Olympics Update

Promises, Promises

COMPILED BY ELISABETH WICKERI, AMY TAI AND MARY ELLEN PAYNE

As host of the Olympic Games, China seeks to increase national economic and social development and “display to the world a new image of China,”¹ and presents the Games as an opportunity to foster democracy, improve human rights and integrate China with the rest of the world.² In its Olympic Action Plan³ promulgated in 2002, China outlined the phases of construction in the run up to the 2008 Games, and the standards to which it would hold itself in the governance and construction of venues, impact on Beijing’s environment, increasing social and economic development and providing China’s citizenry with greater access to information and technology. The goals and specific commitments that the government has adopted not only have implications for the smooth and successful operation of the Olympic Games, but also have the potential to impact on a number of China’s international obligations, including its human rights obligations.

Despite human rights-related commitments as diverse as transparency and accountability, access to information and freedom of the press, poverty alleviation, an improved standard of living for all people, and compensation for evictions and health issues, the record to date raises serious compliance issues. The projected $37 billion in total costs⁴ and the desire of Chinese leaders themselves to maximize the use of those funds for both city and national development⁵ have created an important opportunity for the advancement of human rights concerns. At the same time, such an enormous expenditure of public resources requires transparency and accountability to combat corruption and waste.

While compliance with its Olympics commitments will not by itself solve the complex human rights challenges, failure to hold the Chinese government accountable for its commitments would undermine the legitimacy of the Olympics process and the Games themselves. In the next three years leading up to 2008, the preparatory process and the Games themselves must be monitored both for compliance with these commitments and in relation to China’s other related international obligations, including those under the World Trade Organization (WTO), the International Covenant on Economic, Social and Cultural Rights (CESCR), the Convention on the Elimination of all Forms of Racial Discrimination (CERD), and the Declaration of Principles and Plan of Action for the World Summit on the Information Society (WSIS).

The following table on pages 111–114 sets forth a preliminary assessment of the progress on key Olympics commitments that China has made, noting generally:

- China has committed to investing in the information society, and has begun to invest a great deal in building state-of-the-art facilities, but continues its crackdowns on freedom of expression;
- China has committed to using the Olympics to support economic development in Beijing and nationally, but the gap between urban and rural development continues to grow;
- China has committed to a “Green Olympics,” yet concerns remain for already serious environmental problems;
- China has committed to investing in social development, but forced evictions related to venue construction and other issues have been reported; and
- China has committed to transparent governance throughout the Olympics process, but there has been no complete and open assessment to date.

In the lead up to 2008 there are a number of areas in which various actors can take responsibility for advancing human rights. We outline the following as illustrative challenges and opportunities that can provide a road map for each actor in relation to the issues above:

OC President Jacques Rogge during a visit to Beijing by IOC delegates in November to assess the progress of preparations for the 2008 Games. Photo: Reuters
1. CHINESE GOVERNMENT
   • In the interest of transparency, make public the Beijing City Contract to facilitate third party assessments of compliance;
   • Ensure that official policies and Olympics preparations do not violate other related international obligations:
     Example: Olympics commitment to expanding health services in Beijing must be implemented in light of both:
     • Commitments under the WTO to liberalize services;6
     • Obligations under the ICESCR to ensure that the right to the enjoyment of the highest attainable standard of physical and mental health is applied to all without discrimination.7

   Example: Olympics commitment to making information available to all must be implemented in light of both:
   • Commitments as signatory to the ICCPR regarding rights to freedom of expression and information;6
   • Commitments as a participant in the WSIS to make the information society people-centered, development-oriented and inclusive.9
   • Monitor the work of the Beijing Organizing Committee for the Olympic Games (BOC)—request the preparation of a progress report that will be made publicly available;
   • Ensure that law enforcement is trained in preparation for the Games to appropriately handle peaceful protests and other civil society activities;
   • Use the economic opportunities presented by the Games to benefit the national economy, with a focus on disadvantaged groups;
   • In carrying out the commitments China has made to market economy and economic development, policies should be informed by important emerging policy guidelines and trends that reference human rights obligations, for example those issued by the Office of the High Commissioner for Human Rights on trade, investment, IPR and human rights.10

2. OTHER GOVERNMENTS
   • Monitor the work in Beijing of corporations based in their home countries to ensure compliance with all laws on corruption and other applicable cross-border laws;
   • Ensure the continued implementation of a coherent international legal system by holding themselves and China to international human rights standards;
   • Develop more coherent and effective policy interfaces between their multilateral and bilateral interventions and roles, including:
     • UN Commission on Human Rights;
     • trade missions and trade policy;
     • technical assistance programs;
     • human rights dialogues.
   • Develop more coherent and effective policy interfaces between their trade and human rights agencies and offices.

