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Edward McMillan-Scott: We need new powers to rein in China

The execution of Akmal Shaikh is Europe's cue to stand up to an abusive one-party state and forget trade

The new year must see an end to ruthless regimes using human pawns in international relations. After the barbaric execution of Akmal Shaikh, the first execution of a European by China since 1951, the EU's new role in foreign relations, which begins this week, must be shaped by a commitment to its values.

The argument against standing up to China is that we cannot afford to offend such a growing superpower, to jeopardise trade relations. But trade and politics have always been separate, and always will be.

The European experience with the monolithic Soviet Union during the Communist years was to name and shame its worst offences, and to do so with mounting intensity. This strategy worked and should now be applied to China. The "sophisticated" argument that China doesn't respond to Western anger carries no weight. Last week's indignant response from a Chinese Foreign Ministry spokeswoman following Western condemnation of the execution laid bare China's sensitivity to criticism. Our response should not be to shy away from voicing further criticism but to capitalise on that sensitivity and use it to apply pressure for change. Europe must ensure that its political priorities are heard as loudly in Beijing as at home.

The prominent Chinese dissident Wei Jingsheng cautioned in The New York Times last week: "We Chinese are intimately acquainted with this authoritarian arrogance." He spent 15 years in various Chinese prisons for putting up a wall poster, but was released after pressure from Washington. We must seize the chance to create a more consistent, coherent and effective foreign policy, one that sets out to co-ordinate a common European stance towards a changing China, the world's largest country and still a terror state.

On New Year's Day, the dragon spread its wings further with the launch of a new free trade zone spanning more than 1.9 billion people. Europe's foreign ministers, in a long-awaited new policy on the projection of democracy and human rights worldwide, declared in November that "human rights and democracy are inextricably linked". Until now, the EU's external priorities were listed separately: democracy, human rights, fundamental freedoms and the rule of law. Now brought together, these conditions alone should govern future relations with China.

The death penalty has been abolished in all EU member states. The European Parliament condemns capital punishment everywhere and especially as a method of control by one-party states that act as judge, jury and killer. China executes more people than any other country, with about 1,718 executions in 2008, far

surpassing the 346 in Iran, 102 in Saudi Arabia, and 37 in the US, according to Amnesty International. More than 100 prisoners died under torture in China last year, too, but because they were members of Falun Gong, the banned spiritual movement, they were classed as non-persons.

China must cease persecuting those such as Liu Xiaobo, whose only crime is in arguing for democracy. His sentencing on Christmas Day to 11 years in jail by a Beijing court was designed to bury the news. Liu Xiaobo was one of more than 300 Chinese intellectuals and dissidents to author a bold call for constitutional reform on 10 December 2008 to mark the 60th anniversary of the UN's Universal

Declaration of Human Rights. Inspired by Charter 77, the manifesto for reform in communist Czechoslovakia, the Chinese version is named Charter 08 and calls for greater freedom of expression, multi-party elections and independent courts.

Gao Zhisheng, a prominent Christian human rights lawyer who researched the persecution of the Falun Gong, was taken by security forces from house arrest early in 2008 and has not been seen since. Two years ago, his friend, the environmentalist Hu Jia, was jailed for three and a half years for protests against "Olympic corruption and pollution". Hu Jia was awarded the European Parliament's 2008 Sakharov Prize for human rights, an award Beijing said amounted to political interference.

MEPs have become increasingly hostile to the Beijing regime's human rights record, whether in China itself or in Tibet or in countries which fall less directly under Beijing's influence such as Burma or Darfur. They frequently and effectively champion individual cases, such as Mirza Tahir Hussain from Bradford, who was taken off Pakistan's death row in late 2006. Or Safiya Hussaini or Amina Lawal, condemned to death by stoning for adultery in Nigeria in 2002. No MEP was asked to help Akmal Shaikh.

It remains to be seen whether the EU's new foreign policy profile will operate at the level of the lowest common denominator or follow a new political activism, such as displayed by Angela Merkel or Nikolas Sarkozy over Tibet, or by the presidents of the European Commission and Parliament because of human rights in their political boycott of the Beijing Olympics.

On the 20th anniversary of the fall of the Berlin Wall Barack Obama appealed to Europe's leaders: "Let us keep the light of freedom burning bright for all who live in the darkness of tyranny, and believe in the hope of a brighter day." Sadly, this seems to exclude China, where Hillary Clinton has explicitly placed economic co-operation above human rights concerns.

To bring hope and light, we must establish a worldwide register of confidential complaints aimed at halting torture and abuse, political persecution and the mistreatment of prisoners. This Impunity Index would be modelled on the one that West Germany established in November 1961 at Salzgitter to receive information from victims of Communist oppression living in East Germany. In all, 44,000 complaints were registered: simply knowing that a complaint had been filed gave a boost to the victims.

In China, where five to seven million are being abused in prison camps, religious groups keep records of the torturers as well as the tortured. There are details already of the oppressors of more than 3,000 harmless Falun Gong practitioners who have died under torture to recant their practice since 1999. An EU-supported Impunity Index would ensure those involved in the torture of minority groups could be brought to trial, as is happening in Cambodia, the Sudan or Sierra Leone.

Such an Impunity Index could be maintained by the EU and, once conditions allow, trials could be held by the International Criminal Court, which is part-funded by the European Instrument for Democracy and Human Rights that I founded in 1990. The UN cannot do this while countries such as China or Russia are members of its Security Council.

Everyone is entitled to live free from abuse, torture and fear. China cannot continue to pretend that its growing global presence does not bring with it new obligations. And human rights and democracy are basic rights that Europe must always defend.

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Alan Watkins is away

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