



# Puente Democrático

## Documents

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## China: Business or Human Rights?

In its relationship with China, Kirchner's government seems to be decided to apply a sort of pinochetist pragmatism: "economic opening is welcome, leaving aside the great internal repression". And is curious that this is the foreign policy of a "progressist" government that ensures to have human rights as a priority. To the closing edition of this Document there were circulating several versions of an important commercial agreement of Argentina with China, in eves to an official visit of the authorities of the Asian country - in the middle of November - in their way to a meeting in Chile. This will be a new opportunity for President Néstor Kirchner to include the human rights in his foreign politics and not limit them only to the domestic concerns, attending in this case to the request that the Association of Falun Dafa's Studies in Argentina requested last June 22 on the occasion of his trip to China: "...we wanted to call again your attention to what is going on today in the above mentioned country and we hope that in your visit there could be a mention of the important topic of the respect to human rights... the regime of China mixes economic benefits with political pressures to quiet the countries with which it supports commercial relations. To the contrary, Argentina and other countries of the region that suffered awful dictatorships should be more solidary with those who suffer from oppressive regimes. In this regard, a United Nations report that analyzes the persecution to Falun Dafa, stated: "Everyone who has worked for human rights causes knows that the first and most difficult step in ending systematic violations is to expose the evil. Falun Gong practitioners in China have courageously taken this first step; isn't it upon our conscience to come to their defense, so that their sacrifices shall not have been in vain?". The relation of Argentina and some countries of the region with the Chinese dictatorship reflects the low democratic commitment in foreign policy and another indicator of the underdevelopment in Latin America.

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Puente Democrático is a program within the area Political Opening and Development of the Center for Opening and Development of Latin America (CADAL) with the objective of the international promotion of civic and political freedoms.

The aim of this Document is to highlight the “Pinochet Pragmatism” practice applied by several Latin American countries in their foreign policy towards the Chinese dictatorship, which shows the absence of a real commitment with Human Rights, especially in the Argentinean case.

### China: Risky Business

To begin, it is interesting to become familiar with the economic reforms launched in the late 1970’s, taking a passage from the chapter of Freedom House’s last Index dedicated to China. The indicator emphasizes that those economic reforms “have freed millions of Chinese from party control of their day-to-day lives. Increasingly, ordinary Chinese are becoming homeowners as housing once owned by government departments or state owned enterprises is partially or wholly privatized. The national household registration and identification card system is eroding, meaning that Chinese are increasingly free to move around the country to live and work. Many now work for private firms, which account for about 30 percent of China’s economic output. For those who still work for the state, the government took steps in 2003 to scale back the powers of the *danwei*—company-based, government-linked work units for state employees. Though the *danwei* still control certain aspects of daily life for state workers, the changes allow Chinese to marry, divorce, and sell their state-assigned housing without their employers’ permission. The economic reforms have also lifted hundreds of millions of Chinese out of absolute poverty, although some 100 to 150 million still live in poverty, according to the World Bank”.

*América Economía* Magazine says: “China is the obsession of the world. The power of its economy and the strength of its factories have put the Asian giant in the center of our future. They all want to do business with, from and for China, while the economists predict that in the following decades this nation will turn into the major economy of the planet. Today, any country that wants to compete on the global market must have the Chinese factor in mind, already be that the Asian giant turns into client, supplier, producer, competitor or into a combination of all these conditions simultaneously.”

Later on, the brave editorial of this prestigious business magazine, titled “The dark side of China”, presents the central point of this Document: “For many people, the fact that China has become liberal in the economic field seems to be enough. The fact that it is a one party dictatorship where the respect to the human rights is an extravagancy, seems to be a minor detail. But to underestimate this detail is a dangerous mistake”. And it concludes “The enthusiasm and fascination for the Chinese irruption is nice. But the realpolitik that is applied in the Chinese case is a weapon of double edge. The economic freedom does not make sense

without political freedom. And about this, in Latin America we know too much.”

In the case of Argentina, the trip that President Néstor Kirchner did to China at the beginning of July 2004 with a committee of more than two hundred businessmen had a wide repercussion. In the matter, the informative treatment was centered on the commercial agreements with the Asian nation, calling the attention the void interest of the Argentine civil servants for the situation of the human rights in China, when this question is presented as one of the pillars in the agenda of this government.

