

# Putting People First and Global Human Rights Governance

Edited by  
China Society for Human Rights Studies



China Intercontinental Press



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## Publishing Notes

8 December 2021 saw the opening of the 2021 South-South Human Rights Forum, jointly hosted by the State Council Information Office of the PRC and the Ministry of Foreign Affairs of the PRC. Chinese President Xi Jinping sent a congratulatory letter to the forum. Mr. Huang Kunming, Member of the Political Bureau of the CPC Central Committee and Minister of the Publicity Department of the CPC, read President Xi Jinping's congratulatory letter and delivered a speech at the opening ceremony of the forum. Nearly 400 senior officials, dignitaries, experts, scholars, diplomatic envoys to China, and representatives of foreign students from over 100 countries and international organizations in the world attended the forum, both online and offline. Themed "Putting People First and Global Human Rights Governance," the forum conducted in-depth discussions on topics such as building a global community of health for all and protecting human rights, anti-poverty and realization of the right to development, multilateralism and global human rights governance, as well as the role of developing countries in global human rights governance. The participants achieved a wide consensus on these topics.

The participants believed that President Xi Jinping's congratulatory letter articulates the importance of human rights to the progress of human civilization and delineates China's outlook on human rights as well as its practice in respecting and protecting human rights. They also believed that it underscores China's undertaking to promote the common values of human beings and develop international human rights cause. The participants actively shared their opinions, experience, and suggestions, reaching broad agreement on topics such as reinforcing South-South cooperation in hygiene and health, poverty alleviation, and climate change, propelling global human rights governance within a multilateral framework, and strengthening human rights protection in the Global South. The participants highly recognized the South-South

Human Rights Forum as an important platform for constructive dialogues and cooperation on human rights issues among developing countries, giving new meaning and impetus to communication and cooperation in the human rights field. The participants stressed that within the scope of the United Nations human rights governance mechanism and within the multilateral framework, countries have the right to choose independently their models of human rights governance. Human rights dialogues should be conducted based on mutual respect and dialogues between different cultures.

Wishing to bring the voices of the Forum to a worldwide audience, the organizer compiles and publishes 51 articles generated during the 2021 Forum, including the congratulatory letter, speeches and part of the discussion papers. The views expressed in the articles are those of the authors and do not imply any expression of opinion on the part of the organizer.

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# Preface

# Putting People First: Solidarity and Cooperation for Human Rights

## —Concluding Remarks at the Closing Ceremony of the 2021 South-South Human Rights Forum

Vice Minister of the Publicity Department of the CPC Central Committee  
Jiang Jianguo

With the efforts of all parties concerned, the 2021 South-South Human Rights Forum has successfully completed all sessions and is about to wind down. I hereby on behalf of the hosts, the State Council Information Office of the PRC, and the Ministry of Foreign Affairs of the PRC, extend my sincere gratitude to all the guests who have participated in the forum both online and offline, and to all our friends who have shown support to the forum.

You will recall that Chinese President Xi Jinping sent a congratulatory letter to the forum to welcome all the participants and to express his support for the forum. President Xi addresses in his letter a few important issues: the vital role that human rights play in the progress of human civilization, China's outlook on human rights and practice in respecting and protecting human rights, China's aspirations to cooperate with all developing countries in promoting the healthy development of international human rights cause. The letter has received strong resonance from the participants and broad agreement from the international society.

Showing the support from the CPC and the Chinese government to the forum, the letter crystalizes President Xi's earnest pursuit and undertaking in advancing global human rights cause and building a community with a shared future for mankind. Embodying the value of putting people first and the people-centered philosophy of development, President Xi's letter reveals a comprehensive and developmental human rights outlook, as well as a global human rights governance notion that celebrates the shared values of mankind and upholds true multilateralism. The letter provides a new perspective on the development of South-South human

rights cause and inspires global prosperity and development.

Mr. Huang Kunming, Member of the Political Bureau of the CPC Central Committee, Secretary of the Secretariat of the CPC Central Committee and Minister of the Publicity Department of the CPC, attended the opening ceremony of the forum, read President Xi Jinping's congratulatory letter, and delivered a speech. Echoing the theme of the 2021 Forum, he raised four proposals which were met with wide agreement among the participants. The four proposals are: putting people and their lives first and protecting the dignity and value of everyone; pursuing common prosperity and sustainable development; pursuing cooperation based on equality and sharing the fruits of development; and improving the global human rights governance system with a focus on upholding equity and justice.

The forum coincided with the publication of President Xi's new book *Xi Jinping on Respecting and Protecting Human Rights*. The book compiles President Xi's important statements on respecting and safeguarding human rights since the 18th CPC National Congress. It contains the Party's rich experience and latest theoretical achievements on putting people first and protecting human rights. A significant work in this field, the book inspires China's continuous efforts to better protect the Chinese people's human rights and to contribute to building a more just, fair, and inclusive global human rights governance system. We trust that the readers will resonate with a series of latest notions proposed by President Xi, including "putting people first," "living a life of contentment is the ultimate human right," and "building a human community with a shared future." The readers will also be impressed by the strong commitment and relentless pursuit of the CPC and the Chinese government towards the healthy development of human rights cause in China and across the globe.

Distinguished guests, dear friends,

The Global South is an important force in advancing the global human rights cause. Since its founding in 2017, the South-South Human Rights Forum has become an institutionalized platform of communication among developing countries on human rights issues and a vehicle of great significance in terms of promoting South-South human rights cooperation and global human rights governance. At the 2021 Forum, more than 300 representatives from over 100 countries and international organizations conferred under the theme of "Putting People First and Global Human Rights Governance." Much has been achieved in terms of sharing opinions, experiences, and outlook as well as exploring cooperation prospects in this field.

Please allow me to share a few points that impressed me the most from observing the discussions at the 2021 Forum.

Firstly, all countries should prioritize the protection of their peoples' rights to life and health, given the reality that coronavirus continues to ravage the world and threatens everyone's rights to life, health, and development. Practice has shown that to win the anti-pandemic battle, we must put people's lives and health first and respect the value of human life and the dignity of every single person. No country is immune to the threat of the COVID-19 pandemic. Adhering to the vision of building a global community of health for all, it is essential for all countries to strengthen international cooperation in terms of pandemic control, treatment, and vaccine-developing. To clinch an early victory against COVID-19, major vaccine-developing and producing countries—especially those of the Global North—need to take up their responsibility to make COVID-19 vaccines more accessible and affordable for the Global South, assist developing countries in improving their public health systems to better respond to the pandemic.

Secondly, advancing the human rights cause through development is an important way to enjoy human rights in the full sense of the term. The participants agree that development is the key to alleviating poverty and reinforcing human rights protection in an all-round way. To advance the human rights cause through development, countries should place a priority on safeguarding their peoples' rights to life and development and strive to ensure the following rights of their peoples are addressed: the rights to sufficient food, clean water, housing, and healthcare, the rights to education and employment suitable for the fulfillment of individual development and the rights to a stable, peaceful, safe, and healthy living environment. The international society should put efforts into improving the global development environment and not neglect the particular needs of developing countries. Global collective actions are required to achieve a more balanced, coordinated, and inclusive global development and to step up the progress of attaining the United Nations' goals in the UN 2030 Agenda for Sustainable Development.

Thirdly, it is crucial for a country to base its independent choice of human rights development path on its own national conditions. The participants agree that the notion of human rights should be analyzed from a historical, developmental, and case-specific perspective. Based on upholding the universal principles of human rights, the diverse political, economic, social, cultural, historical, and religious



conditions of different countries shall be considered, to select a development path that befits the conditions of a country. The international society has witnessed new human rights problems arising in some regions caused by external forces on the part of certain countries to forcibly impose their views and models of human rights on other countries. The participants share the understanding that the human rights status of a country shall be evaluated not by a blanket application of a single view of human rights nor with any ideological bias. Instead, it should be evaluated on the part of the people of the subject country, by their satisfaction and whether their fundamental interests are safeguarded.

Fourthly, multilateralism is the correct approach to improve global human rights governance. The participants agree that countries shall enshrine and practice real multilateralism with a commitment to an international system with the United Nations as its core, an international order based on international law, as well as international relations governed by principles and basic norms of the UN Charter. The international society shall strive to democratize and legalize international relations and by doing so, enhance the representativeness of developing countries and highlight their voices in the multilateral mechanism. A more just, fair, and inclusive global human rights governance system shall be built based on broad consensus attained from extensive consultation. The participants agree that to create conditions for the full realization of human rights, countries should step up international cooperation to collectively preserve peace, security, and stability, advance economic and social development, and eliminate obstacles to the full realization of human rights. Towards better mutual understanding and constructive cooperation, international human rights cooperation shall be based on the principles of non-selectivity, non-politicalization, mutual respect and equality.

Distinguished guests, dear friends,

2021 marks the 100th anniversary of the founding of the Communist Party of China. Over the past hundred years, the Party has led the Chinese people in blazing a new and uniquely Chinese path to modernization that creates a new model for human advancement. It has profoundly transformed the future of the Chinese people and nation and altered the landscape of world development. The Chinese people will continue to stand together with all developing countries in solidarity for their just struggle for national sovereignty, security, and the benefits of development. Reiterating its commitment to the advancement of common

development, China will persevere in creating new opportunities for the world with its own development.

The forum brings us together to discuss the advancement of human rights cause in developing countries and across the globe. Through intensive discussion and consultation, the participants shared their experiences and thoughts with each other and contributed to a better understanding and coordinated progress among developing countries in the human rights field. On behalf of the organizer, I wish to express our sincere thanks for all the support and understanding received from the participants. We hope this event will leave you with dear memories.