3. THE BUSINESS COMMUNITY
   • Conduct careful and transparent monitoring of Olympics-related business;
   • Sectoral assessment of all involvement in the Olympics, including:
     • Contracting practices;
     • Advertising;
     • Construction of venues;
     • Creation of infrastructure;
     • Service provision.
   • Link assessment to relevant international standards, including the UN Business Norms11 recognizing that corporations also have a responsibility to promote and secure human rights;
   • Develop “best practices” that target specific industries and integrate the international human rights framework into the conduct of business in China.12

4. NGOS/CIVIL SOCIETY
   • Monitor and report on key areas of human rights concern, including:
     • Access by reporters and NGOs to all aspects of Olympics planning;
     • Incidents related to Olympics preparation that impact human rights, such as forced evictions or detention of peaceful protesters.
     • Demand the release of journalists, lawyers, protesters and other human rights defenders imprisoned for violations of freedom of speech and peaceful exercise of the right to protest;
     • Share information and collaborate.

5. INTERNATIONAL OLYMPICS COMMITTEE (IOC)
   • Monitor the work and progress of the BOC;
   • Direct the BOC, through the IOC Coordination Commission, to prepare and publicly issue an annual comprehensive report of progress for the last three years in each of the areas of commitments made by the end of 2005;
   • Circulate statement of progress within civil society and other concerned parties, requesting feedback and assessment;
   • Facilitate the disclosure of the Beijing City Contract for third party assessments of compliance.

NOTES:
## Monitoring China’s Olympic Commitment

### PRC COMMITMENT

<table>
<thead>
<tr>
<th>The Information Society</th>
<th>IMPLEMENTATION CONCERNS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A &quot;High Tech Olympics,&quot; bringing the advancements to the nation:</td>
<td>• Major investments in infrastructure and technological development</td>
</tr>
<tr>
<td>• Building a telecommunications infrastructure in Beijing, including digital network, distant audio-digital transmission and video technologies</td>
<td>• $24.2 billion on infrastructure²</td>
</tr>
<tr>
<td>• Providing cheap information services that are rich in content</td>
<td>• 449 Olympics Technology Projects³</td>
</tr>
<tr>
<td>• Available to all¹</td>
<td>• $157 million allocated from government funding</td>
</tr>
</tbody>
</table>

### IMPLEMENTATION CONCERNS

- Digital divide between urban and rural populations continues to expand; Access to critical information restricted

- Unequal access to information communication technology (ICT)
  - Only 36% of peasants have fixed phone lines, and dozens of inland provinces have no phone access
  - 1,800 Cyber Cafés shut down in 2004, with a disproportionate impact on rural regions

- Surveillance, Censorship and Control of Information
  - Technical architecture employs firewalls, proxy servers, ISP filtration software, e-mail filtration and Web surveillance
  - 30,000+ state security employees conducting surveillance of Web sites
  - 60+ laws governing Internet activities, including self-censorship

### Tight, but friendly and peaceful, security measures, including:

- Ongoing crackdown on journalists, lawyers and religious practitioners
  - 42–48 imprisoned journalists⁸
  - 100 lawyers arrested as of 2003⁹
  - More than 500 Falun Gong followers sentenced to up to 18 years in prison, and more than 100,000 followers sentenced to RTL¹⁰

