence, persecution, and mass detention'.

'States caught up in this diplomatic deal-making are deaf to the very voices that should be steering any discussion of human rights violations, wherever they occur: that of victims and human rights defenders', he adds.

**In a dialogue with the High Commissioner, [Chinese human rights lawyer Teng Biao](#) urged her to stand in solidarity with independent civil society, and voices in Xinjiang, Hong Kong, Tibet and elsewhere. [Click here to read the full statement](#), or watch the video below:**

### **Avoiding scrutiny at any cost**

Concerns expressed by the 'Special Procedures' mandate holders appointed by the Council were met during the session with an equal level of intransigence, taking the shape of attacks on individual experts, and threatening assertions on the Special Procedures system itself. A statement by the Chinese delegation accusing the UN religious freedom expert of 'serv[ing] as a political tool for anti-China forces' [prompted the Council's Vice-President to interrupt the official](#) for 'derogatory and inflammatory remarks (...), not acceptable under the rules'. The mere mention of whistleblower doctor Li Wenliang by the UN's cultural rights expert, to illustrate the impact of Covid-19 measures on scientific freedom in her [report](#), was met with a condemnation of her 'ignorance' for 'speaking ill of China', [as the delegation urged her](#) to 'look within herself and address her mistakes and misunderstandings'.

Despite the effort to strong-arm diplomatic support, such attacks on the Council's mechanisms and its mandate may still alienate many rights-respecting States. The core group of countries that systematically support China and repeatedly reference the UN Charter to urge avoiding 'interfering in internal affairs' and undermining State sovereignty remains somewhat limited – and mostly without credibility, as they often find themselves under deserved scrutiny for human rights violations. And the opportunities for garnering positive pushback continue to grow: a group of 53 countries, from Chile and Costa Rica to Georgia and South Korea, [reminded the Council](#) in a US-led statement that the UN Charter 'also affirms that human rights are universal', and that States have a duty to 'ensure that human rights violations and abuses are addressing, including holding those responsible to account'. They called on all States to devote energies to protect rights everywhere 'rather than shielding governments from criticism'.

*For more information, please contact Sarah M Brooks (at [s.brooks@ishr.ch](mailto:s.brooks@ishr.ch) or on Twitter at [@sarahmcneer](https://twitter.com/sarahmcneer)); or Raphael Viana David (at [r.vianadavid@ishr.ch](mailto:r.vianadavid@ishr.ch) or on Twitter at [@vdraphael](https://twitter.com/vdraphael)).*

---

States signatories (69) to [joint statement on Hong Kong](#) delivered by Belarus during the Interactive Dialogue with the Special Rapporteur on the situation of human rights defenders: Afghanistan, Algeria, Antigua and Barbuda, Bangladesh, Bahrain, Belarus, Bolivia, Burkina Faso, Burundi, Cambodia, Cameroon, Central African Republic, Comoros, Republic of Congo, China, Cuba, DPRK, Djibouti, Dominica, Equatorial Guinea, Eritrea, Egypt, Ethiopia, Gabon, Gambia, Grenada, Guinea, Guinea-Bissau, Iran, Iraq, Jordan, Kiribati, Kuwait, Laos, Lesotho, Lebanon, Maldives, Mauritania, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Niger, Oman, Pakistan, Palestine, Papua New Guinea, Qatar, Russia, Saudi Arabia, Serbia, Sierra Leone, Solomon Islands, Somalia, South Sudan, Sri Lanka, Syria, Sudan, Tajikistan, Tonga, Togo, Tunisia, Uganda, UAE, Tanzania, Venezuela, Yemen, Zambia, Zimbabwe.

States signatories (64) to [joint statement on Xinjiang](#) delivered by Cuba during the General Debate on Item 4 (64): Algeria, Antigua and Barbuda, Bahrain, Belarus, Bolivia, Burkina Faso, Burundi, Cambodia, Cameroon, Central African Republic, China, Comoros, Republic of Congo, Cuba, DPRK, Djibouti, Dominica, Egypt, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Grenada, Guinea, Guinea-Bissau, Iran, Iraq, Kiribati, Laos, Lesotho, Lebanon, Mauritania, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Niger, Oman, Pakistan, Palestine, Papua New Guinea, Russia, Saudi Arabia, São Tomé and Príncipe, Serbia, Sierra Leone, Solomon Islands, Somalia, South Sudan, Sri Lanka, Sudan, Syria, Tajikistan, Togo, Tunisia, Uganda, UAE, Tanzania, Venezuela, Yemen, Zambia, Zimbabwe.

Image credits: Izabela Markova - cropped artwork ([CC-BY-NC-SA](#))