It is tough to say goodbye, but we shall see each other again at the next forum in two years' time. We wish you every success and happiness.

I would like to announce the successful conclusion of the 2021 South-South Human Rights Forum.

Thank you very much.



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Part One :

Building a Global Community  
of Health for All and Protecting  
Human Rights

## Human Rights Protection in the Context of the Pandemic: Main Challenges and Response Mechanisms

Vladimir Norov  
Uzbekistan

Now, the topic of human rights that must be observed in the first place not only remains simply urgent but is becoming increasingly important against the background of the spreading coronavirus pandemic. The South-South Human Rights Forum in this context deserves its status as a respected platform for discussing the current situation of human rights and the new challenges that society faces.

Undoubtedly, the COVID-19 pandemic is a modern crisis necessitating the adoption of unprecedented measures. Having disrupted a familiar world order, the pandemic is checking the strength of political and economic systems in numerous countries and the mechanisms for implementing fundamental human rights and freedoms. Unfortunately, the virus takes away many human lives and many things we care about. We shall not permit it to wipe away our main values and cause even bigger inequality among people, given that they are already suffering.

Under the epidemiological situation that transpired, we need a global approach that is oriented more toward the needs of civil society and presupposes that the COVID restrictions would be commensurate with human rights and their protection. Given the priority task of human health maintenance and life support processes, a fast provision of required medical assistance is the response measure to eliminate the consequences of the coronavirus infection. The limited resources of organizations in the field of health care may not justify discrimination against certain patient groups.

Every person has the right to their health: It is one of the important standards in the field of human rights in the Shanghai Cooperation Organization (SCO) member states. The Heads of the Organization's member states call upon the world community to abstain from politicizing the issues related to the pandemic and support the idea of

a fair distribution of COVID-19 vaccines that should become the common property of mankind. China's experience in the field is very inspiring: The country has provided more than 100 countries (the majority of those being developing countries) with a total of 1.7 billion doses of vaccines. The psychological health of society calls for special attention. According to UN research, the level of domestic violence during the pandemic has increased to 33%. In situations of quarantine, home has become a place of "constant fear" for many women and children. The COVID-19 policy must take into consideration not only medical aspects but also human rights aspects. In such a difficult crisis, forgetting the internally displaced persons, the persons deprived of their liberty who are held at places of detention, the elderly and disabled persons, and those who do not have a permanent place of residence would be unacceptable. These persons are subject to an increased risk of coronavirus infection due to their limited access to sanitation services, food, and adequate housing. COVID-19 causes problems not only in the field of health care: This virus also increases xenophobia, hatred, and alienation. Currently, there are numerous accusations of countries refusing to provide medical services to migrants. Such information items encourage the international community to focus on promoting the human rights of society's most vulnerable groups. During its twenty years of development process, the SCO has assumed the role of one of the leading multilateral associations to provide a comprehensive response to security challenges and threats while ensuring sustainable economic development and deepening a dialog among civilizations with a view to preserving peace and stability in the region.

The SCO is the best platform for converging national development strategies, transnational projects, and integration initiatives. In accordance with the UN Charter principles, the rules of international law, and the national laws, the countries of the Organization reaffirm the universality, indivisibility, interdependence, and interconnectedness of all human rights, as well as their obligation to respect fundamental human freedoms. Human rights problems are enshrined in the SCO Charter as well as Dushanbe and Moscow declarations of the Heads of the SCO states. Two countries that established the SCO, Russia and China, have once participated in the joint drafting of the relevant Declaration of the United Nations Commission on Human Rights resulting from the tragic lesson of World War II. In the conditions of the pandemic, the SCO member states continue demonstrating a high level of solidarity, unity, and cohesion in line with the "Shanghai Spirit" when solving the

problems that came into existence. Besides, they also showed readiness to provide comprehensive and effective support and mutual assistance in the matters of medical, social, and other protection. At the Moscow SCO Summit, a Statement was separately approved on the joint response to coronavirus infection and the implementation of comprehensive sanitary and epidemiological measures. The regular meetings of the Chairpersons of the Supreme Courts of the SCO member states are a reliable mechanism for improving joint activities in promoting human rights and freedoms and strengthening justice and the rule of law. Over the recent years, due to the interaction in this format, positive experience has been accumulated in legal assistance, judicial reforms, legal services, the protection of the interests of citizens and legal entities, and the legal education of the population. The Supreme Courts of the SCO member states are also ready to share their experience in countering torture and stopping illegal migration, paying attention to prevent such problems. The SCO stands for providing the Organization with judiciary authorities to protect child's rights.

We are convinced that the most important conditions for ensuring right to decent life are the social factors, such as employment and a decent salary, access to medicine, and high-quality education. This is especially true in the ongoing COVID-19 pandemic, when virtually all major sectors of the global economy are under severe stress, either stagnating or continuing to decline, which leads to a sharp increase in unemployment and poverty levels in many countries. The SCO is ready to contribute to the global struggle against this challenge and share the national experience and practices of the Organization's member states to improve the well-being and prosperity of citizens. In this context, we praise the poverty alleviation experience of China, the most populous country in the world. The policies of reform and opening-up and targeted poverty alleviation have become an obvious success of the Chinese government, which sets for itself, the task of eradicating poverty and preventing it from passing on from generation to generation. India, Pakistan, and Russia also have significant achievements in eradicating poverty in accordance with their national plans. The SCO member states actively participate in international bodies and associations responsible for promoting human rights. Kazakhstan and Uzbekistan were elected as members of the UN Human Rights Council (HRC). The representative of Uzbekistan was appointed as Deputy Chairman of the HRC.

We believe that the main hopes for rebuilding the world during the post-COVID period will be placed on the young people. It means that now we need to think

about protecting their rights and creating favorable conditions for them to express themselves. However, in the context of the pandemic, mental and physical health, education, professional development, and civic engagement were the most affected aspects of young people due to quarantine and distance learning. In October 2021, at the initiative of Uzbekistan, the SCO, in co-authorship with 60 states, passed an HRC resolution on the rights of young people during the pandemic. The document expresses a concern that the loss of life, the loss of livelihood, the threat to public health, and the destabilization in the economy and society harm the enjoyment of human rights throughout the world, especially the rights of young people. It was stated that it is necessary to eliminate all forms of discrimination resulting in violence and abuse and to eradicate the stereotypes based on gender, age, race, and xenophobia, and enhance social inequality.

The COVID-19 pandemic coincided with the 25th anniversary of the adoption of the Beijing Declaration and Platform for Action that set forth the goals of the policy on gender equality and the protection of women's rights, to which all SCO member states committed themselves. Considering the implementation of women's rights as one of the conditions for ensuring social justice, the SCO member states have achieved significant success over the 20 years of the Organization's activities: They have laid down national legal foundations for gender equality and adopted appropriate national programs to enhance women's role in the society. Conventions on this topic have been ratified and are being implemented. In accordance with the basic moral principle of the Organization, "Shanghai Spirit," we regularly hold events dedicated to the women's agenda in Beijing, Dushanbe, and other places. The women's forums of the SCO countries have united our entire "family" and contributed to the consolidation of the women's SCO potential, thus increasing women's participation in the activities of the Organization and the sharing of experience among specialized women's organizations. The UN Secretary-General António Guterres pointed out that the task of achieving gender equality is far from complete. Nevertheless, we can state that, in general, we have done a lot to improve the situation of women in the SCO region.

Finally, I wish all Forum participants successful and fruitful work in supporting the protection of the rights and freedoms of people, fulfilling their potential in the interests of the development of our countries.

(Vladimir Norov, Secretary-General of the Shanghai Cooperation Organization)

# Harnessing the Right-to-health Information on COVID-19: Exploring Botswana Television's Functionalist Communication Strategy

Gopolang Ditlhokwa  
Botswana

## I. Introduction

The sanctioning of human rights in healthcare has for a long time been part of bigger debates. According to the different dimensions echoed by previous researchers, it is clear that there is a need to revisit the application of the “right to health” as a fundamental human right concerning information sharing and public education, to underscore its meaning and purpose, and to merge both the underlying traditional and contemporary practices geared towards embracing human rights in health. Previously, there has been habitual misperception stemming from illusions of the perceived violations of human rights in health, as usually being indistinct. According to Mann, the World Health Organization (WHO) stipulates and recognizes health promotion as a necessity for human rights protection, by ensuring that the mental, physical and social well-being of every individual is prioritized at all levels. It is within this scope that emerging issues mostly speak to a lack of proper medical care, unfair treatment by health professionals (ethical misconduct), and inadequate policies that govern the existing health practices rather than addressing the pivotal role played through information facilitation. The Geneva Declaration of 2005, for example, recognizes the media to be a strategic partner fulfilling trust whenever a public emergency occurs; it realizes knowledge improvement by providing education to encourage appropriate actions and behaviors when dealing with health emergencies to strengthen cooperation within societies. This study, therefore, seeks to understand the propagation of information during the recent COVID-19 pandemic by studying the case of television as a medium of information dissemination in Botswana.



### 1. COVID-19 Program on Botswana Television

Botswana Television (BTV), a government-owned broadcaster, began its operations in July 2000 with the mandate to educate, inform, entertain and most importantly, disseminate government information. The BTV program named *COVID-19 Botswana Responds* is a presenter-driven studio-based program, where various guests are invited for sit-in discussions on a range of topics concerning any information related to COVID-19 management, hence its naming. The guests come from different government departments, parastatals, and non-governmental organizations across Botswana. Most importantly, the program runs separately from the news bulletin, with an extended time of around one hour. The program varies the number of guests between one and three at a time. If there are more than three guests, the program will be broadcast in two parts: the first segment with other guests and the second with the remaining. Most importantly, the program runs simultaneously on broadcast network and Facebook live streams. At the end of the show, the previously streamed episode [on Facebook] can be replayed anytime.

