U.S. House of Representatives Passes the Akaka Bill - 261 to 153.

N. H. Government Reorganization Act of 2007

Findings

* United States has a “special responsibility” for the welfare of Native Hawaiians.
* Native Hawaiians are a “distinct indigenous group” within the scope of the federal government's Indian affairs power.
* The United States has delegated broad authority to administer a portion of its trust responsibility to the State of Hawaii.

The Native Hawaiian Government Reorganization Act (The Akaka Bill)

* Contains strong findings
* Establishes a process to organize a Native Hawaiian governing entity
* Guarantees federal recognition after organizing process is complete
* Calls for negotiations for the transfer of land, natural resources and other assets and governmental authority over them
* Settles no claims against the United States

Human Rights in China

* China remains a one-party state that does not hold national elections
* China has no independent judiciary
* China leads the world in executions
* China aggressively censors the Internet
* China bans independent trade unions
* China represses minorities such as Tibetans, Uighurs, and Mongolians.
* China supports repressive regimes – Sudan (Darfur), Burma (Myanmar), Zimbabwe

Sources: Human Rights Watch, Olympics Watch, Human Rights in China, Amnesty International
UNIVERSAL DECLARATION OF HUMAN RIGHTS (1948) — adopted by U.N. General Assembly

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (1966) — 153 ratifications (as of 2004) — U.S. ratified in 1992 and accepted state v. state complaints under Article 41

OPTIONAL PROTOCOL TO ICCPR (1966) — allows citizens to bring complaints against their own government to the Human Rights Committee in Geneva — 104 ratifications (2004) — U.S. has not signed or ratified


Regional Human Rights Conventions

• 1953 European Convention on Human Rights
• 1969 American Convention on Human Rights
• 1981 African Charter on Human and People’s Rights
Universal Declaration of Human Rights

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

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

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**Human Rights Committee (ICCPR - Geneva)**

18 members – elected for four-year terms – serve in their individual capacity – can be re-elected (Article 32) – receive no salary

"persons of high moral character and recognized competence in the field of human rights" (Article 28)

What are their powers?

* Review individual complaints (if Optional Protocol is ratified)
* Review national reports and make comments

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**International Covenant on Civil & Political Rights**

* Promulgated by the U.N. General Assembly in 1966.
* Monitored by 18-member Human Rights Committee (Geneva).
* United States has not accepted the Optional Protocol, which would permit complaints from individuals.
* But it does allow state-to-state complaints under Article 41.

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**ICCPR -- Article 25**

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in Article 2 and without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;
(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors...
International Covenant of Civil and Political Rights

China signed October 5, 1998, but has never ratified this treaty.

I. Everyone has the right to liberty and security of person. *No one shall be subjected to arbitrary arrest or detention.* No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.

2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.

3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release.

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**Ratification of the ICCPR**

China's extensive use of the death penalty and the lack of procedural safeguards built into its laws infringe on key fundamental rights protected by the ICCPR, including Article 6 of the ICCPR (right to life).

Furthermore, under Chinese law detainees are not guaranteed immediate access to legal representation; confessions extracted through torture and other ill-treatment are often used as evidence against the accused in court despite being outlawed; and a defendant in court is effectively required to prove their innocence rather than the prosecution being required to prove the defendant's guilt, all in violation of several provisions of the ICCPR, including Articles 7 (freedom from torture and other ill-treatment), 9 and 14 (fair trial rights).
In an internal March speech, Yu Hongyuan, the deputy bureau chief of the Beijing Public Security Bureau and the Beijing Olympics Security Protection Center’s commander-in-chief, advocated “harshly penalizing one person in order to ... frighten many more into submission” in order to ensure the success of the Party Congress, the 2008 Olympic Games in Beijing, and the 60th anniversary celebrations of the People’s Republic of China in 2009.

The period leading up to and during the Party Congress, which occurs only every five years, is an extremely sensitive time for the government because it is the forum in which the future leadership of the Chinese Communist Party will be announced.

—Human Rights Watch

Human Rights in China - Tiananmen Square

The Chinese Communist Party (CCP) still has not come to terms with the 1989 Tiananmen massacre, refusing to publish information about the number of persons killed, injured, “disappeared,” or arrested or to admit that the attack on peaceful protestors was a mistake.

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October 2007

Hu Jintao mentioned “democracy” 61 times in his main address.