Fortunately, the column of the journalist James Neilson in *Noticias* Magazine referred to a matter about China that was not considered for a President that declares to have the Human Rights defense as a flag. To that matter, Neilson pointed out, referring to China: “It would be surprising that the requirements of the future superpower were merely commercial: as Kirchner has just discovered, to please his new strategic associate, Argentina will have to collaborate with its diplomatic efforts, forgetting the rights of the Taiwanese, the Tibetans, the political dissidents and those who want to practice religions that are not approved. It is possible that China is liberalizing, but there are not any motives for believing that is going to stop being a country firmly authoritarian any time soon... At present, China is a one party dictatorship that is politically communist but economically increasingly liberal, for the very simple reason that in the matter of producing wealth there is nothing better than the free market. It is a system that is more pinochetist that anyone dreamed by Marx...”

After the presidential tour around China, the Foundation for Latin American Economic Investigations (FIEL in his Spanish Initials) organized on September the 1<sup>st</sup> of 2004 in the Alvear Palace Hotel, the Conference “China: the transition to a market economy”, having the sponsorship of the Foreign Relations, International Commerce and Cult Ministry of the Argentinean Republic (Resolution 832/04)

The closure of the Conference was presented by Martin Redrado, at that time the Secretary of the International Economic Relations. His presentation was titled: “Building the Latin American economic relations with China”. In a fragment of his presentation Redrado exposes about the following: “Building commercial relations with China: The relation with China requires an strategy for action; continuous and persistent; you cannot win the Chinese market at once; and the steps forward are accomplished gradually and basing on the mutual confidence”. On the one hand, from the reading of this presentation and of the rest of the expositions that are available on the Internet, it is clear that there was not any mention of the objections made by *América Economía*

Magazine and the prestigious journalist James Nielson in his column of *Noticias Magazine*.

On the other hand, the case of China puts in serious doubt the so-called Company Social Responsibility, because in the above mentioned conference, in the panel “Doing business in China. The vision from Argentina” also took part representatives of four local companies and, as it has already been mentioned; approximately two hundred businessmen accompanied the President Kirchner in his tour of last July to China. In the matter, it is necessary to indicate that many of these important commercial companies adhere to the Global Agreement that Kofi Annan stimulated in 1999 and in which principles figures first human rights: “In their area of influence, the companies have to: 1) Support and to respect the protection of the human rights recognized internationally, and 2) Assure themselves not to be accomplices of the abuses of these rights”.

It is obvious that for certain governments, companies and think tanks, trade policy is more important than civil and political freedoms. Until recently this contradiction seemed to be exclusive of some “free-marketeers”, but apparently this pinochetist pragmatism also concerns the Latin-American “progressism”, specially Kirchner’s government. The relation of some countries of the region with the Chinese dictatorship reflects the low democratic commitment in foreign politics and another indicator of the underdevelopment in Latin America.

### **The pressure of the Chinese dictatorship**

As it remains demonstrated in the passages of the reports that are included later on, opposite to the situation that is lived in China several governments of the region are not consistent in their human rights policy. To the contrary, the Latin-American democracies should attend more to the reports that prestigious international organizations elaborate on the situation of the Human rights in China, make contact with the Chinese dissidents and establish diplomatic humanitarian negotiations before the civil servants of that country. In the same way, they should be inflexible to the threats that the Chinese civil servants make in other countries to those who denounce the violation of the human rights in their country, as it happens with those who practice Falun Dafa in Argentina.

Nevertheless, the Chancery of Argentina is surely aware of what happens in China as for human rights concerns, but in the bilateral relation this “mutual confidence”, to which for instance Redrado was referring, involves that in exchange for the benefits of commercial exchange it is necessary to stay quiet in the international forums against the violations that the Chinese dictatorship commits.

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On the one hand, this is something that countries do not want to recognize systematically, since many governments pay more attention to commercial relations and to the good market that opens itself in China than to the defense of human rights. Nevertheless, China does not give any more commercial benefits for obeying its request for silence on the condition of human rights in its country, but equally presses to support this silence with the promise of low prices and other commitments of interest for the negotiating State. It does not seem plausible that in these days a country sacrifices the defense of the human rights for the opportunities to do business with a country that uses its market to temp them to exercise the blindness and to drag them to being accomplices of its impunity.

