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HUMAN RIGHTS *Jared Genser*

## Help China's prisoners of conscience

**T**omorrow, Chinese pro-democracy activist and US permanent resident Yang Jianli (楊建利) will be spending his 1,000th day in detention in a Beijing prison. The passage of this milestone presents an important opportunity to ask how to improve dialogue with Beijing over human rights.

Yang first went to the United States in 1986 to study. Later, he became president of the Foundation for China in the 21st Century, a non-profit organisation that promotes democracy in China. Despite being blacklisted after the Tiananmen Square incident, he made a fateful decision to return to his country. He heard about labour unrest in northeastern China and wanted to observe it for himself.

After being detained on suspicion of illegal entry, he was held incommunicado for more than a

year, denied all access to reading materials and exercise, and was interrogated more than 100 times. Yang suffered this treatment while numerous members of US Congress submitted requests to China's ambassador in Washington to discuss his case. These went unanswered. The only brief response was that Yang was being treated "in accordance with Chinese law".

It was only after the United Nations found that he was being held in violation of international law, and a group of US congressmen publicly condemned his ongoing detention, that Yang was finally given access to counsel. Since then, the US House of Representatives and Senate have unanimously passed resolutions calling for his release, and the US State Department has called for him to be freed.

Ultimately, Yang was convicted of

illegal entry and a trumped up espionage charge, and was sentenced at a closed trial to five years in prison. In July, he mysteriously suffered a stroke in prison, despite having no medical history which would indicate his health was in danger. Since then, while the empty rhetoric about the importance of dialogue continues, China has ignored numerous US inquiries about Yang's health and the prospects for his medical parole.

Unfortunately, the treatment of Yang is only one example of a much wider and systematic failure of human rights dialogue with China. The US and other countries need to fundamentally alter their approach.

First, accountability, transparency and benchmarks to measure progress must be the hallmark of any formal human rights dialogue. If it does not lead to measurable

improvements, it is pointless and should be terminated. Second, America could be more persuasive if it expands its multilateral efforts. For example, by law, the US is supposed to use its vote at the World Bank to advance human rights. China is the largest borrower from the bank, with more than US\$11 billion in loans outstanding. Washington should work with other countries to secure human rights commitments as a condition of future loans.

Finally, China is hoping to use the 2008 Olympics in Beijing as a showcase. If it has not begun by then to engage in real dialogue accompanied by meaningful change, a threat of a boycott by the US and others would surely get its attention.

*Jared Genser is president of Freedom Now and a legal adviser to Yang Jianli and his family*