The Party nominated 221 candidates to fill 204 seats to fill the 204 seats on the Central Committee, meaning that 7.6% of those declared eligible did not receive a seat.

The period leading up to and during the Party Congress, which occurs only every five years, is an extremely sensitive time for the government because it is the forum in which the future leadership of the Chinese Communist Party will be announced.
China: Media Freedom Attacks Continue Despite Pledges -- 11 Months Ahead of Beijing Olympics, Journalist Harassment Ongoing

Also, the temporary regulations do not extend to Chinese journalists or Chinese nationals who work as assistants or translators for foreign journalists the same freedoms they do to foreign journalists. As a result, Chinese journalists remain particularly vulnerable to retaliation from local authorities who do not want embarrassing issues covered.

In mid-August, five Chinese journalists, including a reporter from the government mouthpiece People's Daily, were interviewing witnesses to the Fenghuang bridge collapse in central Hunan province. Plainclothes thugs interrupted the interviews and kicked and punched the journalists, who were then detained by the police.

Journalist Harassment Ongoing

This is the way the business is [in China]—if you go to some area where they are nervous about foreign journalists, you will be harassed and detained.


Restrictions on Press Freedom

In September, Zheng Yichun was sentenced to a seven-year prison term for “incitement to subversion.”

Evidence included articles he had written for foreign publications and websites and for his association with the Epoch Times, a publication allied with Falun Gong, a spiritual group banned in China as a cult.

Convictions on charges of “subversion” and of “leaking state secrets” continue to result from vaguely-worded state security and state secrets laws.

Shi Tao, an established journalist, was sentenced to a ten-year prison term in April 2005 for “leaking state secrets abroad.”

The secret was a directive banning journalists from reporting on the presence of overseas dissidents seeking to commemorate the 15th anniversary of the Tiananmen massacre.

In another recent incident, Yixing court officials in Jiangsu province barred The New York Times and the South China Morning Post from entering the courtroom to cover the August 24 trial of environmental activist Wu Lihong, who was sentenced to three years in prison on extortion and fraud charges that observers have described as politically motivated. Officials gave no reason for restricting access, saying only that the proceedings were “an ordinary trial.”

Reporters who waited outside the courthouse for the verdict were subject to harassment by plainclothes police, who demanded to know why they were there, what questions they wanted to ask, and what their equipment was for.

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The government is also tightening controls over domestic media content ahead of the 17th Congress of the Chinese Communist Party, which begins on October 15. The congress, which is held only once every five years, is a period of heightened sensitivity for the government, as it is the forum where the next generation of the party’s leadership will be unveiled.

On August 18, the media authorities demonstrated their power to control the press by removing several thousand articles from the websites of the country’s largest newspapers — the People’s Daily, Guangming Daily, Economic Daily, People’s Liberation Army Daily and the Beijing Daily — from the search results produced by Google China. The Chinese government offered no explanation for the stage-managed front pages, which all led with an article on China’s leaders’ personal involvement in efforts to rescue miners in a flooded mine shaft and included photos of President Hu Jintao’s state visit to Kazakhstan.

On August 31, the government ordered domestic internet search engines, including Google China, China Yahoo, and.baidu.com, to remove all “illegal and unhealthy content” within a week without providing any criteria for making such judgments and without clarifying what penalties might result.

These efforts have extended to the closure by government authorities of numerous internet data centers, which host thousands of servers. Unplugging these internet data centers to squelch “illegal” content ahead of the 17th Party Congress has affected thousands of web sites, forums, and blogging platforms in provinces including Guangdong, Henan, Sichuan, and the eastern coastal city of Shanghai.

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Restrictions on Freedom of Expression: China's "Great Firewall"

* Critics have labeled China's ever more sophisticated system of control on the Internet the "Great Firewall of China."
* Dozens of individuals are currently imprisoned for peaceful expression over the Internet.
* January 2005, the Publicity Department of the Chinese Communist Party Central Committee signaled that controls over publishing, the Internet, and short messaging systems would be significantly strengthened to ensure social stability.
* In September 2005, the Ministry of Information Industry and the State Council introduced new regulations on Internet news which prevent distribution of any uncensored version of a news event or commentary.
* More than 300 million internet users face sophisticated filters, registration of all personal domestic websites, and personal responsibility for all content.
* The government closes websites without warning. In October 2005, two Mongolian sites and Yaman, which tracked a rural protest, were shut down.
* Internet cafes, after presenting identification, are issued user numbers which make it easy to track their web use. In February, education officials cut off hundreds of thousands of students from the Internet by decreeing that only enrolled on-site college students, using their real names, could access university internet message boards.

