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The Other Empty Chairs

World leaders' apathy leaves China free to imprison domestic dissenters like Nobel Prize laureate Liu Xiaobo.

By Jared Genser and Julia Kuperminc

Five years ago, the Nobel Peace Prize was placed in an empty chair, reserved for the 2010 Nobel Laureate Liu Xiaobo. And since then, the iconic image of the empty chair has been a poignant symbol of his fight for democracy and the ongoing repression of the Chinese government.

But in reality, the real attention at this anniversary should be on the other empty chairs that had been placed on either side of the seat reserved for Liu Xiaobo. These have, tragically, come to represent the absence of world leaders willing to take meaningful action not only to secure his freedom but to demand China change course on its repression of domestic dissent. Private diplomacy and rare public comments have changed nothing. Liu Xiaobo remains imprisoned and his wife Liu Xia has been under a de facto house arrest for more than five years without charge or trial.

Rightly interpreting the world's collective inaction as a license to act with impunity across the board, Chinese President Xi Jinping has deployed a vast security apparatus, with a budget last estimated at over \$130 billion, to silence his citizens at every turn, disappear or imprison real or imagined dissenters and deploy broad measures to repress the exercise of the rights to free speech, association and religion.

When Freedom Now began serving as pro bono counsel to Liu Xiaobo in mid-2010, just months before he won the Nobel Peace Prize, it was already clear this was a challenging case. He had been convicted and sentenced to 11 years in prison in 2009 for "inciting subversion of state power," based on his writings and being the first signatory on Charter 08, a call for democratic reform of China. But once it was announced Liu won the prize in Oct. 2010, the Chinese government doubled down, detaining [his wife](#) to silence her ability to speak out on her husband's behalf. She has suffered a heart attack and severe depression from years of isolation. Through

her family, she has begged to be able to travel abroad for medical treatment. But the Chinese government has insisted since the beginning she is "under no legal restriction" despite countless independent reports of the virtual impossibility of breaching her security cordon.

So why should the world care about these two people in a country of over 1.3 billion? We must care because their cases demonstrate the way China now humiliates us all. Liu Xiaobo is the world's only imprisoned Nobel Peace Prize laureate, and his wife is detained merely for being married to her husband. If leaders of the most powerful countries on Earth refuse to take meaningful action to secure their freedom, the unequivocal message sent to courageous Chinese dissidents and others considering the same path is clear and it is stark – you will face down the Chinese government alone. And if there is no consequence for the Chinese government in detaining the two most visible political prisoners in the world, then it can easily ignore its own constitution and laws, let alone its obligations under [international law](#), whenever and wherever it wants.

The cases of Liu Xiaobo and Liu Xia are indeed uniquely difficult. But they are equally singularly important. With the slightest political courage, even the simplest collective action could dramatically transform China's considerations. As a start, imagine if the ambassadors of the United States, United Kingdom and European Union to China privately informed the government that unless Liu Xia is able to travel abroad for medical treatment, the new policies of these governments would be relentless private and public confrontation with China over her case. At every bilateral meeting on any subject, each government would urge Liu Xia's freedom as an opening comment. And these three ambassadors would invite all foreign ambassadors based in Beijing to join them to try and visit Liu Xia under house arrest; if turned away they would hold a joint press conference to challenge China's claim that she is not imprisoned.

China has worked very hard to create an illusion that it is impervious to pressure on human rights. But in reality, what it has actually succeeded in doing brilliantly is persuading governments individually that the costs of confronting China on human rights so far outweigh the benefits that the only way forward is self-censorship. Earlier this year, a dramatic counterexample briefly exposed the truth. After an immense global and collective outcry, the Beijing Five – women's rights campaigners who were arrested as they prepared to distribute stickers and posters opposing domestic violence – were released just a month after their arrest.

It is easy for China to [bully](#) small countries like Norway that stand alone. But if the most powerful governments in the world stood up to China – and did so together – countless others would have the courage to join them. And it would be China who would need to negotiate, in the same way it does on every other contentious bilateral and multilateral issue.

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