On the other hand, as a democratic and straight country, we must think of a way our penalty to the serious abuses against the humanity can be listened... To act straightly in the relations with China, it is necessary to position ourselves in opposition to the fact that such an enormous abuse continues being perpetrated with impunity. Therefore, it is of an extreme importance that our civil servants and representatives situate themselves on the side of the international voices that express their repudiation against this injustice. And also it is necessary, while the trade develops with the Asian country, that the voice of every Argentinean who supports a commercial relation with a Chinese citizen, expresses his consternation in the matter”.

### **Reports about the violation of Human Rights in China**

It is worthy now to review some passages of the most recent reports of Freedom House, International Amnesty and Reporters without Borders referred to China, to verify that the dictatorship of Cuba is not the exception in the false defense of the human rights on behalf of any “progressive” governments of the region.

## Civil and political liberties in China

According to the last Index of the Civil Liberties and Political Rights in the World elaborated by Freedom House, China is placed among the not free countries. The report begins stating: “Chinese citizens do not have the power to change their government democratically. Ordinary Chinese enjoy few basic rights, opposition parties are illegal, Chinese jails hold thousands of political prisoners, torture is widespread in prisons and detention centers, and the judiciary is used as a tool of political control. The CCP Politburo Standing Committee makes nearly all key political decisions and sets governmental policy. Party cadres hold almost all top national and local governmental, police, and military posts.”

“The government controls the judiciary. The CCP directs verdicts and sentences, particularly in politically sensitive cases, according to the U.S. State Department. Despite some recent criminal procedure reforms, trials are often closed and reportedly only one in seven criminal defendants have counsel. Officials often subject suspects to “severe psychological pressure” to confess, and coerced confessions are frequently admitted as evidence. Police frequently conduct searches without warrants and at times monitor telephone conversations and other personal communications to use as evidence against suspected dissidents.”

The report also highlights that the Chinese face severe restrictions on their religious practice. “The government forces religious groups to submit to the tight control of state-sponsored bodies and cracks down on religious leaders and ordinary worshippers who reject this authority. The five recognized religions are Buddhism, Taoism, Islam, Protestantism, and Catholicism. Buddhism claims the most adherents. For each of the five religions recognized by the government, the respective “patriotic association” appoints clergy and controls clerical education; monitors religious funding, membership, and activities; and controls publication and distribution of religious books and other materials. Beijing bars the Roman Catholic “patriotic association” and its member churches from recognizing the Vatican’s authority in matters including the ordination of bishops.”

“Many thousands of Falun Gong practitioners remain behind bars in China, with most apparently held without trial in “re-education through labor” camps. Several hundred Falun Gong adherents reportedly have died in detention because of torture, abuse, and neglect since Beijing’s crackdown on the group began in 1999. “Anti- cult” laws developed to crush the Falun Gong, which combines qigong (a traditional martial art) with meditation, have also been used to sentence members of at least 16 other religious groups to long jail terms, the New York-based Human Rights Watch reported in 2002. Authorities at times also crack down on folk religions and unorthodox religious sects. Academic freedom is

restricted by ideological controls on what can be taught and discussed at universities.”

Freedom House also emphasizes that “Chinese women reportedly face serious discrimination in education and employment and are far likelier than men to be laid off when state firms are slimmed down or privatized. Despite government crackdowns, trafficking in women and children for marriage, to provide sons, and for prostitution remains a serious problem.”

“Chinese couples cannot freely choose how many children to have. In the name of stabilizing the country’s population, a one-child policy is applied fairly strictly in the cities, though less so in the countryside. While urban couples generally are denied permission to have a second child, rural couples usually may have a second child if their first is a girl. Couples who have an unapproved child can be assessed stiff fines, fired from jobs, demoted or barred from promotion, denied access to social services, forced to pay higher tuition costs when the child goes to school, and occasionally have property destroyed. The use of forced abortions or sterilizations by local officials trying to keep within county birth quotas is believed to occur in occasional, isolated cases, though less frequently than in the past.”