### 2. Integrating Television with Facebook

Facebook has attracted irresistible research interest, viewed as one of the most used social networking sites (SNS). A couple of years ago, social media's rise almost threatened the existence of traditional media, as it was poised to take over the information space. However, that is not the case anymore. For example, the phenomenon of audience engagement has seen great changes. Notably, a combination of Facebook and television improves active participation from the social audience. During public emergencies like COVID-19, which spreads quickly from human to human, there is a need for a swift public outreach utilizing technology. Aided by its feature Facebook Live, Facebook's popularity was sharply increased by the developed technologies that propagate information sharing and customized devices that allow for switching between the device's connectivity.

## II. Literature Review

### 1. Health Information

A majority of studies view health information from the perspective of medical records, with much emphasis on improved healthcare systems, especially with infectious diseases. Improvement is used herein, to selectively refer to efficiency

through computerizing health-related data. When investigating the usage of the Internet as a search tool for health-related information, scholars did a deep analysis that positioned public health organizations at the forefront of making available medical information via Web 2.0 applications for ease of access. These include information on social media networks. Although both of these studies pursue technological inclusion in health information, what distinguishes their views is that the former focused more on health informatics data, while the latter skewed towards information published on the Internet either for public consumption or otherwise. Other scholars underscored the view of equal information distribution as regards health matters by strongly arguing that there are visible disparities in the way people access health information from the media. This goes further to suggest an imbalance in trust levels between different social groups about their preference for the Internet over traditional media or vice versa. Given the above, the merger between television and social media becomes an emerging theme that needs further exploration, especially within the scope of the functions of the media, the government, and the society that is served by the media.

## 2. Functionalism and Information Propagation

Within the framework of media and society, tenets of mass media's functional role position themselves within broader perspectives. Two major contraries emerge on the positioning of the society within which the media operates. For example, scholars argued that both the theoretical and methodological grounds of functionalism in the media commonly recognize the media holistically, regardless of the medium. This kindles diverse discourses on the tangible "functionality" of information dissemination taking a monomorphic form rather than distinct demarcations of operational boundaries. Couldry critically advanced submissions beyond functionalism and proposed that the media function as a mediator in society. This process acts as a pivot between two fields, health, and human rights, in which the functions of members of a society are determined by the state of their health. Hence, it is deeply rooted that good health is a lifesaving necessity as proposed by the WHO. Drawing from Heal, strategies applied in functionalism are resultants to answering societal needs of being. It is, therefore, fundamental to base this study on the following question: How has the strategy for the livestream COVID-19 program harnessed the audience's right to health information?

### III. Methods

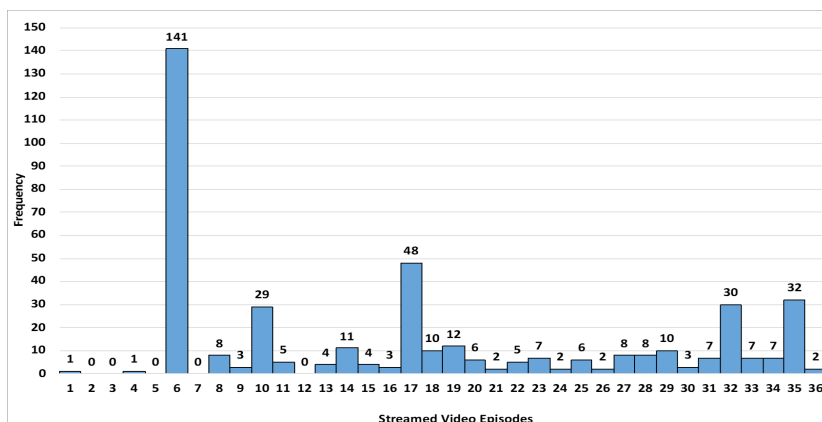
This study is a quantitative research, based on primary data collected from streamed video content and survey questionnaire in a certain period. Williams noted that in quantitative research, the collected data can be statistically measured, and the findings can be presented in tables, charts, and graphs. Given the aim of this study as highlighted earlier, the data sample for content analysis was a selection of 36 videos (N=36) that were streamed between March and June 2020. The process was only narrowed down to recording the number of comments, viewership, and total likes received by the streaming videos. Peruta and Shields recently studied how universities were marketed on Facebook by conducting a content analysis on Facebook posts. This validates the usage of this method of analysis on the platform. Through observation, the number of views, comments, and likes (the types of symbols viewers used to react to the videos) were recorded. Observation is effective in primary data collection.

### IV. Results

#### 1. Comments

In all the 36 episodes (videos) reviewed, there were 424 comments. Episode 6 recorded the highest number of comments (141) while episodes 2, 3, 5, 7, and 12 recorded the lowest (0) comments (see Fig.1).

**Fig. 1: Comments distribution by episode**

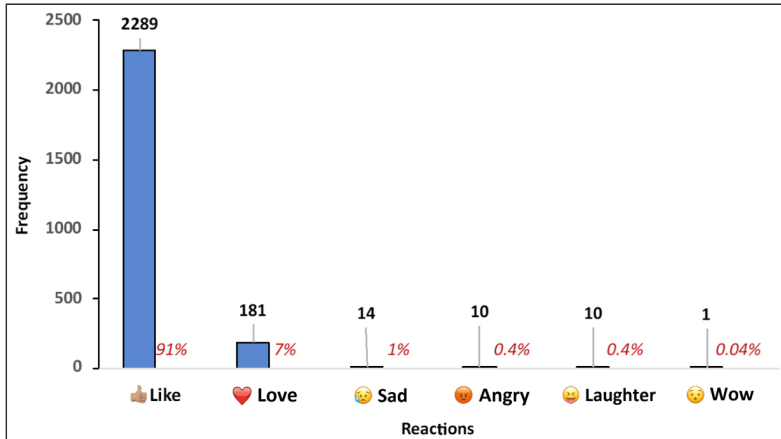


#### 2. Reactions

2205 reactions were recorded from the selected episodes. 2289 (91%) were *likes*,

with 181 (7%) *heart* reactions (*love*), 14 (1%) *sad* reactions, 10 (0.4%) *angry* reactions, 10 (0.4%) *laughter* reactions and 1 (0.04%) *wow* reaction (see Fig.2).

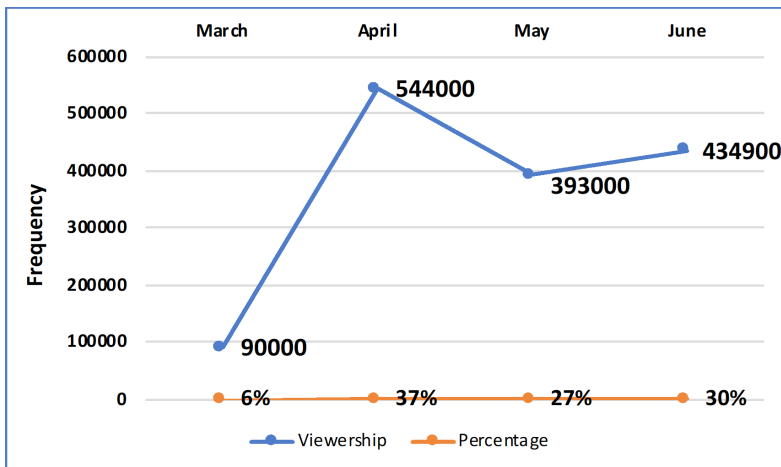
**Fig. 2: Summary of reactions**



### 3. Viewership

All the episodes accumulated 1,461,900 views between March and June 2020. March accounted for 90,000 (6%) views and April 544,000 (37%) views. May had 393 000 (27%) views and June 434,900 (30%) views (see Fig.3).

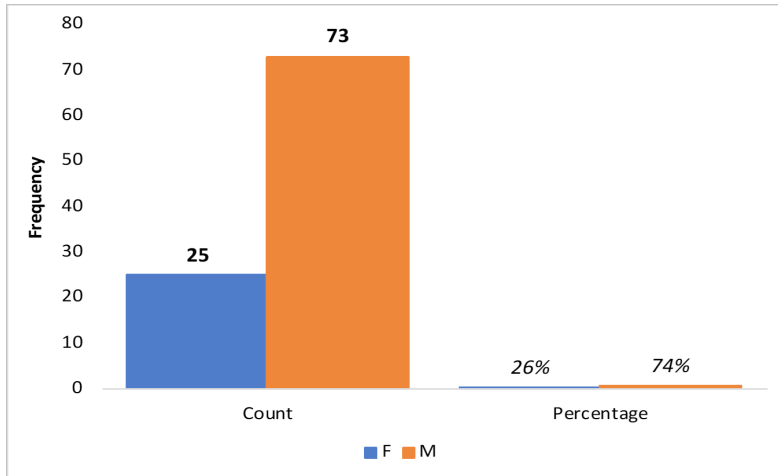
**Fig. 3: Viewership patterns**



### 4. Selection of Guests by Gender

Of the 98 studio guests, 73 (74%) were male, while 25 (26%) were female. Fig.4 below presents gender distribution by studio guests.

