

# Little beyond the usual 'thrust and parry' was achieved in the Sino-US summit to advance human rights, writes Jerome A. Cohen

## Political sport

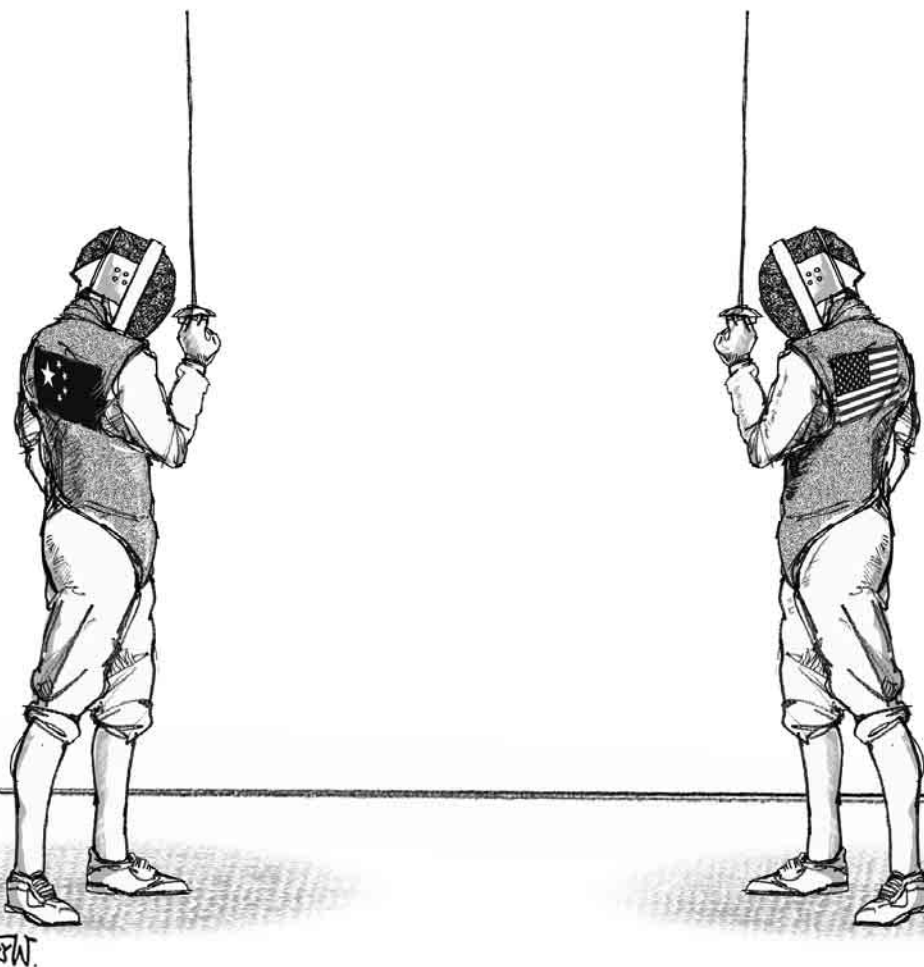
In early 2009, human rights organisations criticised America's new Secretary of State, Hillary Rodham Clinton, for stating that the US government could not allow disagreements over human rights to interfere with Sino-American co-operation in economic, climate and security crises. Human Rights Watch argued that progress on those crises must be seen as inseparable from progress in freedoms of expression and protections against arbitrary punishment for the Chinese people. Otherwise, the US would continue to succumb to China's diplomatic strategy of "segregating human rights issues into a dead-end 'dialogue of the deaf'."

The just-concluded US-China summit demonstrated how much more skilful the Obama administration has become in pacifying human rights critics without allowing their cause to interfere with Sino-American co-operation in other important matters. Pre-summit activities featured an impressive speech by Clinton that emphasised human rights. To show his own sincerity, President Barack Obama met some human rights advocates.