## The accusations of Amnesty International

According to the last report of Amnesty International about the situation in China, it emphasizes the following:

“Despite a few positive steps, no attempt was made to introduce the fundamental legal and institutional reforms necessary to bring an end to serious human rights violations. Tens of thousands of people continued to be detained or imprisoned in violation of their rights to freedom of expression and association, and were at serious risk of torture or ill-treatment. Thousands of people were sentenced to death or executed. Restrictions increased on the cultural and religious rights of the mainly Muslim Uighur community in Xinjiang, where thousands of people have been detained or imprisoned for so-called “separatist” or “terrorist” offences. In Tibet and other ethnic Tibetan areas, freedom of expression and religion continued to be severely restricted.”

“The authorities took an increasingly hard line against people protesting against house demolitions and evictions, particularly in large cities such as Shanghai and Beijing, where demolitions of old homes were accelerated by Beijing’s preparations for hosting the Olympics in 2008. Scores of peaceful protesters were detained and lawyers assisting in such cases were at risk of arrest or intimidation.”

“The rights of freedom of expression and association of workers’ representatives continued to be severely curtailed and independent trade unions remained illegal. Many of those

involved in protests against mass lay-offs, low wages, corrupt management and other issues were detained or imprisoned.

- In October, Zheng Enchong, a defence lawyer in Shanghai, was sentenced to three years in prison after he had assisted hundreds of displaced families to contest their evictions through the courts. He was convicted of the vaguely defined offence of “illegally providing state secrets to entities outside China” following a prosecution which appeared to be politically motivated.

- In May workers’ representatives Yao Fuxin and Xiao Yunliang were sentenced to seven and four years in prison respectively after participating in protests in Liaoyang in northeast China where state-owned companies had laid off millions of men and women. They were transferred in October to Lingyuan Prison, notorious for its poor conditions and brutal regime, despite concerns that they were suffering from serious health problems.”

Regarding the violations in the context of the spread of HIV/AIDS, the Amnesty International Report says:

“Increasing openness on health issues after the outbreak of SARS appeared to result in greater official concern for those affected by HIV/AIDS, but the authorities failed to meet demands for full transparency and accountability in the context of the spread of the virus. Official figures of 840,000 people infected with HIV and 80,000 AIDS patients were considered to be serious underestimates.”

“The authorities continued to resist calls from non-governmental organizations (NGOs) and others to conduct an independent inquiry into the operation of state-sanctioned blood collection stations in Henan and other central provinces which reportedly resulted in up to one million HIV infections. Vaguely defined “state secrets” legislation continued to be used to detain those suspected of publicizing statistics about the spread of the disease. Medical specialists and others who attempted to raise public awareness of the issue were arrested or intimidated.”

“People living with HIV/AIDS continued to suffer because of a lack of specialized medical treatment and some were detained and beaten after participating in protests relating to lack of access to medical care.

- In September Gao Yaojie, a gynaecologist in her seventies, was tried for libel in connection with her accusation that untrained Henan “folk doctors” had made false claims about their AIDS remedies to make huge profits. She was acquitted in November. There were serious concerns that the case had been brought for political reasons to disrupt her work. Gao Yaojie had reportedly been placed under surveillance by local police and warned against speaking to journalists

since she began to draw attention to the spread of HIV/AIDS in Henan in the mid-1990s.”

As it was seen in the Freedom House Report, an underline aspect of the human rights violation in China is the repression of spiritual and religious groups, on which the Amnesty International Report denounces the following:

“Members of unofficial spiritual or religious groups, including some *Qi Gong* groups and unregistered Christian groups, continued to be arbitrarily detained, tortured and ill-treated.”

“Rhetoric intensified in the official media against the *Falun Gong* spiritual movement, which was banned as a “heretical organization” in July 1999, apparently exacerbating the climate of violence and intolerance against the *Falun Gong*. Detained *Falun Gong* practitioners, including large numbers of women, were at risk of torture, including sexual abuse, particularly if they refused to renounce their beliefs. According to overseas *Falun Gong* sources, more than 800 people detained in connection with the *Falun Gong* had died since 1999, mostly as a result of torture or ill-treatment.

- Deng Shiyong reportedly died on 19 July, the day after her release from Jilin Women’s Prison in Changchun City, Jilin Province, where she was serving a seven-year prison sentence in connection with producing and distributing information describing human rights violations against *Falun Gong* practitioners in China. According to *Falun Gong* sources, she was beaten by other inmates, apparently prompted by prison officials, shortly before her release.”