Fig.4: Selection by gender



## V. Discussion

### 1. Comments

The number of comments revealed by the results denotes that more than half of the episodes have been commented on, compared to those that did not have any comments; also, a sizable number of them were real-time comments. Those posted during the live stream are identified by a timestamp depicting the exact time that they were posted. This further suggests that the program was accessible to many viewers as a live stream rather than as a recorded program. Thus, the highest commented-on episode attracted 141 comments in total, where many questions, exchanges, and opinions converged in the comments section. The episode featured a cabinet minister who addressed the audience on labor-related matters at the height of a lockdown. Through the comments, a lot of interest was mostly drawn towards the informal sector partakers who demanded to know the government's position on their welfare during extreme social distancing.

### 2. Reactions

Given the total recorded reactions in the results, a *like* reaction (represented by a *thumb* symbol) was the leading reaction used in each episode. Having accumulated 91% usage out of the total reactions in the program, it is worth noting that the program certainly became relevant and well-received by most of the Facebook audience. A *like* on a post is associated with the user having "enjoyed" the content. Therefore, reacting with a *like* inclines more towards a positive than negative effect

on a post, especially when users have a kind of connection to the post in question. For instance, Eranti and Lonkila argued that in a networked audience like that of Facebook, a *like* can be used as an influencer from one user to the other, solidifying the finding that episodes with many comments also had a high number of reactions.

Regardless of other reactions not being greatly used akin to a *like*, the audience still conveyed emotions using the available facial symbols [*laughter, wow, sad and angry*], and a *love (heart)* reaction introduced by Facebook in 2016 for global usage. Reactions such as *sad* and *angry* were mostly used in episodes that discussed sad news such as death announcements and the rising spread of the virus, whereas *love, wow* and *laughter* were neutrally dispersed around different episodes that did not bear any sad reports.

### 3. Viewership Patterns

The results have also shown over 1 million views of all the episodes between March and June 2020. Previous studies have examined online video content “views” for other social media platforms such as YouTube, and tallied this kind of viewership with content popularity, hinting at a high demand for COVID-19-related updates during this period. As the results indicated, the month of April saw a rise in viewership, surpassing other months that were studied. This was in line with the view that there was a surge in online live-streamed television content viewership during the pandemic, compared to that of cable networks and satellite television viewership through June 2020. While they recognize the existing relationship between views and popularity, Ham and Lee acknowledged that it would be inappropriate to assume that high numbers in viewership would signal good content. They argue that proving whether the content is good or bad is a subjective matter, sanctioned at a personal level.

### 4. Gender Representations

The program constructively considered the use of both male and female subjects in the studio discussions. However, the majority of those were males. Out of the 98 guests, 25 were females compared to 73 males as the results have indicated. The fact that two presenters hosted the program and both were female still did not prove a balanced gender representation on the program, especially with the everyday faces that the audience would see in-studio discussions, deliberating on public interest matters. Females have been underrepresented in television programming. This has the potential to affect the effectiveness of the program, despite the message of the program being well received. Some audiences may prefer or get motivated when

being addressed by the gender they associate well with rather than the opposite gender. Natharison and Perse argued that men and women have a history of using television differently, which stems from the psychological connections they have.

### 5. Strategy for Selecting Topics

Deriving from its name, *COVID-19 Botswana Responds* is a delineation that the program meant to respond to or publicize Botswana's efforts towards fighting the pandemic. The topics discussed more about the control, management, and prevention of the COVID-19 spread. These topics reflected on ideas by professionals coming from both the government and civil society groups to discuss their mandate to collaborate in the fight against the virus, including individuals who were affected by the virus, either through the loss of a family member or being a survivor. This shows an effort made to harness the new and available information about the state of the country in the fight against the virus. As a state-owned television station, BTV succeeded in safeguarding public safety by providing daily updates on different topics and using real subjects (individuals) to address issues related to the containment of COVID-19.

### 6. Inviting Community Leaders to the Program

Strategically, there was a mix of guests, not only from government departments but also from civil society organizations, academics, and independent health professionals to share their efforts in the fight against COVID-19. Scholars underscored the importance of community leadership engagement as a strategy for public outreach and project management during a Tsunami occurrence in Japan, and the active participation of non-governmental actors during the COVID-19 pandemic recently. Although the positioning of the topics tilted towards the mandate of the government through its ministries and departments, it shows the sensitivity of COVID-19-related information and handling it in the highest regard. Hence, the program was used to ensure more credibility for the information released for public consumption. Researchers have presented varied findings on the power of television in shaping peoples' thinking and influencing behavior and the influence of content on social networks. On repeated occasions, the public, through the program, were reminded to adhere to the COVID-19 protocols, including movement restrictions, washing hands with clean water and soap, sanitizing, wearing masks, etc. It should also be noted that the way questions were molded was mostly for guests to provide formal responses to either an ongoing public outcry or the potential misunderstanding about the virus, positioning the government and stakeholders at the forefront in the

fight against the pandemic.

## VI. Conclusion

Information about the COVID-19 pandemic was fairly disseminated by BTV, given that it was provided simultaneously both on its satellite and Facebook page and viewership was satisfactory on their Facebook page, as the program was educative and addressed a wide range of issues. It is worth noting that many of the guests were specialists in different fields, community leaders, and volunteers. The strategy to live-stream the program on Facebook also boosted its accessibility as it offered convenient options for accessing information about COVID-19. Despite having adequately propagated health information to the citizens, gender equality was overlooked, especially in the representation of females in key strategic leadership positions either in their communities or in government and parastatals. As discussed in the results earlier, there was a significant gap between male and female studio guests, suggesting that more still needs to be done in terms of empowering women to be voices of authority on issues of communal concern. While acknowledging the free flow of information through television and social media, it was evident during the show that BTV paid less attention to addressing key questions left by the audiences in the comments. Promptly answering and giving feedback to such questions could be one way of fulfilling the right to health information by giving clarity whenever the need arises, since new media makes interactions easier.

## VII. Recommendations

BTV should consider having a social media moderator, focusing on Facebook to monitor the comments and provide instant feedback during every live stream or refer all the questions asked to the live program, for the host to reiterate questions to the studio guest, to effusively fulfill the right to the health information on their audience.

Issues of gender equality should be taken into consideration, especially when dealing with matters of public concern like health management. There was a huge gender disparity among guests in the program discussions. The 74% of males over 26% of females needs to be revisited and ensure a balance of ratio for voices that represent all genders in the program.

(Gopolang Dithlokwa, PhD Student at Communication University of China)



# Vision on the Protection of Right to Health in the Post-Pandemic Era

Han Dayuan  
China

The 19th CPC National Congress clearly proposed the “implementation of the Healthy China strategy,” which regards people’s health as an important symbol of the prosperity of the nation and the country. The national health policy and the protection of the right to health have become an important vision of national priority for development, reflecting the CPC’s concept of “people first” and “life first,” and providing fresh Chinese experience and wisdom for the development of human rights. The right to health is not only an issue involving individual citizens but also a major issue at the social and public level and even the state level.

## I. The Right to Health and National Development Strategies

In China, people’s right to health is the foundation of all rights and freedoms and a priority for national development. The supremacy of life is the core value of a country featured by the rule of law. It is also a national obligation that the modern government should fulfill first. In August 2016, the CPC Central Committee and the State Council issued the Outline of the “Healthy China 2030” Plan, which clearly stated that “people’s health should be given the strategic position of top priority.” The development of a country requires multiple development strategies. Different areas have different development strategies, such as science and technology development strategy, marine development strategy, cultural development strategy, etc. However, health development strategy should undoubtedly be that of top priority. Protecting people’s right to life and health and providing security for people’s lives are the obligations of the government stipulated in the Constitution. “People are the root of the state. The key to national governance lies in winning people’s hearts. A government can only succeed by following the people’s will.”

With the basic vision of meeting people's expectations for a better life, the 19th CPC National Congress proposed "promoting the building of a Healthy China and implementing the food safety strategy." While modernizing the national governance system, the government's primary obligation is to ensure the health of the people and provide basic security for their lives. To implement the Healthy China Strategy, we must pay attention to the right to health, which is based on human dignity. People have the right to demand that the state, society, and industry respect every citizen's right to full and reliable health, including the right to safe food.

In essence, the modernization of the international governance system and governance capacity is a process of safeguarding and realizing the system of national core interests. This system includes many elements, incorporating maximizing the traditional and non-traditional security of national politics, economy, finance, and information.

Therefore, in the national governance system, the right to health should become the priority interest of the state, as well as the basis of national strategies. Food safety, which is related to the most relevant interests and the most basic rights and interests of the public, should become the top priority.

## II. The Right to Health Fundamental to Human Dignity

To give people's health a strategic priority in development means to put people first and always regard them as the most important. The most important thing for people is not wealth, but health. Without health, there is no room for spiritual life, social rights, and happiness. Health is the foundation of all human rights and dignity. Prioritizing the protection of health requires that people remain the subject, be respected, and not be marginalized or treated as a tool. At the expense of people's health, all achievements and interests are in essence not in line with the fundamental interests of the state. People's health, sense of security, and dignity are the fundamental purpose and basis of a state.

The right to health is the most basic human right that people should enjoy and a basic right that needs to be guaranteed by the state. There is no right more important than the right to life and health in this world. The right to health is not only the basic right and the basis of dignity but also the consensus of human values.

The right to health is a "bottom-line interest" that should be considered a priority value in national development goals and strategies. As bottom-line security,

the right to health is reflected in its priority status. When conflicting with other interests or values in the national interest system, it must be guaranteed first. No other interests can override life and health.