Religious Belief and Expression

Particularly troublesome are limits on large-scale religious gatherings and on the number of religious sites in a given area; acceptance of "guidance, supervision and inspection" by relevant departments of the local people's government; and a requirement that religious bodies "safeguard unification of the country, unity of all nationalities, and stability of society." This last requirement is vague enough to give the state control of any and all religious teachings and is rigorously enforced in the Tibet Autonomous Region, in the Xinjiang Uighur Autonomous Region, and in other areas with large concentrations of non-Han populations.

Equality troubling is increased vetting of relationships between Chinese religious bodies and their foreign counterparts. Officials continue to express fears that international religious ties are a facade for Western infiltration. The new policies have been reflected in round-ups of non-registered Christians attending training sessions. Most are released quickly, some after paying fines.

Religious Belief and Expression

The Regulations on Religious Affairs that went into effect in March 2005 codified religious policy in effect since 1982. All congregations, mosques, temples, churches, and monasteries must be registered to be legal.

Registration brings vetting and ongoing monitoring of religious personnel, seminary applicants, and publications; scrutiny of financial records and membership rolls; and veto power over group activities.

Failure to register renders a group illegal and subject to closure, fines, and criminal sanctions.

China: Government Must End Crackdown on Lawyers

(Pont, August 23, 2006) - Chinese lawyers who defend human rights and expose the absence of an independent judiciary are under increasing attack from state authorities. Human Rights Watch said today.

Two of China's most prominent lawyers are currently facing prosecutions that seem to be politically motivated. Beijing lawyer Gao Zhisheng, an outspoken advocate of the rights of victims of government violations and abuse of power, was detained on August 15 on charges of alleged involvement in criminal activities. In 2005, authorities stripped Gao of his right to practice law.

On August 18, the trial of another legal activist, Chen Guangcheng, turned into a mockery of justice when his lawyers were physically assaulted and then forcibly detained by Public Security to prevent them from attending. The court, in Yinan county, Shandong province, has charged Chen with intent to damage public property and inciting others to join him to disrupt traffic intent to damage public property and inciting others to join him to disrupt traffic.

Chen and Gao have faced months of harassment, intimidation, unlawful detentions and physical assaults because of their legal activism. In a separate incident on August 18, Yang Zailin, one of the lawyers who attempted to attend Chen's trial, was beaten. He was placed in detention at a local police station, then reportedly sent back to his home province of Guangxi on August 19. Yang has not yet returned home.

No Independent Judiciary - Restrictions on Attorneys

Misure of the Law

The major provision in Chinese criminal law that hinders lawyers' work in China is Article 306 of the Criminal Law, which, along with Article 38 of the Criminal Procedure Law (CPL) and Article 50 of the Law of the People's Republic of China on Lawyers (1996, as amended), bars lawyers from representing clients who have committed "political crimes" and who are charged with "inciting others to disrupt traffic, or bringing or assisting a witness to change testimony, and obstructing the work of public security or judicial officials." This provision means that lawyers can be targeted as defendants themselves when they are accused of disrupting or obstructing investigations, or bringing or assisting a witness to change testimony. These acts are punishable by imprisonment of up to seven years.

Article 306 of the PRC Criminal Law

Total of approximately 500 lawyers were detained between 1990 and 1999. More than 100 cases have been tried in recent years. Article 306 is interpreted so broadly that it bars representation of clients accused of "political crimes," misconduct, and even professional shortcomings, which can pose serious threats to the stability of society. This provision places an unwieldy interpretation on the statute that is often invoked improperly or by officials attempting to silence critics.

In the latest example of harassment and intimidation, the lawyer for He Guangjun, R. (1996) was convicted of evading tax in 2003 and sentenced to two and a half years because the witnesses he produced changed their testimony, and the cases were prosecuted against his wishes, and then sent to the Public Security Bureau.