The Amnesty International Report includes also the harassment of political activists and Internet users:

“Political activists and Internet users continued to be arrested after peacefully exercising their rights to freedom of expression and association. Many were imprisoned after unfair trials, often on vaguely defined charges relating to “state secrets” or “subversion”. One dissident, Wang Bingzhang, was sentenced to life imprisonment on “terrorist” charges (see below).

By the end of the year, at least 50 people had been detained or imprisoned after accessing or circulating politically sensitive information on the Internet. Sentences ranged from two to 12 years. Over 100 others were detained for “spreading rumors” or “false information” by Internet and text message about the outbreak of SARS in March. It was unclear how many were still detained at the end of the year.

- In May, Huang Qi, a computer engineer from Sichuan province, was sentenced to five years’ imprisonment for “inciting subversion of the state” after he published articles on his website about human rights and political issues. Huang Qi had been detained without access to his family for almost

three years before his sentence was announced. His sentence was upheld on appeal in August. In November, Liu Di, a psychology student from Beijing, who had appealed for the release of Huang Qi in an Internet chatroom under the pseudonym “Stainless Steel Mouse”, was released on bail after being detained for over a year. In December it was announced that she would not face formal indictment.

- Veteran dissident Kang Yuchun was released from prison five years before the end of his sentence on the eve of the European Union (EU)-China human rights dialogue in October.”

The Chinese dictatorship, as it reports Amnesty International, also practice torture, administrative detention and unfair trials:

“Torture and ill-treatment remained widespread in many state institutions. Common methods included kicking, beating, electric shocks, suspension by the arms, shackling in painful positions, and sleep and food deprivation. Women in detention were vulnerable to rape and sexual abuse.

”Custody and repatriation”, a system of administrative detention which had allowed for the arbitrary detention and abuse of millions of migrant workers, vagrants, homeless children and others in urban areas, was formally abolished when new rules for dealing with vagrancy came into effect in August. Its abolition was prompted by a public outcry about the brutal murder of migrant worker Sun Zhigang in March while he was being held unlawfully in a “custody and repatriation” centre in Guangzhou city.

However, another system, “re-education through labor”, continued to allow for the detention of hundreds of thousands of people for up to three years without charge or trial. In September the Ministry of Public Security announced new regulations aimed at preventing the police from using torture in administrative cases, but it remained unclear how well they would be enforced in practice.

People accused of both political and criminal offences continued to be denied due process. Detainees’ access to lawyers and family members continued to be severely restricted. Political trials fell far short of international fair trial standards. Those charged with offences related to “state secrets” or “terrorism” had their legal rights restricted and were tried *in camera*.

- In February US-based dissident Wang Bingzhang became the first democracy activist known to have been convicted of “terrorist” offences. He was sentenced to life imprisonment in connection with various charges, including passing military secrets to Taiwan and leading a “terrorist” group. There were serious violations of Chinese and international law during his trial and pre-trial detention. In May the UN Working Group

on Arbitrary Detention ruled that his arrest and detention were arbitrary and called on the authorities to remedy the situation.”

Moreover, China arbitrary applies the death penalty:

“The death penalty continued to be used extensively and arbitrarily as a result of political interference. People were executed for non-violent crimes such as tax fraud and pimping as well as drug offences and violent crimes. The authorities continued to keep national statistics on death sentences and executions secret. By the end of the year, with the limited records available, AI had recorded 1,639 death sentences and 726 executions, although the true figures were believed to be much higher.

Execution was by shooting and increasingly by lethal injection. In March it was reported that the authorities in Yunnan province had purchased 18 mobile execution chambers for execution by lethal injection to improve the “efficiency” and “cost-effectiveness” of executions.

Judicial interpretations issued by the Supreme Court in May and September respectively extended the potential application of the death penalty to people suffering from SARS who deliberately spread the disease, and to those involved in the illegal production, trade and storage of defined quantities of toxic chemicals.

- In January Lobsang Dhondup, a Tibetan from Sichuan province, was executed after being convicted after an unfair trial of “causing explosions” and other offences. The authorities stated that his trial was held in secret because it involved “state secrets” without providing further clarification. He was executed hours after his sentence was passed, without his case being referred to the Supreme Court for review as required under Chinese law, and despite official assurances to the USA and the EU that his case would receive a “lengthy” review.”