All the summit activities – the White House dinners, the joint statement, Obama's public remarks, the joint press conference, President Hu Jintao's (胡锦涛) visit to Congress and his appearances before business leaders and opinion-makers – offered opportunities to reflect American concern for human rights as well as other problems.

Yet was anything substantial accomplished for human rights? In other respects, the summit was successful for both Beijing and Washington. It restored a positive tone to relations after a year of worrisome tensions, announced many useful agreements, and burnished the standing of each president at home and abroad. But as the press conference's first questioner asked Obama, can we have any confidence that, as a result of this visit, China's practice of "using censorship and force to repress its people" will change?

The joint statement, like that issued during Obama's 2009 China visit, calls for another round of the "on again, off again" US-China human rights dialogue and also for renewal of the legal experts' dialogue. This time, however, a specific time frame is provided. The former is to take place before the next strategic and economic dialogue, scheduled for May; the latter, even earlier.



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The problem, of course, is whether these official meetings will prove worthwhile. Although bilateral dialogue such as this enables Western governments to give their constituents the impression that they are pressing China on rights, by and large the dialogue has not proved significant. It is too occasional, brief and formal to permit more than stilted discussion, and few who take part have detailed knowledge of Chinese realities. Moreover, the ranking Communist Party and police officials who control China's legal system and preside over day-to-day repression do not participate.

Such official dialogue, like the summits that announce it, comes and goes, but the Chinese people's freedoms of speech, association, assembly and religion continue to be ruthlessly suppressed, and

however, took no chances that their people might misunderstand and blacked out this sentence from most transmissions. Since Hu's next sentence promised to "continue our efforts to promote democracy and the rule of law in our country", it is clear that his words have to be parsed with caution.

Whatever human rights concessions Obama may have extracted during the summit's confidential sessions, his public remarks offered rights advocates and the huge number of Chinese rights victims little comfort. After noting that the situation had evolved favourably in the past 30 years, he expressed confidence "that 30 years from now we will have seen further evolution and further change". Until then, he said, the US will continue to make "frank and candid assessment" of China's human rights. But, echoing Clinton's controversial 2009 remarks, he quickly pointed out that "that doesn't prevent us from co-operating in these other critical areas".

In rejecting China's "cultural" excuse that its history, authoritarian traditions and national conditions somehow justify human rights abuses, Obama might

have cited the contrary example of Taiwan. It shares the mainland's political-legal culture, yet has moved vigorously in recent decades to implement universal rights despite its exclusion from world diplomacy. He should also have called publicly for the release of his fellow Nobel laureate Liu Xiaobo (劉曉波) and other imprisoned activists, since private pleas no longer sway Beijing.

He should have, in addition, promoted establishment of permanent official joint working committees and more "track two", unofficial dialogue to supplement the ineffectual official dialogue and facilitate serious rights discussions and proposals.

Above all, he should have openly acknowledged America's inconsistent and selective assertion of human rights concerns in its international relations and its own human rights failings. Otherwise, as cynics in and out of China claim, "human rights" is destined to remain merely a political exercise in which Washington thrusts and Beijing parries.

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lawless beatings, arbitrary detentions, unlawful searches, obscene tortures, coerced confessions and unfair trials prevail nationwide, despite the persistent efforts of China's many able law reformers.

If renewal of the official dialogue promises little, the rhetoric accompanying the announcements promises less. The vague abstractions of the joint statement pledged that both sides would promote and protect human rights in accordance with "international instruments". Yet, although it has committed itself to 25 human rights treaties, China emphasised that "there should be no interference in any country's internal affairs", and the two sides acknowledged "significant differences on these issues".

At the press conference and other appearances, Hu proved to be a master of evasion and ambiguity in resisting efforts to get him to clarify human rights matters. He caused momentary excitement by his press conference statement that "a lot still needs to be done in China, in terms of human rights". Veteran observers recognised that this was nothing new in China's position, and that in any event he was probably referring only to economic, social and cultural rights rather than political and civil rights. Chinese censors,