---

Child views model of the main stadium for the 2008 Olympic Games. Photo: Reuters
<table>
<thead>
<tr>
<th><strong>The Information Society, cont.</strong></th>
<th><strong>Implementation Concerns</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>· 150 Muslim Uighurs in Xinjiang arrested between mid-1999 and mid-2002 for terrorism/separatist offenses11</td>
</tr>
<tr>
<td></td>
<td>· Invoking security to restrict and control information</td>
</tr>
<tr>
<td></td>
<td>· Information is classified as state secrets on the basis of consequences, and can be classified retroactively</td>
</tr>
<tr>
<td></td>
<td>· Over-broad interpretation of state secrets system applied to labor issues, land use, environment, family planning and health</td>
</tr>
<tr>
<td>Peaceful demonstration permitted 12</td>
<td>· Prohibited protests related to 2008 Olympics</td>
</tr>
<tr>
<td></td>
<td>· Activists arrested for applying to stage a 10,000 person protest against housing demolished for the Olympics13</td>
</tr>
<tr>
<td></td>
<td>· Growing social unrest</td>
</tr>
<tr>
<td></td>
<td>· At least 3 million protesters in 200314</td>
</tr>
<tr>
<td></td>
<td>· 36,000 petitioners detained in Beijing in September 200415</td>
</tr>
<tr>
<td></td>
<td>· Tens of thousands of farmers in Sichuan Province protesting relocation terms in November 2004</td>
</tr>
<tr>
<td></td>
<td>· 3,000 petitioners protesting official corruption at CCTV’s Beijing offices; more than 1,000 petitioners arrested</td>
</tr>
<tr>
<td>Complete freedom of the press16</td>
<td>· Ongoing crackdown on freedom of the press (various figures)</td>
</tr>
<tr>
<td></td>
<td>· 42 imprisoned journalists 17</td>
</tr>
<tr>
<td></td>
<td>· 25 imprisoned journalists and 62 cyber dissidents18</td>
</tr>
<tr>
<td></td>
<td>· 48 journalists and cyber dissidents imprisoned19</td>
</tr>
<tr>
<td></td>
<td>· Ranked 162nd out of 167 countries on RSF 2004 Worldwide Press Index</td>
</tr>
<tr>
<td><strong>Economic Development</strong></td>
<td><strong>Using the Games to promote national economic development and increase peoples’ standards of living:</strong></td>
</tr>
<tr>
<td></td>
<td>· Beijing</td>
</tr>
<tr>
<td></td>
<td>· Throughout China</td>
</tr>
<tr>
<td></td>
<td>· Integrating poverty alleviation in Olympics development</td>
</tr>
<tr>
<td></td>
<td>· UNDP Human Development Index ranks China as 94th out of 177 countries20</td>
</tr>
<tr>
<td></td>
<td>· In 2004 China admitted its first rise in poverty since 1978; despite a 9% economic growth rate in 2003, the number of farmers living in poverty surged by 800,00021</td>
</tr>
<tr>
<td></td>
<td>· State leaders asked organizers to cut costs and combine Olympic preparation work with urban development22</td>
</tr>
<tr>
<td></td>
<td>· Construction of East-West Pipeline complete23</td>
</tr>
<tr>
<td></td>
<td>· Transports natural gas from Xinjiang to Shanghai and other Yangtze River Delta regions</td>
</tr>
<tr>
<td></td>
<td>· Project intended to transport 12 billion cubic meters of gas per year</td>
</tr>
<tr>
<td></td>
<td>· Fiber-optic cables installed with pipeline24</td>
</tr>
<tr>
<td></td>
<td>· Increasing gap between urban and rural regions</td>
</tr>
<tr>
<td></td>
<td>· 70% of China’s population in rural areas25</td>
</tr>
<tr>
<td></td>
<td>· 100% of villages in eastern provinces have electricity, compared with 88.9% in western provinces26</td>
</tr>
<tr>
<td></td>
<td>· 76% in the east and 19.2% in the west have phones27</td>
</tr>
<tr>
<td></td>
<td>· 33.8% in the east and 9.1% in the west have running water28</td>
</tr>
<tr>
<td>Healthcare Spending</td>
<td>· 5.4% of GDP spent on healthcare, which would equal $72 per person if distributed equally among 1.3 billion people</td>
</tr>
<tr>
<td></td>
<td>· 20% of public spending on health goes to rural residents29</td>
</tr>
<tr>
<td></td>
<td>· 700 million rural inhabitants pay out-of-pocket for virtually all health services30</td>
</tr>
<tr>
<td></td>
<td>· Areas beyond Beijing, particularly rural regions, continue to lack healthcare</td>
</tr>
<tr>
<td></td>
<td>· 70% of all HIV/AIDS cases are rural inhabitants, and 36% are ethnic minorities31</td>
</tr>
<tr>
<td>Improvement of medical facilities and nationwide health</td>
<td><strong>Trade Developments</strong></td>
</tr>
<tr>
<td></td>
<td>· 2001 WTO Accession</td>
</tr>
<tr>
<td></td>
<td>· Increased trade ties between China and numerous countries including the U.S., EU countries and others</td>
</tr>
<tr>
<td></td>
<td>· Decentralization and increased privatization of services, including health32</td>
</tr>
<tr>
<td></td>
<td>· Limited access for poor and rural inhabitants to privatized services and better healthcare</td>
</tr>
<tr>
<td></td>
<td>· Price of medicine increased 10-fold from 1993 to 200333</td>
</tr>
</tbody>
</table>
### Economic Development, cont.

