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**QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL
FREEDOMS IN ANY PART OF THE WORLD**

**Written statement* submitted by International Educational Development,
a non-governmental organization with Roster consultative status**

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

[10 February 2005]

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

HUMAN RIGHTS IN CHINA

1. Since 2000, International Educational Development/Humanitarian Law Project (IED) has raised strong concern over the situation of Falun Gong practitioners in China. Falun Gong is a type of cultivation practice involving both physical and mental exercises that had been part of Chinese culture for thousands of years, but which were violently suppressed in early years of the Chinese Communist Party (CCP) governments. However, by the 1970's the Chinese authorities allowed cultivation practice, now renamed "qigong," to reenter Chinese culture, in part due to the noticeable decline in the health of the Chinese people. The Falun Gong style of cultivation practice began in 1992, and enjoyed an immediate and wide popularity. While the authorities always showed concern over this popular practice, in July, 1992 the authorities suddenly began a brutal crackdown on Falun Gong and its practitioners that continues today.

2. IED considers that the crackdown on Falun Gong came about because of political rivalries within the CPP, and its growing popularity among CPP members was viewed a threat to CPP control of the government. To draw attention away from these motives, the Chinese authorities began to characterize Falun Gong as an evil or secret cult and as harmful to Chinese society. General Secretary Ziang Zemin personally directed the anti-Falun Gong campaign, raising the issue with foreign government officials and the international media.

3. We are pleased that many of the Commission's special rapporteurs as well as its Working Group on Arbitrary Detention have addressed the rampant killings, imprisonment, torture, and oppression of Falun Gong practitioners by the Chinese authorities. For example, the Working Group on Arbitrary Detention has ruled in the many cases before it that the detention of Falun Gong practitioners is arbitrary, finding no reason to support the Chinese view that Falun Gong is a "violent" belief but rather a practice fully protected by Articles 18 and 19 of the Universal Declaration of Human Rights.¹ The 2004 report of the Special Rapporteur on Torture lists nearly 100 cases of torture and death of Falun Gong practitioners.² The Special Rapporteur on extrajudicial, summary or arbitrary executions has reported for several years on numerous cases of custodial deaths of Falun Gong practitioners.³ In similar fashion, the former and current special rapporteurs on violence against women have reported on many cases involving Falun Gong practitioners.⁴ Finally, the special rapporteurs on the right to freedom of expression and freedom of religion or belief have addressed the severe repression of Falun Gong practitioners and have joined with other special rapporteurs regarding certain cases.⁵

¹ See, for example, E/CN.4/2004/3/Add.1, para. 29.

² E/CN.4/2004/56/Add.1, paras. 246 - 316, 318 - 330, and 338 - 362.

³ The last report (E/CN.4/2004/7/Add.1) of Special Rapporteur Asma Jahangir contained reports of incidents, one involving the police throwing a practitioner out of a fifth floor window, and many cases of deaths from brutal torture while in detention facilities. Ibid, paras. 44 - 67. The Special Rapporteur and the Special Rapporteur on torture sent a joint communiqué to Chinese authorities in connection with a number of cases.

⁴ See, for example, E/CN.4/2004/66/Add.1, paras. 23 - 51.

⁵ See, for example, E/CN.4/2004/62/Add.1, para. 163.

4. Unfortunately, the government of China continues unabated in its severe crackdown on Falun Gong and Falun Gong practitioners. Because of this and other serious human rights problems in China, the Office of the High Commissioner for Human Rights began a programme in China as part of its promotion of the rule of law. The programme has presented a number of recent workshops and training courses for police and others, including a round-table in Geneva with 16 prison administrators and other officials in September - October 2003. China appears to ignore the advice and suggestions provided by the OHCHR's technical assistance programme as well the mandates of the Commission's working groups and rapporteurs.

5. We have previously commented on the large number of cases involving Falun Gong practitioners -- at least 1200 custodial deaths, mass arrests (including over 5000 in Changchun in 2003), perhaps as many as 60,000 detained, most of them tortured in some fashion. United Nations procedures and mechanisms cannot possibly address all the cases, all the more so when China refuses to change its practices. We believe that China is emboldened by its defiance of the United Nations because there have not been any negative consequences for China as a result of its bilateral or multilateral relations with other States.

6. We are also disturbed that China continues to harass and attack Falun Gong practitioners outside China. Assaults have occurred in, inter alia, Iceland, Germany, Australia, Russia, Romania, Thailand, Cambodia, South Africa, Canada and the United States. Chinese diplomats even assaulted Rob Anders, a Canadian Member of Parliament in the Parliament building itself. MP Anders also reported that when a member of the press tried to photograph that incident, the Chinese diplomats tried to grab his camera and get him to leave the premises. MP Anders further stated: "[if they} think they can get away with doing that to me as a Member of Parliament, on Canadian soil, in my place of work, in the House of Commons -- can you imagine what they are doing to people back home in their own country! [and] they were issuing orders to members of the free press here in Canada." As we reported to the Sub-Commission, in June 2004 a group of Australian Falun Gong practitioners who were visiting South Africa was shot at by alleged Chinese agents, injuring one of them. Attacks in the United States have included intimidation of television stations that planned to air Chinese cultural shows produced by a Chinese language production company called NTDTV owned by a Falun Gong practitioner. One incident, reported in the Wall Street Journal on 24 November 2004, involved the Chinese consulate in Los Angeles, which sent a letter to a law professor warning him not to appear in a NTDTV story. The story goes on to report a series of other anti-Falun Gong activities of Chinese diplomats targeting United States media outlets. The diplomats also hand out anti-Falun Gong literature in their consulates. There has been so much violence and intimidation by Chinese officials or their agents in the United States that on October 4, 2004, the United States House of Representatives unanimously passed a resolution calling on China to cease all actions against Falun Gong practitioners in the United States as well as in China.⁶

7. As important as it is for actions undertaken to date by the Commission and the Office of the High Commissioner as well as resolutions such as that passed by the United States House of Representatives, such action should, however, be coupled with serious consequences for China. The international community has learned through time that China ignores calls for improvements in human rights and continues its active persecution of Falun Gong

⁶ House Concurrent Resolution 304.

practitioners. There are also other pressing human rights situations in China that also need to be address and about which China has also ignored international and United Nations human rights mechanisms. Our organization has also repeatedly raised these situations as well: the oppression in Tibet and West Turkmenistan, action against the “democracy” movement, serious curtailment of freedom of the press, freedom of expression and freedom of religion to name a few. Therefore, the international community, beginning with the Commission, must develop a series of steps to be mutually undertaken if China continues to defy international human rights standards. These steps should focus on the Chinese authorities and can include political/diplomatic sanctions, withholding of foreign military or other assistance, boycotts of Chinese products (especially those made in labour camps or other detention facilities), and other similar actions. Care should be taken to ensure that any actions undertaken against the Chinese government do not unduly burden the civilian population and should be undertaken with an aim to empowering the civilian population to educate themselves about international human rights standards and organize local ways to force compliance on Chinese authorities. Care should be taken to avoid rewarding China, such as allowing China to host Olympic Games, until and unless major improvements are made regarding to human rights. Without a major improvement, International Educational Development expects the international community to boycott the Beijing Games.

8. Finally, IED urges all States to take far more decisive action to protect Falun Gong practitioners in their own countries from direct or indirect persecution or intimidation by Chinese authorities or their agents of Falun Gong practitioners, media outlets, commercial enterprises, schools and universities or any another facility. Diplomats who participate should be required to leave their posts. States should make all aspects of their bi-lateral relationships with China contingent on stopping persecution of Falun Gong practitioners and an over-all significant improvement in human rights.