Article 96 of the Criminal Procedure Law

In state secrets cases, lawyers are subjected to even greater limitations. Under Article 96 of the CPL, in state secrets cases, defendants who wish to obtain and meet with legal counsel must obtain approval from the investigative organ, typically public security authorities. In practice, the concept of "state secrets" is broadly and arbitrarily applied, leaving a wide margin of discretion over its interpretation. Once in court, the lawyer can be prevented from answering his or her client's questions, and his client's case is automatically considered a "state secrets" case. If the lawyer fails to obtain the "state secrets" certificate, his client's case is then referred to the authorities, and the lawyer can be charged with assistance to political subversion.

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PERSONAL ASSAULT AND INTIMIDATION
Recent news reports have also revealed a large number of cases involving physical attacks against lawyers. Rights defense (meiweiqu) lawyers have been subjected to greater harassment and abuse because of their work. For example, Zheng Enqin’s (郑恩泉) license was revoked and he was sentenced to 4 years in prison for allegedly providing state secrets abroad, because he assisted more than 30 cases of political officials and human rights activists to seek relief from their jail terms and to declare their innocence. Since his release in June 2006, he has been under house arrest and not permitted to contact his personal legal team or to have any contact with the outside world. "The evidence that the state is using to hold me in this way will be made public," he said in an interview. He also stated that he was "likely to be" charged with "leaking state secrets." The sentence was eventually reduced to 3 years in prison, after which he was released on December 29, 2006. The sentence was in line with the national legal system. However, it is not known exactly whether he was actually held in prison during this period.

According to the Shanghai Bar Association, the number of violent attacks on lawyers has increased sharply in recent years. A survey conducted in December 2006 revealed that 60% of lawyers had experienced personal attacks, including verbal abuse, physical violence, or legal harassment. The survey also found that the attacks were often instigated by clients who were unhappy with the lawyer’s performance. In view of this, the Shanghai Bar Association has called for stricter measures to protect lawyers and to hold those who attack lawyers responsible.

THE OVERALL CHILLING EFFECT
The combination of these restrictions and controls over lawyers has had a chilling effect on the criminal bar, hindering the numbers and ability of lawyers handling sensitive cases, and undermining the overall independence, legitimacy, and accountability of the legal system. Although nearly 60% of the 500 lawyers detained, accused, or summoned were for any reason between 1997 and 2002 were eventually found innocent of any wrongdoing, the aggravation caused by these accusations and the general fear of harassment has led many individuals away from pursuing careers in criminal or civil law.

The result is that some defendants or litigants have been unable to find a lawyer willing to take their case because of the sensitive nature of the case, leaving them to either not pursue their grievances or to represent themselves.

One Beijing law professor stated that 70% of criminal defendants are not represented by a lawyer. Despite the recent growth in the number of people joining the legal profession, the relative proportion of lawyers in China still lags far behind that of most developed countries.

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In spite of its socialist roots, China faces serious challenges stemming from growing disparities between rich and poor, and urban and rural populations.

Along with official corruption, such disparities in 2005 fueled a rise in protests and demonstrations from workers, farmers, people forcibly evicted from their homes, victims of police abuse, and HIV/AIDS activists, among others.

According to official figures, there were 74,000 protests in China in 2004 involving 3.5 million people, up from 58,000 protests in 2003. A Chinese province enslaved hundreds of children, according to reports this week. (June 15, 2007 AFP)

* Workers in China may not form autonomous unions.
* Unsafe and unhealthy working conditions are rife—according to official figures, 16 million enterprises are “toxic” and over 200 million workers suffer from 115 occupational diseases.
* Unpaid wages.
* Pensions lost when state-owned enterprises go bankrupt or are privatized.
* Forced and uncompensated overtime.

During 2005, workers repeatedly took to the streets. Some went to prison.

Li Xintao, formerly a worker at the Humel Garment Company in Shandong province, was sentenced to a five-year term in May 2005 for “disturbing public order [and] government institutions.” He had tried to collect wages owed by a bankrupt state-owned enterprise.

In October 2005, police detained eight workers leading a protest against the closure of a steel plant in Chongqing.

Miners and a “floating population” of rural laborers have suffered disastrous accident rates.

In spite of new policies, official figures report that 4,228 people lost their lives in 2,337 coal mining accidents from January through September 2005.
Hundreds of thousands of people march in Hong Kong to protest China’s refusal to expand elections.

