

FEATURE

Statement by UN High Commissioner for Human Rights Michelle Bachelet after official visit to China

Michelle Bachelet

28 May 2022

<https://www.ohchr.org/en/statements/2022/05/statement-un-high-commissioner-human-rights-michelle-bachelet-after-official>



LOCATION: **Guangzhou**

Good evening and thank you all for joining me here today. This press conference has to be virtual, given the COVID-19 restrictions in place. But I hope this means that those of you who may otherwise not have been able to travel here from different parts of China have been able to join.

Let me start by thanking the Government of China for its invitation. For the first time in 17 years, a UN High Commissioner for Human Rights has been able to travel to China and speak directly with the most senior Government officials in the country, and other interlocutors on key human rights issues, in China and globally.

I appreciate the Government's efforts in making this visit happen, particularly the arrangements for my virtual meeting with President Xi Jinping.

I was also able to meet with State Councilor Wang Yi, the Chief Justice of the Supreme People's Court, and with senior officials on public security, justice, ethnic affairs and human resources, the State Procuratorate, and the

Governor of Guangdong Province. I also met with the All China Women's Federation.

During my two days in Kashgar and Urumqi, I met with a range of officials, including the Secretary of the Chinese Communist Party of the Xinjiang Uyghur Autonomous Region (XUAR), the Governor and the Vice-Governor in charge of public security, among others.

I visited Kashgar prison and the Kashgar Experimental School, a former Vocational Education and Training Centre (VETC), among other places.

In addition, I was able to interact with civil society organisations, academics, and community and religious leaders and others inside and outside the country. In advance of my visit, my Office and I met virtually with a number of civil society organisations that are working on issues relating to Xinjiang, Tibet, Hong Kong and other parts of China.

My visit has also been informed by the work of the UN human rights mechanisms on China over many years, and the preparatory work

done by my office and my advance team that arrived in China on 25 April.

I should state from the outset what this visit was – and what it wasn't. This visit was not an investigation – official visits by a High Commissioner are by their nature high-profile and simply not conducive to the kind of detailed, methodical, discreet work of an investigative nature.

The visit was an opportunity to hold direct discussions – with China's most senior leaders – on human rights, to listen to each other, raise concerns, explore and pave the way for more regular, meaningful interactions in the future, with a view to supporting China in fulfilling its obligations under international human rights law.

Considering China's significant role in multilateralism, the visit was an opportunity for me to also discuss several other regional and global issues, where China can use its leverage to bring political solutions.

To those who have sent me appeals, asking me to raise issues or cases with the authorities - I have heard you. Your advocacy matters and my visit was an opportunity to raise a number of specific situations and issues of concern with the Government. I will continue to follow up on such issues and instances of concern on a sustained basis.

It would be presumptuous of me to try to encapsulate the full complexity of this vast country's human rights situation in one statement but allow me to highlight the key topics we were able to discuss at length.

Poverty alleviation and the eradication of extreme poverty, 10 years ahead of its target date, are tremendous achievements of China. The introduction of universal health care and almost universal unemployment insurance scheme go a long way in ensuring protection of the right to health and broader social and economic rights.

China's efforts in support of the multilateral 2030 Agenda and the Sustainable

Development Goals, both at home and internationally, are also valued. We stressed the importance of advancing gender parity and appropriate geographical distribution.

Over the years, there have been important legislative and judicial reforms. On gender equality, I welcome revision of the Law on Protecting Women's Rights and Interests, which should bring about several improvements for protection of women's rights. I also commend the recent reform of the Civil Code that introduced provisions on sexual harassment as well as the anti-domestic violence law that provides for restraining orders to protect women and children at risk.

Of course, as in every country, implementation is key, so it will be important for the authorities to be vigilant in that regard and respond to concerns about how the law is applied in practice. I would like to see more women at all levels of political representation, and have encouraged businesses to create the conditions for more women at the top as well.

I welcome China's stated aim of ensuring quality development, closely linked to strengthening the rule of law and respect for human rights. This is formulated in the Human Rights Action Plan of China and other policy documents.

My team had in-depth discussions on how national legislation and practices must reflect international human rights laws and standards, particularly in relation to law enforcement and judicial procedures, and we look forward to continuing to share our expertise with the Government and judiciary.

The commitment in the Human Rights Action Plan of China to enforce more rigorous procedures for reviewing capital sentences and implement a more stringent mechanism for reporting and reviewing death penalty cases is also welcome. It is important to issue data on the death penalty, and I do hope China will join the

growing international momentum towards abolition of the death penalty.

In my discussions with senior officials, the themes of development, peace and security arose in every meeting. Of course, for development, peace and security to be sustainable, it needs to be inclusive and rooted in protection of human rights.

I share the concerns of a number of UN human rights mechanisms about laws and policies to counter terrorism and radicalism and their application.