The Amnesty International Report also address that “China continued to use the international “war against terrorism” as a pretext for cracking down on peaceful dissent.”

### **The score of censorship in China**

In the particular case of the censorship in China, the 2004 Annual Report of the organization Reporters without Borders highlights that “The propaganda department in China did not bother with the law. Journalists who created trouble, especially journalists with the liberal press groups in southern China, were simply removed from the posts. This was how

the central government banned the press from covering the SARS epidemic in the first months of 2003.”

Recently, Reporters without Borders also referred to the censorship and surveillance of the discussions forum of Internet, underlying that “In the almost eight years since the start of the commercial Internet in China, the government has set up a sophisticated system to control it. The cyber police, who has tens of thousands of members, is capable of arresting Internet users anywhere in the country if they send a few messages considered ‘subversive’ or likely to ‘jeopardize the state’s security’.”

The report keeps on saying that “Discussion forums, portrayed by the websites that host them as areas of freedom, are in fact the target of permanent surveillance. The government has forced these sites to install filter systems that block messages containing banned words. The list of banned words has never been published, but it includes dozens of terms relating to politics, religion and pornography. Zhen Ya (repression) and Fa Lun Gong (Falun Gong) are on the list, which is frequently updated because the word “SARS” was banned from the discussion forums in the course of March 2003. Internet sites, including those run or financed by international companies such as *Yahoo!*, have become Chinese police auxiliaries. After agreeing to self-censor their content, they have not objected to the installation of police spy software in their servers that enables the cyber police to identify recalcitrant Internet users. Chinese cybercafés (“wang ba” in Mandarin) have also had to submit to the demands of the security services in order to be able to reopen after a vast nation-wide inspection campaign in 2002.

The 2003 report of RWB concludes emphasizing that “The discussion forums, which bring together hundreds of thousands of Chinese every day, represent both a space for expression unequalled in any other media and a trap for Internet users.”

The last Annual Survey of Political Rights and Civil Liberties of Freedom House, talking about the freedom of expression in China highlights the following: “Press freedom is severely limited and Chinese editors and reporters work under tight constraints. The government bars the media from advocating political reform, criticizing Beijing’s domestic and foreign policies, reporting financial data that the government has not released, or covering internal party politics or the inner workings of the government. At the same time, officials often allow journalists to report on corruption and other ills that the party itself seeks to alleviate. All articles in private publications must be vetted by the government before publication.”

“As of May, the New York-based Committee to Protect Journalists reported that Chinese jails held 38 journalists, 15 of them for publishing or distributing information on-line. Other journalists have been harassed, detained, threatened, or dismissed from their jobs over their reporting. Recently, officials also suspended or shut down some liberal magazines, newspapers, and publishing houses.”

“The government promotes use of the Internet, which it believes to be critical to China’s economic development, but regulates access, monitors use, and restricts and regulates content. Amnesty International said in October that it knew of more than 40 Chinese who were detained or jailed for Internet-related offenses. They included students, political dissidents, and Falun Gong practitioners. Some 59 million Chinese use the Internet, a government-funded group reported in 2002, and the number is growing rapidly.”

### **The Falun Dafa case (Falun Gong)**

Since five years ago, the communist dictatorship in China has pursued a tremendous persecution to the members of Falun Gong, an ancient form of exercise of cultivation of the mind and the refinement of the body.

Initially, the Chinese authorities facilitated Falun Gong’s diffusion. Nevertheless, as indicated by Falun Gong’s report, its increasing popularity “turned out to be too much for certain civil servants of the government of China. From undermining the clandestine movement, up to slandering it strategically, from the prohibition of books on Falun Gong up to the police repression, certain blocks of power inside the government of China exceeded gradually the clandestine persecution up to turning into a manifest aggression”.

After the detention of 45 practitioners in Tianjin’s city, it took place a spontaneous and pacific demonstration of ten thousand practitioners to Beijing, where they asked for the freedom of the enjailed and managed to call for the international attention.

