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A New China Strategy

The U.S. Must Make Human Rights a Priority

By Jared Genser

In recent decades, China's economy has grown about 10 percent a year, lifting more than 500 million people out of poverty, generating wealth for the middle class and expanding global trade. But as the world's most populous nation has become an increasingly important player on the international stage, it has also brazenly refused to respect fundamental human rights at home. Nowhere is this more evident than the continued persecution of high-profile rights activists and their families.

Repeated efforts by the State Department have not changed the calculus of Chinese leaders. There appears to be little prospect of improvement, absent a new approach from the White House that leads with a consistent public message.

Chen Guangcheng's escape from illegal house arrest and his arrival at the U.S. Embassy in Beijing in the spring of 2012 briefly focused major international attention on the treatment of those who defend human rights in China. But Chinese officials' continued failure to keep their promise to end the persecution of the broader Chen family has been less widely reported. And Washington's muted response to the flagrant violation of this commitment sends a terrible message to Chinese officials.

Despite assurances by the Chinese government that it would investigate and end the targeting of the Chen family, local authorities continue to detain, harass, threaten and intimidate the family. After Chen Guangcheng's escape to Beijing, party officials and thugs attacked the family home. They severely beat his relatives, including his nephew Chen Kegui, who was later convicted of "assault" and is serving more than three years in prison for defending himself from the onslaught. Authorities have repeatedly detained Chen Kegui's parents. They have launched a smear campaign against the family and have destroyed part of the family's subsistence farm. Beer bottles and animal carcasses are regularly thrown

at the home, and the family's village is under constant surveillance by teams of police. Also, Chen Kegui has been denied access to adequate medical care.

Unfortunately, this kind of impunity is nothing new. When confronted about the disappearance of Chinese legal pioneer Gao Zhisheng in 2010, a spokesman for the Ministry of Foreign Affairs said that he could not be expected to locate the renowned activist among the country's 1.3 billion people — even though it was police who told Gao's brother that he had “disappeared.” Similarly, Chinese officials deny that Liu Xia, a prominent poet and artist who is married to imprisoned 2010 Nobel Peace Prize laureate Liu Xiaobo, is under continued house arrest. Despite official claims, police repeatedly turn diplomats, journalists and supporters away from Liu Xia's apartment building.

These stories demonstrate the comfort that Beijing feels in flouting its legal obligations to its own people and in outright lying to the international community. Given that continued inattention only breeds more persecution, a new strategy is desperately needed.

First, the clear violation of China's commitments and its lies must be directly and publicly confronted. Failure to squarely address the government's impunity only emboldens those in the Chinese government who interpret quiet diplomacy and private protestations as a license to oppress. It was disheartening, for example, when President Obama failed to sign a letter to incoming Chinese President Xi Jinping last December from 134 Nobel laureates pressing for Liu Xiaobo's release. The White House has never publicly called for Liu Xia to be released from her extralegal house arrest. This signals to Beijing that there will be no real price for failing to respond to private requests for action on these cases.

Second, in instances in which Chinese officials refuse to engage as honest actors, it is incumbent upon the U.S. administration to meet with Chinese dissidents and their families who can speak with unique authority about the persecution they continue to face in China. Meetings with President Obama and Secretary of State John Kerry, in particular, make clear that the United States views human rights as a central component of its foreign policy.

Finally, each high-level meeting with Chinese officials should include a substantive discussion of human rights issues relevant to the subject of the meeting. International standards on political, social, economic, environmental and cultural rights inform nearly all aspects of modern life. Prioritizing a bilateral relationship that consistently emphasizes fundamental freedoms would allow the

administration to articulate a coherent strategy for addressing human rights while fostering the conditions for a real dialogue.

The fundamental problem is that the White House has approached Chinese human rights as an issue to manage rather than a problem to solve. By any measure, this strategy has failed. It is time for the Obama administration to reassess, reengage and recommit to the cause of human rights in China.

The writer founded Freedom Now, a legal advocacy organization that serves as international pro bono counsel to the families of Chen Guangcheng, Gao Zhisheng and Liu Xiaobo.