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The 38th session of the EU-China Human Rights Dialogue was held in Brussels on 17 February 2023. The EU and China welcomed the re-opening of this dedicated channel of communication on human rights issues during President Michel's visit to China on 1 December 2022.

The dialogue included an in-depth exchange of views on human rights developments both in the EU and in China. The EU expressed serious concern at the persistent restrictions on the exercise of fundamental freedoms, use of forced labour, limits on due process rights and lack of judicial independence in China. In doing so, the EU highlighted the particularly vulnerable situation of Uyghurs, Tibetans and persons belonging to religious, ethnic and linguistic minorities across the country. The EU referred to the report issued by UN High Commissioner for Human Rights on the human rights situation in Xinjiang, underscoring the urgency of implementing the recommendations included in the report. The EU also referred to the deterioration in the situation of freedom of peaceful assembly and association, and freedom of expression in Hong Kong. China focused on the situation and treatment of refugees and migrants in the EU and manifestations of racism and xenophobia in the EU.

China and the EU agreed on the importance of achieving globally and domestically the full realisation of economic, social and cultural rights. The EU highlighted that this realisation should happen on an equal basis with civil and political rights, and recalled that human rights, whether civil, cultural, economic, political or social, are equally important and equally necessary to protect human dignity. It also reaffirmed that the full respect for human rights

is a pre-condition to achieve sustainable and inclusive development, economic growth and prosperity.

The dialogue also allowed the EU and China to exchange views on the effectiveness of international human rights mechanisms, particularly the UN human rights Treaty Bodies and Special Procedures in monitoring, reporting and advising on human rights from a country-specific or thematic perspective. The EU recalled that no country should refuse scrutiny of its record and actions on human rights. The EU also underlined the need to support and preserve the independence of the Office of the High Commissioner for Human Rights.

The EU and China reaffirmed their commitment to the protection and promotion of rights of women and children. In this spirit, they agreed to organise an event on “Fostering women entrepreneurship in the technology and digital sectors” in the margins of the sixty-seventh session of the UN Commission on the Status of Women.

During the dialogue, the EU repeatedly addressed the issue of crackdown on human rights defenders, lawyers and journalists in China, in particular in Xinjiang, the Tibetan areas and Inner Mongolia and Hong Kong. The EU urged China to investigate and stop violations of human rights and international law, expressing concern for cases of unlawful detention, enforced disappearance, torture and ill-treatment. The EU raised several individual cases and called upon China to immediately release those who are detained in disregard for due process requirements:

- EU citizen Gui Minhai,
- Uyghurs, including Sakharov Prize winner Ilham Tohti and Tashpolat Tiyp,
- Tibetan activists, writers and religious leaders, including Go Sherab Gyatso, Rinchen Tsultrim and Tashi Dorje,
- Individuals deprived of their liberty for their exercise of the freedom of religion or belief, including Cao Sanqiang, Xu Na, Wang Yi and Zhang Chunlei,
- Human Rights defenders and lawyers deprived of their liberty for having promoted and protected human rights, including Chang Weiping, Chen Jianfang, Chen Yunfei, Cheng Yuan, Ding Jiayi, Gao Zhisheng, Li Qiaochu, Li Yuhan, Qin Yongpei, Wang Bingzhang, Wu Gan and Xu Zhiyong,
- Individuals deprived of their liberty for their exercise of the freedom of expression, including Fang Bin, Guo Quan, Huang Qi, Huang Xueqin, Wang Jianbing, Wang Zang, Zhang Zhan, and Yang Maodong,
- Individuals deprived of their liberty for their exercise of the freedom of peaceful assembly or demonstration, such as Peng Lifa, Qin Yongming and Xu Qin as well persons arrested during the November 2022 protests, including Cao Zhixin, Kamile

Wayit, Zhai Dengrui, Xin Shang, Li Siqi, Li Yuanjing and Hou Jinyi.

Furthermore, the European Union reiterated its unequivocal opposition to the death penalty in all circumstances.

The Human Rights Dialogue was followed by an exchange of views with civil society, covering a range of human rights issues. With a view to exchange on best practices on the prevention of sexual assault, the parties will visit a centre located in Belgium.

The Human Rights Dialogue was co-chaired by Ms Paola Pampaloni, Deputy Managing Director for Asia and the Pacific in the European External Action Service and by Mr Sun Lei, Deputy Director General for International Organisations and Conferences, Ministry of Foreign Affairs of the People's Republic of China. EU Member States participated as observers to the Dialogue.

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