The right to health is an open system of human rights. Human rights are freedoms to which every human being is fully entitled, deriving from his or her inherent dignity. They must be fully respected and guaranteed by the state. With the development of technology and the changes in society, the traditional right to life can no longer meet people's understanding of the nature of life, nor can it meet the needs of mankind to cope with new challenges in the information era. We want to pursue a dignified and high-quality life nowadays, but biological, physical, chemical, and other kinds of food contamination cause people's fear, while environmental pollution exerts a negative influence on people's quality of life. Therefore, it can be said that the concern for health and the protection of the right to health have become a new form of rights beyond the traditional right to life, and become a guarantee for the long-term peace and stability of mankind. Second, the combination of information carriers and industrial technologies further challenges the right to health. Social governance is also facing a complex situation of coexistence of online and offline governance and that of market, service, and information supervision, which challenges a state's ability to protect the right to health.

The right to health is a safely acquired right to claim. It means that we have the right to demand that the state and society have an obligation to establish a framework for whole-process supervision, establish a strict culture of health, and provide a full range of services to the people. For example, in the field of food safety, the conflict between regulatory means and links should be avoided, and the hidden dangers of food contamination should be eliminated in all links and chains to the greatest extent. The right to food safety corresponds to the logic of technological security in the era of industrial civilization and meets the request for information security in the Internet era. The right to health inevitably implies the right to claim information disclosure and sharing, which expands the connotation of rights in the information age. It also means that the state and government are more diligent, rigorous, and honest in fulfilling their information disclosure obligations.

### III. The Right to Health Implying the Value of Social Justice

On the issue of social justice and health, the traditional academic explanation

seems to put health outside the scope of justice. The right to health has not been included in the value system of justice. This is our misunderstanding of the value of justice. Based on the intrinsic value of justice, human health naturally becomes the goal and content pursued by justice. In particular, in the face of the severe reality of the COVID-19 pandemic, from the perspective of practical rationality, justice, and health need to be combined so that justice can gain a broader value space.

The basic principle of the human right to health is that people are the center and the purpose of a state, which is the essence of social justice. What matters most for a person is not wealth, but health, so that everyone can attain “the highest attainable standard of physical and mental health,” as stipulated in para.1, art.12 of the International Covenant on Economic, Social and Cultural Rights.<sup>[1]</sup> The health required by the covenant is not limited to the right to health care. This right encompasses both freedoms and rights. Health is the foundation of all human rights and dignity. Prioritizing the protection of health requires that humans always be the subject. People’s health, sense of security, and dignity are the purpose and foundation of the existence of a state. When there is social unfairness, injustice, food insecurity, and environmental pollution, people will not feel secure. As long as people have a sense of security, the country has a sense of security. Therefore, people’s health is the foundation of national security and the basic dignity of human beings. If social inequality directly harms human health, “in real life, not only is health directly related to other aspects of inequality, but social inequality in turn affects a person’s health.”<sup>[2]</sup>

In the post-pandemic era, people’s attention to health also raises higher requirements for transparent, authentic, timely, and scientific information. The right to health inevitably implies the right to claim information disclosure and sharing, which is an expansion of the connotation of rights in the information age. It also means that countries and governments should fulfill their obligations to make information available. In this regard, the international community has put forward new guidelines and standards for the balance between justice, human rights, and the right to health. For example, in April 2020, the World Health Organization released a document entitled “Addressing Human Rights as Key to the COVID-19 Response.”

[1] Yang Yuguan (Ed.). (2005). *United Nations Human Rights Treaty Bodies and Their Comments* (pp.122-123). China People’s Public Security University Press.

[2] World Bank. (2013). *World Development Report 2006: Equity and Development* (p.32). Tsinghua University Press.

The document addresses health and human rights considerations and emphasizes the integration of a human rights-based approach into key considerations of response to the pandemic, including the elimination of stigma and discrimination, the prevention of violence against women, the support for disadvantaged groups, the adoption of quarantine and limiting measures, and the compensation for shortages of supplies and equipment. This guideline reflects the guidance of ethics and the basic consensus of the international community based on the values embodied in human rights, among which the maintenance of justice is the most basic requirement for the realization of human rights. Meanwhile, the United Nations released a statement called “We are all in this Together: Human Rights and COVID-19 Response and Recovery.” It examines the right to life and the obligation to protect it, the right to health and access to health care, the freedom of movement, and the rights to equality, non-discrimination, and inclusion as they relate to vulnerable and marginalized groups. It was also requested that stringent security measures could exacerbate existing threats to peace and security or create new ones. The best response is for security measures to respond proportionately to immediate threats while protecting human rights under the rule of law. The socio-economic consequences of the pandemic have had a disproportionate impact on the rights of women, children, the elderly, and all disadvantaged groups. Therefore, there is a need for targeted responses and inclusive policies to uphold the right to health of everyone with the value of justice.

#### IV. Protecting the Right to Health and the Human Rights Action Plan of China (2021-2025)

In 2004, the National People’s Congress amended the Constitution to add the “respect for and protection of human rights.” To realize the constitutional principle of “respecting and protecting human rights,” the Chinese government has successively formulated the National Human Rights Action Plan (2009-2010), National Human Rights Action Plan (2012-2015), National Human Rights Action Plan (2016-2020) and National Human Rights Action Plan (2021-2025). With the implementation of the four National Human Rights Action Plans, the people’s rights and freedoms have been effectively protected, and the legal protection of human rights has been strengthened. China has fully participated in global human rights governance and contributed to the development of the world human rights cause.

The National Human Rights Action Plan is a phased policy document of

the Chinese government to promote and protect human rights, covering political, economic, social, cultural, and other fields. The Chinese government has formulated it in response to the initiative of the United Nations to formulate a national human rights action plan and in accordance with the basic provisions of the Universal Declaration of Human Rights and international human rights treaties to promote the development of human rights. The fourth National Human Rights Action Plan (2021-2025) was released by the State Council Information Office of the People's Republic of China on September 9, 2021, setting phased goals and tasks for respecting, protecting, and promoting human rights from 2021 to 2025. The five years from 2021 to 2025 are the first five years when China embarks on a new journey to fully build a modern socialist country and march toward the Second Centenary Goal after completing the building of a moderately prosperous society in all respects and realizing the First Centenary Goal. Building a modern socialist country in an all-round way is a new starting point for the development of human rights in China. The goal of formulating and implementing the National Human Rights Action Plan (2021-2025) is to promote the free, comprehensive, and common development of all people as the overall goal of human rights development. In the action plan, the fifth section of Part I. "Economic, Social and Cultural Rights" specifically provides for the right to health and emphasizes the establishment of state policies and institutions to protect the right to health.

The basic concept of the international protection of the right to health is that the Healthy China initiative will be implemented in full to provide a complete range of health services to people throughout their lifespan. The ability to combat major epidemics and respond to public health emergencies will be considerably reinforced. The Chinese people will be healthier both physically and mentally and enjoy better and more equal healthcare. Among them, special emphasis is placed on building "a strong public health system." "Following the principle of putting people and lives first no matter the cost, China will continue to take effective measures to contain the COVID-19 spread."

To realize the vision of protecting the right to health, the government will develop specific institutions and policies over the next five years: (1) China's disease prevention and control system will be reformed, with better monitoring, early warning, risk assessment, epidemiological investigation, testing, and emergency response. The medical and health service system should be improved. (2) The

development of public hospitals will be strengthened. Services provided by town, township, and community healthcare centers will be raised to national standards by improving public hospitals and medical service networks for urban and rural areas. Provincial and city hospitals will be encouraged to share quality medical resources with their county-level peers. (3) The prevention and control of chronic and endemic diseases will be strengthened. National Demonstration Areas for Comprehensive Prevention and Control of Chronic Diseases will be expanded to cover 20% of China's counties and county-level districts. (4) The scale and quality of medical training will be increased. The number of pediatricians and general practitioners will be increased to address the current shortfall, and the number of registered nurses per 1,000 people will be increased to 3.8. Training programs will be carried out to increase the number of general practitioners per 10,000 people, which will be raised to 3.93. (5) The universal medical insurance system will be upgraded. The state will improve the general support mechanism for covering outpatient medical bills under basic medical insurance and put in place a better system of medical insurance and assistance for major diseases. (6) Medical services for mental health will be improved. A society-wide service system for mental health will be improved to alleviate academic, professional, emotional, and life pressure, as well as other social pressure, and provide post-traumatic care. (7) Teenagers' health and physique will be improved. Teenagers should be encouraged to adopt a healthy lifestyle, take care of their eyes, follow a reasonable diet, and take proper exercise. At least 90% of teenagers should reach the physical fitness standard, and the rate of myopia will not exceed 65% in junior high schools and 75% in senior high schools. (8) Food and drug safety will be ensured. Risk monitoring on food and drug safety, spot checks, supervision, and law enforcement will all be strengthened, timely reporting and response will be accelerated, mechanisms will be put in place to manage drugs and vaccines throughout their life cycles, and the electronic traceability system for drugs will be improved. (9) Intelligent medical service will be promoted. Efforts will be made to improve electronic health archives and databases such as medical records and e-prescriptions. Data sharing among medical institutions will be speeded up. (10) A nationwide fitness campaign will be carried out. Efforts will be made to build public sports fields and facilities, open school sports venues to the public, build more community sports facilities such as sports tracks, and build sports parks in line with local conditions.

## V. Conclusion

Protecting the right to health is not a slogan, nor is it a list of numbers. The building of a Healthy China is becoming a practical reason, a practical policy, and a specific institutional design. This development plan is the most critical work concerning the lives, health, and safety of the people and the future of the Chinese nation.