Tibet

Chinese authorities limits the number of monasteries and monks, yet all applicants for the monkhood, interfere with the selection of monastic leaders, prohibit performance of traditional rites, and conduct ongoing reeducation campaigns centered on opposition to the Dalai Lama. In July 2005, the chairman of the Tibetan Autonomous Region announced that China would choose the next Dalai Lama.

Suspected separatists are routinely imprisoned.

Chinese authorities have long refused to allow access to the boy the Dalai Lama identified in 1995 as the new Panchen Lama (the second most important personage in Tibetan Buddhism), instead keeping him under virtual house arrest most likely in Beijing. In his place, Chinese authorities recognized another boy as the Panchen Lama and in June 2005 in Sichuan they ordered monks to come out in force to greet him. Authorities held several suspected “troublemakers” in preventive detention in advance of the visit.

Schoo in Tibet limit use of the Tibetan language and neglect to teach students Tibetan history and culture. Officials do not tolerate privately-run Tibetan schools.

Hong Kong

When Hong Kong became a Special Autonomous Region within the People’s Republic of China in 1997 under the principle of “one country, two systems,” it was promised a “high degree of autonomy.” The Hong Kong government’s October 2005 proposal for constitutional reform, ostensibly an incremental step toward “universal suffrage,” failed to mention how and when Hong Kong’s citizens would achieve that goal.

There is no indication that Beijing, which reserves to itself the right to veto any proposed electoral change and to interpret the Basic Law, Hong Kong’s mini-constitution, will support any initiative to further “one-person, one-vote” democracy in Hong Kong. At the first meeting of its kind between Hong Kong’s pro-democracy legislators and Guangdong provincial officials, sharp disagreement erupted over the issue.

China: No Progress on Rights One Year Before Olympics – Human Rights Abuse Shadow Countdown to 2008 Beijing Games

Human Rights Watch, August 2, 2007 – China’s dire human rights record and a renewed crackdown on media freedom may spoil the government’s hopes of a successful “coming-out party” at the Beijing Olympics, which begin in a year, Human Rights Watch said today.

A year before the August 8, 2008 opening ceremonies for the Beijing Olympics, the Chinese government shows no substantive progress in addressing long-standing human rights concerns. Instead, apparently more worried about political stability, Beijing is tightening its grip on domestic human rights defenders, grassroots activists and media is choosing to ignore any possible expressions of dissent ahead of the Games.

China has a well-documented history of serious human rights abuses, including widespread torture, censorship of the media and internet, control on religious freedom, and repression of ethnic minorities in Tibet and Xinjiang.

China continues to lead the world in executions. The government classifies the number of people executed as a state secret, but it is believed that China executes more people than all other countries combined.

China secretly executed an estimated 1,000 people in 2006. China’s secret execution rate has been increasing significantly in provinces with rapidly rising crime rates, especially in the northwestern province of Xinjiang, which borders on Afghanistan and Pakistan.

Most trials are deeply flawed, as the accused often do not have access to adequate defense counsel, trials are usually closed to the public, evidence is often obtained through torture, and the appellate process lacks needed safeguards. China’s courts lack independence, as they remain controlled by the government and ruling Chinese Communist Party.

But the staging of the Olympics is exacerbating problems of forced evictions, migrant labor rights abuses, and the use of house arrest to silence political opponents. The government is continuing its crackdown on vocal human rights defenders and activists who dedicate themselves to rule of law and the exposure of rights abuses.
China: No Progress on Rights One Year Before Olympics - Human Rights Abuses Shadow Countdown to 2008 Beijing Games
(Human Rights Watch, August 2, 2007) - Fears of harm to China’s national image have even led Chinese officials to stop prominent activists from leaving the country. Among them:...
Indiscriminate attacks by government forces and militias on a widespread basis, "including the killing of civilians, torture, enforced disappearances, destruction of villages, rape and other forms of sexual violence, pillaging and forced displacement."

300,000 deaths; 2,000,000 black African villagers are homeless.

"Genocide"?

"Crimes against humanity"?

Because of the united European view favoring referring these cases to the International Criminal Court, the United States finally abandoned its opposition on March 31, 2005 and agreed not to veto the Security Council's referral of the Darfur crimes to the International Criminal Court.

The Council's vote was 11-0, with Algeria, Brazil, China, and the United States abstaining.

The United States was persuaded to abstain after it received assurances that any U.S. citizens accused of war crimes in the Sudan would not be handed over to the ICC or to any non-U.S. national court.