But, as Falun Gong’s report highlights, “From July 20 1999 more than a hundred thousand practitioners, among them pregnant women, persons of advanced age and small children, have been sent to fields of forced work without any previous trial. Thousands of persons have been imprisoned in an illegal form by periods of up to eighteen years, and million of innocent citizens have been arrested and held up, almost all under subhuman conditions. Scandalously, thousands of practitioners have been detained and severely tortured with neurotoxic drugs given in psychiatric hospitals. Thousands of persons have died under custody, and many others remain disappeared”.

Likewise, an article published on March 25, 2001 in the New York Times, indicated that “the abuses of the psychiatry,

once again, seem to be hip in China. The government has imprisoned members of Falun Gong in psychiatric hospitals. Falun Gong, a popular movement that pleads for the channeling of energy through exercises and the deep breathing, has been object of assaults in a severe persecution of the government, which consists of abuses of the psychiatry that remind those of the Cultural Revolution”.

On its part, a report of 150 pages of the United Nations published in October, 2003 starts by indicating that “The perpetrators of crimes against the humanity have never admitted their guilt for the resultant slaughter, and the government of the Popular Republic of China is not an exception. In spite of more than four years of pernicious crimes and horrible atrocities against dozens of million of innocent and pacific practitioners of Falun Gong, the government of the Popular Republic of China continues denying any use of violence - due to the fact that the violations are so evident the government of the RPC does not find another defense that resorting to the categorical denial. What the government of the RPC claims is to cause indifference in the international community by the deceive and the coercion”.

This report of United Nations details the following cases of violations to the human rights in China against practitioners of Falun Gong: 1) Reports of the Group of Work of United Nations on Arbitrary Detention; 2) Report of the Group of Work on Forced or Involuntary Disappearances; 3) Reports of the Special Rapporteur of United Nations on the Question of the Torture; 4) Reports of the Special Rapporteur of United Nations on the Extrajudicial, Summary or Arbitrary Executions; 5) Reports of the Special Relater of United Nations on the Violence against the Women; 6) Reports of the Special Representative of the General Secretariat of the UNO on the Situation of the Defenders of Human rights; 7) Reports of the Special Rapporteur of United Nations on Freedom of Expression; 8) Reports of the Special Rapporteur of United Nations on the Independence of Judges and Attorneys; 9) Reports of the Special Rapporteur of

United Nations on the Religious Freedom and of Worship; and, finally, an Appendix about the Methods of Torture Used by the Chinese Police.

### **The UN did not manage to condemn China**

Before all this information that denounces the violation of the human rights in China, it is interesting to pay attention to the support or the complacency towards this dictatorship on behalf of several democratic countries. For example, on April 15, 2004 the UN Human Rights Commission voted favorably for a resolution of “No action” on the situation of human rights in China. A whole of 28 countries lined up with the Chinese dictatorship, 16 objected and 9 abstained.

The sixteen countries that wanted to treat the situation of the human rights in China were: Australia, Austria, Costa Rica, Croatia, France, Germany, Guatemala, Honduras, Hungary, Ireland, Italy, Japan, Holland, Sweden, Great Britain and The United States of America.

For their part, twenty-eight countries supported to the Chinese dictatorship: Cuba, Bhutan, Brazil, Bahrain, Burkina Faso, The Congo, Egypt, Eritrea, Ethiopia, Gabon, India, Indonesia, Mauritania, Nepal, Nigeria, Pakistan, Qatar, Russia, Saudi Arabia, Sierra Leone, South Africa, Sri Lanka, Sudan, Swaziland, Togo, Ukraine, Zimbabwe and the own China.

Finally, the humanitarian agnosticism in this matter, that is to say, the nine countries that abstained themselves from treating the situation of human rights in China, were: Argentina, Armenia, Chile, Dominican Republic, Mexico, Paraguay, Peru, Republic of Korea and Uganda.

From this voting arises then the behavior of the countries of Latin America, proving that two (Cuba and Brazil) lined up with the Chinese dictatorship; six abstained (Argentina, Chile, Dominican Republic, Mexico, Paraguay and Peru) and three supported that the situation of the human rights in China should be treated (Costa Rica, Guatemala and Honduras).

**The Center for the Opening and Development of Latin America (CADAL), was constituted as a Foundation on February 26, 2003 with the objective of promoting the strengthening of democracy, the rule of law and the economic freedom in the countries of the region.**

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