From the perspective of legal research, researchers should bring the right to health into the academic category and study the protection of this right at a higher theoretical level. The concept of the right to health should be systematized and endowed with new connotations. A complete theoretical system should be formed. In particular, the new type of right to health should be put forward in the knowledge system of traditional jurisprudence, philosophy of rights, and constitutional law. This should not only help effectively explain the practice, but also help ensure coherence in the concept and value system. In the future development described in the “Healthy China 2030” Plan, research on the right to health should become a new intellectual growth point in legal theory. China’s right to health protection mechanism and practice will provide new experience and wisdom for the development of the international human rights cause.

(Han Dayuan, Professor of School of Law and Director of Human Rights Center at Renmin University of China)



# Enhancing the Judicial Protection of Human Rights and Advancing the Building of a Global Community of Health for All

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Since the outbreak of COVID-19, under the strong leadership of the CPC Central Committee with Comrade Xi Jinping at its core, the Chinese people have been “putting people’s lives and health first,” “never missing a single infected one nor giving up even one patient” and upholding the view of human rights “people first, life first”<sup>[1]</sup>. They have overcome all difficulties to achieve major strategic results in the national fight against COVID-19, effectively protected people’s rights to life, subsistence, health, and development, and promoted to building a Global Community of Health for All.

## I. Formulating Rules and Regulations to Ensure Judicial Protection of Human Rights in Pandemic Prevention and Control

The Supreme People’s Court (SPC), with Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era as its guidance, has studied and implemented Xi Jinping Thought on the Rule of Law and strengthened its commitment to the “Four Consciousnesses,” the “Four-sphere Confidence,” and the “Two Upholds.” Centering on the objective of “striving to help people feel fairness and justice in every judicial case,” it takes pandemic prevention and control as the most important work. The SPC formulates and promulgates a series of more than ten judicial interpretations and normative documents on the punishment of pandemic-related crimes by law, the law-based hearing of pandemic-related civil cases and enforcement cases, and

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[1] Xi Jinping. (2020, September 8). *Speech at the Meeting Commending Role Models in the Country’s Fight Against the COVID-19 Pandemic*. *Xinhuanet*. Retrieved from [http://www.xinhuanet.com/politics/leaders/2020-09/08/c\\_1126467958.htm](http://www.xinhuanet.com/politics/leaders/2020-09/08/c_1126467958.htm).

the guarantee of resumption of work and production during the pandemic. It has released 57 typical cases in six batches on providing law-based services for pandemic prevention and control and the resumption of work and production, as a guide for the courts at all levels to focus on advancing stability on the “Six Fronts” and security in the “Six Areas,” to hear various cases legally, fairly and efficiently, and to give full play of their role in judicial function. It also guides these courts in safeguarding the safety and health of people under the rule of law, resuming the economic and social order, and promoting the resumption of work and production during the regular pandemic prevention and control, so that the legitimate rights and interests of the people could be effectively protected. The SPC further enhances political stance, adjusts the work focus and countermeasures flexibly, targets the joint point and breakthrough point of judicial work, and introduces a series of policies and measures based on research. It has strengthened judicial guidance and supervision, guided courts at all levels to intensify judicial enforcement, heard criminal cases on obstructing pandemic prevention and control and disrupting social stability, and properly handled conflicts and disputes related to COVID-19. It has given priority to improving the judicial work of resumption of work and production, making full use of the achievements of the construction of a smart court to meet the judicial needs of people and fully protect their right of action.

The SPC introduces judicial interpretations and keeps strengthening the judicial protection of human rights. The judicial interpretation of the Criminal Procedure Law has been formulated to specify hearing procedures, protect procedural rights, and ensure that the innocent are not subject to criminal investigation while the guilty are fairly punished. By stringently adhering to judicial principles of no penalty without a law, innocent until proven guilty, and evidentiary adjudication, the SPC acquitted 656 defendants in public prosecution cases and 384 in private prosecution cases in 2020. Upholding the principle of seeking truth from facts and correcting mistakes whenever discovered, 1,818 criminal cases were retried, and their sentences were changed according to the trial supervision procedure. The courts in Jiangxi and Yunnan respectively acquitted Zhang Yuhuan and He Xueguang after retrial and commutation. The SPC has strengthened judicial protection of property rights and corrected 34 wrongful criminal cases related, involving 56 people.<sup>[1]</sup> Non-

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[1] Zhou Qiang. (2021, March 8). *The Work Report of the Supreme People's Court. The Supreme People's Court of the People's Republic of China*. Retrieved from <https://www.court.gov.cn/zixun/xiangqing/289731.html>.

imprisonment sentences were applied to 414,000 defendants for minor crimes, and 12,000 were exempted from criminal punishment.

## II. Punishing Pandemic-related Crimes Legally and Severely, Safeguarding National Security and Social Stability, and Protecting the Rights to Life and Health of the People

The punishment for pandemic-related crimes has been intensified. The SPC held a national work conference on the courts nationwide that punished crimes hindering pandemic prevention and control in accordance with the law, released 26 typical cases of this kind in three batches, and strengthened guidance for trial. The courts at all levels are required to severely punish the illegal and criminal acts disrupting the medical, anti-pandemic, market, and social orders in accordance with the law, giving full play to the deterrent effect of criminal penalties to ensure people's safety and health, safeguard social stability and order, and implement pandemic prevention and control as scheduled.

Crimes hindering pandemic prevention and control have been punished in accordance with the law. The SPC, together with the Supreme People's Procuratorate, the Ministry of Public Security, and the Ministry of Justice, issued the Opinions on Punishing Criminal and Illegal Activities that Hinder the Prevention and Control of COVID-19, which clarifies applicable law, improves the working mechanism, and protects the litigious rights. Legal punishment shall be imposed on violating quarantine measures, intentionally concealing symptoms to transmit the virus, producing counterfeit and poor-quality anti-pandemic materials, defrauding under the guise of selling masks, bidding up the melt-blown fabric, fabricating pandemic-related information, illegally hunting wild animals and such pandemic-related crimes. From February to May 2020, 1,535 related cases were concluded to safeguard the life security and health of the people and maintain public health security and social stability. The Chongyang County Court of Hubei Province sentenced the defendant to one year and three months in prison for assaulting a police officer who was executing tasks of pandemic prevention and control, and the Middle People's Court of Honghe Hani and Yi Autonomous Prefecture in Yunnan Province sentenced the defendant to death for killing two people on duty at the anti-pandemic station, safeguarding the health and safety of the personnel and ensuring the implementation of related measures. The local courts in Hangzhou, Zhejiang Province, and other places handed

down severe sentences to defendants who committed fraud with masks and other pandemic prevention materials, resolutely winning the Battle for Masks.

Strengthening the judicial safeguard of medical personnel effectively. The SPC, together with units like the National Health Commission, issued the Notice of Safeguarding the Safety of Medical Staff and Maintaining Good Medical Order in COVID-19 Prevention and Control, severely cracking down on seven types of medical crimes, and creating a favorable diagnosis and treatment environment for medical staff and patients. Severe punishment shall be given to crimes such as violent injury, insult, intimidation, and slander against medical personnel, intentional tearing of medical protective devices, and illegal restriction of personal freedom of medical personnel. The SPC also accelerates the hearing process. Those sentenced to severe punishment or death shall be subject to serving due sentences. The courts in Jianhu County, Jiangsu Province, and other places imposed severe sentences on criminals who violently injured medical personnel during the pandemic prevention and control, making a long-term deterrent. Beijing No.3 Intermediate People's Court sentenced Sun Wenbin to death for killing a doctor from Beijing Civil Aviation General Hospital. By severely punishing those who violently injured medical personnel, we're dedicated to protecting the life, health, and safety of the "heroes in harm's way."

### III. Giving Full Play to the Judicial Function to Comprehensively Promote the Resumption of Work and Production and Protect the Right to Development

The SPC has guided local courts to give full play to judicial functions of resolving conflicts and disputes to respond to the surging number of civil and commercial disputes related to the pandemic and the urgent needs of the masses, and to handle disputes involving economic operation, resumption of work and production, livelihood protection and labor employment fairly and efficiently, striving to provide services for sound economic and social operation.

The SPC improves the policies and measures for resumption of work and production by law-based services. It implemented the Opinions on Procuratorial, Judicial and Public Security Departments Legally Ensuring the Resumption of Work and Production During the Pandemic Prevention and Control, introducing practical and effective judicial policies and measures; formulated the Guiding Opinions (Part I) on Several Issues of Properly Hearing Civil Cases Concerning the COVID-19

Pandemic was formulated, with ten specific measures proposed for the application of force majeure rules to create conditions for the resumption of production and sustainable development of enterprises; released 31 typical cases in three batches of safeguarding resumption of work and production with focus on the difficulties of the litigation-involved enterprises, giving full play to the demonstration and guidance of the typical cases and promoting and stabilizing social expectations; stepped up judicial protection of property rights and intellectual property rights with the principle of equal, comprehensive and law-based protection, and protected the personal and property safety of entrepreneurs in accordance with the law; issued guidelines to promote the efficient hearing of bankruptcy cases in accordance with the law, making the best of the positive role of bankruptcy trials in improving the rescue and exit mechanism for market entities, and striving to create a more stable, equitable, transparent and predictable law-based business environment; clearly said “no” to discrimination against workers from Hubei Province, resolutely and legally corrected employment discrimination such as refusal to hire or dismissal of workers from Hubei Province without reason, and supported fair employment for workers.