- Improving management of the floating population in Beijing, including provision of services

#### Implementation Concerns

- Announced experimental reforms related to the hukou system create an opportunity to improve protection of migrants’ rights, but must be monitored for abuses and problems
- Continued systematic discrimination against migrants
  - Estimated 100–150 million migrants nationwide
  - Beijing, Shanghai and Guangzhou have migrant populations estimated at over 3 million each, while Shenzhen’s migrant population could be as high as 6 million
  - Hukou system continues to discriminate against migrants for basic services including housing, education and healthcare

### Environmental Protection

A “Green Olympics,” giving top priority to environmental protection, including:
- Preventing air pollution
- Protecting drinking water sources

#### Implementation Concerns

- Resources directed towards environmental protection
  - $7 billion spent on environmental clean-up for Olympics
  - Official commitment to replace coal with clean energies
  - In light of the already serious environmental degradation, challenges remain to ensure a “Green Olympics”
    - China is the world’s second biggest generator of carbon dioxide emissions
    - Over half of the population faces serious problems of water shortages

### Social Development

A “People’s Olympics,” promoting:
- Nationwide solidarity concentrates on urban and Han culture
- Citizens’ awareness of national solidarity
- Protection of minority nationalities’ rights

#### Implementation Concerns

- Tibetan curriculum lacks integration of Tibetan language and culture
- 1.8 million migrant children not receiving education

### Governance

Improvement of the government’s understanding and administration of law, including raising the quality of law enforcement

#### Implementation Concerns

- China has been pressured to publicly address human rights
  - Announced experimental reforms
  - Announced elimination of certain aspects of administrative detention, including custody and repatriation
  - Inclusion of human rights provisions in Constitution
  - Limited implementation of human rights
    - World Bank’s Governance Matters III index puts China in the 51.1 percentile for Rule of Law
    - Abuse in detention centers and prisons routinely documented

### Compensation for those displaced from their homes

- Increase in forced evictions in preparation for 2008 Olympics
  - Increasing demolitions for clearance of venue sites in Beijing has led to numerous forced evictions without compensation
  - 300,000 evictions for Olympics construction
  - Activists and lawyers representing the evicted have been silenced and detained

### Preparation and running of the Games

Preparation and running of the Games will be open, fair, efficient and honest, with all information made public and all finances supervised

#### Implementation Concerns

- Lack of transparency and accountability
  - No disclosure of the Beijing City Contract with the International Olympic Committee
  - Transparency International’s Corruption Perceptions Index ranks China as 71st out of 146 countries in 2004
  - World Bank’s Governance Matters III index ranks China in the 42.3 percentile for control of corruption
  - Athens Games were projected at $8 billion, and $10 billion was spent; $37 billion projected for Beijing,
Governance, cont.

<table>
<thead>
<tr>
<th>PRC COMMITMENT IMPLEMENTATION CONCERNS</th>
</tr>
</thead>
<tbody>
<tr>
<td>and thus far no complete public accounting of Olympic expenses</td>
</tr>
<tr>
<td>· Reported widespread embezzlement in Olympic spending, with $170 million reported missing</td>
</tr>
</tbody>
</table>

1. Unless otherwise noted, all references to China’s commitments are taken from the March 2002 Beijing Olympic Action Plan.


5. Reporters Without Borders.


7. Numbers of journalists and others detained are various estimates only, because China considers those figures to be State Secrets.


10. Falun Gong.


42. Human Rights in China (www.hrichina.org), and China Labour Bulletin (www.clb.org.hk).

43. Chinese Government, report on CTV Television, Inc. Canada AM.

44. Reuters; Feb. 18, 2005.


47. According to the report of China’s auditor; see http://news.bbc.co.uk/2/hi/business/3835019.stm.