"There is no hope for sustainable peace in Darfur without immediate access to justice."

UN Secretary-General Kofi Annan:

"It is vital that these crimes are not left unpunished."

The Acting U.S. Ambassador to the United Nations, Anne Patterson reiterated that the United States still "fundamentally objects" to the Court, but was going along with the referral because "it is important that the international community speak with one voice in order to help promote effective accountability."

Ambassador
Anne Patterson
Dream for Darfur

Olympic Dream for Darfur is a global advocacy campaign seeking to secure protection for civilians in Darfur. The strategy is to use the 2008 Beijing Olympics to focus attention on the special relationship between Sudan and China, which is uniquely positioned to exert real and consequential influence to help resolve the crisis in Darfur. We are educating and mobilizing the public, policy makers and the Olympic community to focus on the uniquely constructive role that China could—and must—play, given its unrivaled leverage with Sudan and its position as Olympic host. We are currently organizing an Olympic Torch Relay from Darfur to Beijing and are planning a simultaneous U.S. Torch Relay.

Olympic Watch

Olympic Watch (Committee for the 2008 Olympic Games in a Free and Democratic Country) was established in direct response to the IOC's decision to grant the 2008 Olympics to Beijing. Its core focus has been civil and political rights, most importantly the freedom of expression, death penalty, and the plight of prisoners of conscience. Having stated that the IOC has failed to defend human rights and Olympic ideals, it is currently focusing on other actors in the Olympic movement. Not calling for boycott per se at this point, it urges all actors to take a clear stance on the issues.

Li Peng

On August 31, 2000, while he was attending the Millenium Summit at the United Nations, Li Peng was served with a civil suit brought under the Alien Tort Claims Act.

The complaint was given to Li Peng's bodyguards at the garage of the Waldorf Astoria Hotel.

Li Peng was the Chinese Prime Minister at the time of the June 4, 1989 Tiananmen Square massacre, and later became Chair of the National People's Congress.

The lawsuit was filed by four Tiananmen student leaders and the brother of a woman killed by troops during the massacre. It accused him of responsibility for crimes against humanity, including summary execution, arbitrary detention, and torture.

A Chinese spokesperson labeled the charges as "absolutely absurd and unacceptable," and demanded that U.S.
International Criminal Court
The Hague, Netherlands

104 Countries Have Ratified (139 have signed) (as of January 2007)
25 from Western Europe and Other
16 from Eastern Europe
22 from Latin America
and the Caribbean
29 from Africa
12 from Asia & the Pacific
Court became effective July 1, 2002

Judge
Sang-Hyun Song
(South Korea)
International Criminal Court

Philippe Kirsch

Luis Moreno-Ocampo (Argentina), Chief Prosecutor, International Criminal Court
**What Crimes Are Within the Jurisdiction of the International Criminal Court?**
- Genocide
- Crimes Against Humanity
- War Crimes
- Aggression

**International Criminal Court**

**How Are Cases Initiated?**
- Referred by a State Party
- Referred by the Security Council (acting under Chapter VII of the UN Charter)
- Initiated by the Prosecutor and Approved by the "Pre-Trial Chamber"

**International Criminal Court - Article 25(3)**
Establishes liability for anyone who "contributes to the commission or attempted commission of...a crime by a group of persons acting with a common purpose" if the contribution is "intentional" and made with "the aim of furthering the criminal activity or criminal purpose of the group," or "in the knowledge of the intention of the group to commit the crime."

**Intent is established by awareness that a particular consequence "will occur in the ordinary course of events."**

**ICC - Court Activities - 2006**
- Democratic Republic of Congo -- First wanted person came into the custody of the Court -- Thomas Lubanga, charged with the war crime conscripting children under 15 years of age into military forces for purposes of participation in hostilities.

**Second Congo Arrest by International Criminal Court (10-18-07)**
Congo General Germain Katanga has arrived at the ICC prison in The Hague, charged with murder, rape, using boys as soldiers and girls as sex slaves in the Ituri region in 2003.
Taiwan

The first Chinese community in the history of the world to be governed by a democratic process.

Human Rights in China

There has been some progress.

In March 2004, China amended its constitution to read "The State respects and protects human rights."

Although the constitution is not directly enforceable, the amendment does offer some hope that human rights will be legally protected.

The term human rights has now made its way into common discourse in China.