The SPC properly and legally hears the cases involving the resumption of work and production. It has punished severely the violators of the laws on the resumption of work and production and severely cracked down on crimes such as damaging traffic facilities, producing and selling fake and inferior products, maliciously defaulting on wages, and disturbing market orders to protect legitimate rights and interests of enterprises; clarified the boundaries of laws and policies and properly handled cases related to enterprise-involved execution, contract breach, corporate debt, and bankruptcy caused by the pandemic, to create conditions for enterprises to resume production and sustain development; implemented the judicatory concept of prudence, goodwill, and civility, strictly followed legal procedures to take measures such as closing down, detaining, and freezing assets, and resolutely prevented closing down out of limits to ensure normal production and operation of enterprises, endeavoring to help them tide over difficulties. From February to May 2020, the SPC tried 402 cases by such procedures as enforcement and bankruptcy to safeguard the operation of medical institutions and the supply of pandemic prevention materials. The local courts in such areas as the Yiwu City of Zhejiang Province, Daxing District of Beijing, and Donghu Lake New District of Wuhan, Hubei Province legally and urgently made credit repair and unbanned accounts for enterprises producing

pandemic prevention and control materials that are on the list of persons subject to enforcement for trust-breaking, properly handled disputes over designated hospitals for pandemic prevention and control, and provided support for enterprises to resume production and hospitals to carry out pandemic prevention and control and treat patients. The Qingdao Maritime Court allowed the detained ship to finish its last voyage before being detained to help shipping companies tide over difficulties.

The SPC conducts in-depth research and accurately meets the judicial needs of enterprises. Zhou Qiang, President of the SPC, led a team to visit the All-China Federation of Industry and Commerce to conduct in-depth research on the judicial needs of private enterprises and promote the improvement of the working mechanism for equal protection of the private economy in accordance with the law, to legally ensure the development of the real economy, especially micro, small, and medium-sized enterprises. The Heilongjiang High People's Court issued a written warning for enterprises to deal with the pandemic, informing them of 50 legal risks and related legal grounds in five aspects to help them resume work and production. The No.1 Middle People's Court of Chongqing, Fuzhou Gulou District Court of Fujian Province, etc., provides online consulting services for legal and litigation issues that may arise during the resumption of work and production.

The SPC further promotes the work to resolve the pandemic-related disputes in a diversified manner. The SPC, with the non-litigation dispute settlement mechanism in the first place, has promoted the one-stop multiple disputes settlement mechanisms and the construction of a litigation service system, conscientiously implemented the Opinions on Strengthening Diversified Prevention and Resolution of Disputes Related to COVID-19, strengthened the resolution of pandemic-related contradictions and disputes, developed "Fengqiao Experience" in the new era, and improved the diversified and comprehensive mechanism of prevention, mediation and resolution for handling social disputes, endeavoring to curb the contradictions in the germination and at the grassroots level. The Intermediate People's Court in Xuzhou, Jiangsu Province, has worked with relevant departments to check and resolve economic disputes related to the pandemic among industrial enterprises to resolve disputes before lawsuits. Relying on the circuit trial (mediation) workstation. Shanghai Huangpu District Court has guided consumers and enterprises in the Nanjing East Road Business Area in mediation and negotiation, and to properly resolve a large number of consumption disputes related to the pandemic in the business area before litigation.

#### IV. Innovating Work Methods to Effectively Resolve Conflicts and Disputes Online and Further Strengthen the Right to Action for the People

The SPC guides local courts to make full use of the achievements of smart court construction, to transform the working model, improve the process mechanism, optimize the platform system, and build a closed loop of online litigation from filing cases to sentencing execution. It makes full use of the advantages of the Internet in judicial affairs, and turns “Fingertips” filing, “Cloud” handling and “Smart” enforcing into the new normal for the people’s courts to facilitate judicial services in all aspects, in the whole process, and around the clock, so that people can “feel” the “key-to-key” fairness and justice at their fingertips.

The SPC puts no end to the online litigation services. The SPC has issued the Notice of Proving Litigation Services and Taking Complaints and Petitions by Way of Letters and Visits During the Period of the Prevention and Control of the Outbreak of COVID-19 to guide the local courts to make full use of platforms such as China Mobile Micro Courts to help litigants to file cases and lawsuits, to mediate and present petitions online, and to file cases in nearby regions and handle litigation matters remotely, which maximizes the convenience for lawyers and litigants involved in litigation. More than 3,500 courts in China have connected with China Mobile Micro Courts and opened litigation service networks. More than 38,000 technology courts have been built to support online court hearings, enabling litigants to attend court online even when they are in different places. From February to May 2020, courts at all levels made use of the Internet to file 1.36 million cases online, held 250,000 court sessions online, made 370,000 online exchanges of evidence and 4.46 million deliveries electronically, and mediated 590,000 disputes online, realizing the goal of handling litigation matters of variety with no need of attending the court in person. Anhui High People’s Court announced the contact of 518 persons in charge of online case filing in the province’s courts of three levels to facilitate the “point-to-point” consultation. Qinghai courts introduced online courses for filing cases in classified versions targeting litigants and judges respectively and in bilingual versions in Chinese and Tibetan, and published briefings online related to publicity guidelines and applied cases to facilitate litigation for the people.

The SPC promotes online trials in all respects. The SPC and local courts have opened an online trial model, optimized technical support to real-time visual-audio

transmission, synchronous visual-audio recording, online signature, and such, strictly implemented legal procedures, and protected the litigation rights of defendants, defenders, and other participants in accordance with the law. The identity check, open reply, evidence offer, cross-examination, etc., are completed online so that the parties can attend the trial indoors. The courts in Beijing have opened a unified Internet trial model for three levels of courts which have conducted remote trials with the help of “Cloud Courts.” The courts in Shanghai have actively promoted online court hearings, with the presiding judge taking the lead. All court cases in Shanghai Financial Court are tried online, with an online court hearing rate of 100%.

The SPC provides online enforcement openly and fairly to effectively protect the right to property. The SPC issued the Notice of Matters Concerning Enforcement Work During the Period of the Prevention and Control of the Outbreak of COVID-19 to promote online enforcement further and prudently carry out on-site enforcement. Courts at all levels make full use of such information means as the “head office-to-head office” or “peer-to-peer” online enforcement, inquiry, and control system to deal with cases and ensure that the legitimate rights and interests of the litigants winning the lawsuit are realized in a timely manner. From February 3 to May, the courts at all levels inquired and handled 2.66 million cases by use of the “head office-to-head office” online enforcement, inquiry, and control system; 3,278 online inquiries were made through the inquiry to assess system with a total amount of RMB 5.1 billion, and had the auction transaction amount of RMB 63.9 billion achieved and commission of RMB 1.9 billion saved in the judicial online auction system. The First People’s Court of Dongguan in Guangdong Province launched the “Online Refund by WeChat Face Swiping,” in which the execution applicants are not required to appear before the court, but only to log in to the WeChat mini program of the court’s SMS invitation code for face recognition and would receive the money for the case execution transferred by the court. The courts in Hetang District, Zhuzhou City, Hunan Province, and other places have opened the model of “Cloud Enforcement” to pay wages to migrant workers online to solve their urgent needs.

## V. Implementing the Civil Code to Strengthen the Protection of Personality Rights

The people’s rights and interests will be protected by law by implementing the Civil Code. As stated in a key chapter of the Civil Code, personality rights are the



most basic right of civil subjects. The SPC added such regulations as applying for bans on infringement of personality rights in judicial policies to smooth the channels of personality rights. In 2020, cases involving infringement of the right to reputation of Yu Min who made meritorious service for the “Two Bombs, One Satellite” were heard to safeguard the dignity of the people’s heroes and create a social model of revering them. The SPC tried the cases of dignity insult on WeChat to curb online violence firmly. It also tried the cases of sexual harassment in the workplace, making sexual harassers subject to legal sanctions. Besides, the SPC tried cases of information leakage of ten thousand consumers of imported frozen shrimp to crack down on it, and the cases of violating the right to privacy through the visual doorbell, making it clear that installing a surveillance camera shall not disturb others’ lives. All the personality rights protection cases have been legally and fairly tried so that personal freedom has been fully protected and personal dignity respected, demonstrating the people’s interests in the Civil Code and their dominant role in China.<sup>[1]</sup>

Overall, since the COVID-19 pandemic, the SPC and courts at all levels have always upheld the people-centered approach to human rights and the principle of governance for the people and relying on the people. Earnestly implementing Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era and Xi Jinping Thought on the Rule of Law, it reflected the people’s interests and aspirations, protected their rights and interests, and improved their well-being in all aspects of fair justice, striving to help people feel fairness and justice in every judicial case. The SPC has respected and protected human rights in every case and judicial policy to give the people a stronger sense of gain, happiness, and security, and ensure that the people live and work in peace and contentment by the rule of law. This has made new contributions to building a Global Community of Health for All.

(Li Xiao, Secretary-General of Chinese Judicial Studies Association, Senior Judge)

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[1] Zhou Qiang. (2021, March 8). *The Work Report of the Supreme People’s Court. The Supreme People’s Court of the People’s Republic of China*. Retrieved from <https://www.court.gov.cn/zixun/xiangqing/289731.html>.

# China's Efforts for Building a Global Community of Health

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## I. Introduction

The US and West have already dubbed Chinese Global Vaccine Assistance as a new “diplomatic currency,” “economic diplomacy,” “geopolitical coin,” or “instrument to dominate the world.” However, China has been pursuing holistic health international cooperation as a major part of its strategic relationship and China's Health Silk Road (CHSR). Chinese President Xi Jinping has now expressed that a COVID-19 vaccine from China would be made a “global public good.” The larger Belt and Road Initiative (BRI) framed as a necessary component of the world's post-corona economic recovery.