Violent acts of extremism have a terrible, serious impact on the lives of victims, including those tasked to protect the community. But it is critical that counter-terrorism responses do not result in human rights violations. The application of relevant laws and policies, and any mandatory measures imposed on individuals, need to be subject to independent judicial oversight, with greater transparency of judicial proceedings. All victims must be able to seek redress.

In the Xinjiang Uyghur Autonomous Region, I have raised questions and concerns about the application of counter-terrorism and de-radicalisation measures and their broad application – particularly their impact on the rights of Uyghurs and other predominantly Muslim minorities.

While I am unable to assess the full scale of the VETCs, I raised with the Government the lack of independent judicial oversight of the operation of the program, the reliance by law enforcement officials on 15 indicators to determine tendencies towards violent extremism, allegations of the use of force and ill treatment in institutions, and reports of unduly severe restrictions on legitimate religious practices.

During my visit, the Government assured me that the VETC system has been dismantled. I encouraged the Government to undertake a review of all counter terrorism and deradicalization policies to ensure they fully comply with international human rights

standards, and in particular that they are not applied in an arbitrary and discriminatory way.

Before coming to China, I heard from some Uyghur families now living abroad who have lost contact with their loved ones. In my discussions with the authorities, I appealed to them to take measures to provide information to families as a matter of priority.

I also share the concerns of UN human rights mechanisms about legitimate activities by lawyers, human rights defenders and others being penalized under the national security framework. UN human rights bodies have found the system of Residential Surveillance constitutes arbitrary detention and have called for its repeal.

My interactions with NGOs in China were also enriching. There is important work being done to advance gender equality, the rights of LGBTI people, of people with disabilities and older people, among others.

China has a tradition of grassroots engagement, and I cannot overstate how important this is. Broadening the space for meaningful participation and advocacy by civil society is crucial to strengthen participation and the freedom of expression.

On the Tibet Autonomous Region, it is important the linguistic, religious and cultural identity of Tibetans be protected, and that Tibetan people are allowed to participate fully and freely in decisions about their religious life and for dialogue to take place. I discussed education policies in the Tibet Autonomous Region and stressed the importance of children learning in their own language and culture in the setting of their families or communities.

The Hong Kong Special Administrative Region (HKSAR) has long been respected as a centre for human rights and independent media in the region. It is important that the Government there do all it can to nurture – and not stifle – the tremendous potential for civil society and academics in Hong Kong to contribute to the promotion and protection of human rights in the

HKSAR and beyond. The arrests of lawyers, activists, journalists and others under the National Security Law are deeply worrying. Hong Kong is due to be reviewed by the UN Human Rights Committee in July, as a party to the International Covenant on Civil and Political Rights.

I have called on China to also ratify the Covenant, which it signed in 1998.

China's recent ratification of the two International Labour Organization Conventions (29 and 105) on forced labour, once deposited, will be a welcome and an important starting point for protecting fundamental principles and rights at work. Beyond ratification, it will now be important to build a broad-based system, encompassing not only on labour inspection and enforcement, but prevention and due diligence. Civil society actors – including business, trade unions, NGOs and the media – also have an important role to monitor compliance and highlight gaps. I encouraged China to engage constructively with ILO.

I was also able to engage with representatives of China's business community, and am encouraged to see Chinese companies and sectors embracing human rights standards for their operations and supply chains.

Given the many intersecting global crises facing the world today, including climate change, threats to peace and security and instability in the global economic system, as well as the impact of the COVID-19 pandemic, China has a very important role to play as a key contributor in multilateral and regional fora.

We agreed to establish regular engagement between the UN Human Rights Office and the Government of China, including through an annual senior strategic meeting for discussion of issues of respective interest at national, regional, or global levels.

We also agreed to establish a working group to facilitate substantive exchanges and cooperation between my Office and the Government through meetings in Beijing and in Geneva, as well as virtual meetings.

This working group will organize a series of follow-up discussions about specific thematic areas, including but not limited to development, poverty alleviation and human rights, rights of minorities, business and human rights, counter-terrorism and human rights, digital space and human rights, judicial and legal protection and human rights, as well as other issues raised by either side.

This will allow for structured engagement of my Office with China on a number of human rights issues. This is especially important as my Office does not have a country presence. The working group will also provide a space for us to bring to attention of the Government a number of specific matters of concern.

The Government has also stated that it will invite senior officials from the Office to visit China in the future.

I spoke to everyone I met in China – regional and national officials, civil society, academics, diplomats and others – with candour, with a sincere desire to make progress on the promotion and protection of human rights for all. I hope we can build on this open and frank approach to carry forward these exchanges in a meaningful and impactful way.

Editor's Note:



Verónica Michelle Bachelet Jeria, born 29 September 1951, is a Chilean politician who has served as [United Nations High Commissioner for](#)

[Human Rights](#) since 2018.^[2] She also previously served as [President of Chile](#) from 2006 to 2010 and 2014 to 2018 for the [Socialist Party of Chile](#).

Bachelet, a physician who has studied [military strategy](#) at university level, was Health Minister and Defense Minister under her predecessor, [Ricardo Lagos](#).