Under its “Health Silk Road” program, the Chinese government is supplying COVID-19 vaccines to over 80 countries, particularly in the developing world, many of which are participants and supporters of the BRI.

Somehow, it seems that the US and the West intentionally waged an inoperable geopolitical competition over COVID-19 vaccines which are at their peak. In the absence of a fair and equitable mechanism to coordinate vaccine access, procurement seems to be based either on nationalistic goals or on geopolitical mileage.

## II. Global COVID-19 & Global Public Health Order

COVID-19 has overhauled the global public health order. It has pinpointed numerous capacity-building inefficiencies in government functioning with regard to formulating an effective response to a pandemic. Surprisingly, COVID-19 has reshaped the national narrative that developed countries are always best equipped in times of crisis.

China positioned itself as a champion of vaccine distribution, signifying

its adherence to making vaccines a global public good. It also helps their cause that vaccines produced by Chinese producers (Sinovac, Sinopharm, and CanSino Biologics) are more portable, feasible in terms of storage, and cheaper than the others.

### III. China's Leading Role in Vaccine Assistance

China has a significant lead in the vaccine assistance race so far. As of March 2021, Beijing has provided millions of free doses to 80 countries and commercially exported many more to 40 other countries. China's vaccine assistance began in July 2020 when the first Chinese vaccine trial outside China commenced in Brazil. As early as November 2020, China vaccine companies signed deals with dozens of countries mostly lower and middle income to supply them with Chinese-made vaccines.

On Dec 21, 2020, Egypt became one of the first countries to accept vaccines from Chinese state-owned vaccine-maker Sinopharm. The destinations of Chinese vaccines are consistent with Beijing's public diplomacy efforts including development aid and business activities since the mid-1990s that have focused on Asia, Africa, and Latin America areas, which are sometimes neglected or deliberately isolated by the US and Europe because of the so-called repressive regimes.

After a successful domestic COVID-19 mitigation, China initiated assistance in April 2020, sending masks, medical teams, and test kits overseas.

### IV. China and Difficult Times of Human Survival

In difficult times of human survival, China stood first and acted very promptly to save humanity from the clutches of deadly COVID-19. China became the icon of hope, courage, determination, and life to counter vigorously the onslaught of COVID-19, so as to protect the right to subsistence of its people, regional countries, and rest of the world.

Despite the ongoing conspiracy of virus tracing, constant hue and cry of the West, and baseless propaganda of the international media outlets, China has been accessible and transparent with the World Health Organization (WHO) and the international community on the issue of origin and so-called leakage of coronavirus and ultimately succeeded in controlling outspread of COVID-19 from its boundaries and extended a large amount of humanitarian assistance to the struggling international countries and communities combating against unseen virus, the enemy

of human existence, prosperity and of course stability.

## V. Commitments of the Chinese Government

Right from the beginning, the Chinese government and its diplomats are demonstrating Beijing's beneficence by promising countries across Asia, Africa, and Latin America preferential access to a Chinese vaccine. Beijing has been promoting its vaccine as a public good, whose promotion targets include the Belt and Road countries. Now it is better positioned than the US to assume global leadership in the march to vaccinate the world.

Time and again Chinese President Xi Jinping reiterated his country's strong commitment to provide vaccines to combat COVID-19 through solidarity and cooperation by ensuring to building a global community of health for all. He also proposed the Silk Health Route (SHR) to fight against COVID-19 which showed his unfading commitments towards the regional socio-economic integration.

Right from the beginning, President Xi has advocated providing necessary assistance to European, African, Latin American, Middle East, and Asian countries in their combating against COVID-19, and now the same is being replicated in the provision/delivery of vaccines. He has been contributing remarkable humanitarian assistance to win the battle of human survival.

In addition to expanding production, Chinese authorities and producers have also been accelerating research and development of vaccines to deal with the rapidly mutating virus as the world is dragged into a third wave of the COVID-19 pandemic due to the rampaging Delta variant which has been found to be much more infectious than the original variant.

China has already offered USD 1 billion in loans to Latin America and the Caribbean for vaccine access.

From the Chinese government to its non-governmental organizations (NGOs) everybody tried their best to help hard-hit regions across the world combating the epidemic. The Alibaba Foundation and Jack Ma Foundation donated millions of masks and other medical supplies to hard-hit countries such as Japan, the Republic of Korea, and Iran. Jack Ma Foundation also allocated a scientific research fund of 100 million yuan about 14.29 million US dollars to support Chinese and overseas research institutes to expedite the creation of a vaccine against COVID-19.

China is able to produce 5 billion doses of COVID-19 vaccines per year and

only needs half of them to vaccinate its 1.4 billion people. It means China is able to provide the world with a large amount of vaccines.

Unfortunately, till today, 82% of all COVID-19 vaccine doses that have gone into arms worldwide have been administered in high-income and upper-middle-income countries. On the other hand, less than 1% has been administered in low-income countries.

The government of Pakistan has been receiving substantial supplies of vaccines from China which vividly reflects the depth of the strategic partnership between both countries. Since China has always pursued building equitable and equal world, it has now stressed the need to have an equitable distribution system/mechanism of vaccines.

Furthermore, as a responsible country, China called open, fair, free, and non-discriminatory international cooperation on vaccines.

## VI. Belt and Road Partnership on COVID-19 Vaccines Cooperation

Facts show that the common will of people in the Belt and Road countries—working together for a better world—enables the Belt and Road Initiative to stand the tests of such grave challenges as the COVID-19 pandemic, and continuously demonstrate robust vitality and strong adaptability. It stressed the need to have more and more production of vaccines and called on vaccines producing countries to support their companies in the capacity-building sphere enabling massive production of vaccines to access the WHO's COVID-19 Vaccines Global Access Program (COVAX).

To promote spirits of donation or affordable exports of COVID-19 vaccines to developing countries, the Belt and Road partnership on COVID-19 vaccines cooperation encouraged the collaboration between the governments and private sectors/ vaccines companies throughout the world. It upheld the importance of joint vaccine research and technological exchange and encouraged vaccine companies to transfer technologies to developing countries. It pinpointed that a waiver of intellectual property rights (IPRs) must be for massive production and easy and smooth supplies of COVID-19 vaccines in which the World Trade Organization (WTO) should follow a holistic approach of accommodation. For the scaling up of global production, it encouraged universal collaboration between global vaccine producers and partners from developing countries. It considered the provision of

concessional financing of regional as well as multilateral development banks to developing countries for the production and procurement of COVID-19 vaccines with complete free right of selection of vaccines. It further called upon all the participants of the BRI to strengthen the operationalization and channelization of easy and smooth flows of vaccines and raw, auxiliary materials, and manufacturing equipment. It desired to have more and more partners in the most recently launched Initiative for Belt and Road Partnership on COVID-19 Vaccines Cooperation. According to the latest statistical data (August 2021), out of these four regions, the Asia-Pacific has received the largest number of Chinese vaccines, with 38 countries receiving vaccines from China. Latin America has received the second largest number, with only 19 countries receiving these vaccines. 37 countries in Africa have received vaccines from China.

According to officially released data, China has donated 304.9 million doses to the Asia-Pacific regions, 180.9 million doses to Latin America, and 45.5 million doses to Africa, while the US has donated only 23.8 million, 27.5 million, and 18.3 million to these regions respectively.

Meanwhile, the African continent's vaccination rates are still painfully low: Just 16 million, or less than 2%, of Africa's 1.3 billion people are now fully vaccinated.

## VII. Conclusion

It is the need of the hour that the international community should be united by putting aside ideological divergences to combat the pandemic to provide the world with vaccines of the highest efficacy.

China has been working together with the international community to ensure accessibility and equity of vaccine distribution in developing countries and around the globe. However, inequity between rich and poor regions in access to vaccines continues to worsen due to unbalanced resource distribution and the West's slowness in realizing its promise to assist poor regions. Thus, the role of China would be befitting and beneficial for the entire world. Hopefully, China will become the world's most important vaccine provider with the largest number and the most selection of products.

Despite the US and West's constant propaganda, it is reality that without Chinese vaccines, there would be fewer options for developing countries and regions and more inequity in global vaccine distribution.

To overcome the global existing imbalance in vaccine supplies and demand

President Xi Jinping announced China's five holistic initiatives to further support global solidarity against COVID-19, consisting of setting up an international forum on vaccine cooperation for vaccine-developing and producing countries, companies, and other stakeholders to explore ways of promoting fair and equitable distribution of vaccines around the world. This initiative has been positively acclaimed and widely welcomed by the international community. Thus, China's role is obvious for building a global community of health.

As the 2nd largest economy in the world and a responsible member of the international community, China upholds the vision of building a global community of health for all, which has taken the lead in making the vaccine a global public good, contributing with concrete actions to ensuring accessibility and affordability of vaccines in developing countries and enhancing capacity-building of the vaccine industry in developing countries.

In this regard, Western propaganda does not hold any substance because a vaccine is a medical tool to defeat the epidemic, not a means for any political mileage. Since the start of 2021 despite the need for mass vaccination at home, China has done its best to provide more than 700-800 million doses of vaccines to the world, especially developing countries, guided by the vision of building a community with a shared future for mankind. China's actions have delivered much-needed help to countries and helped more than 100 countries save lives and fight the epidemic with no political strings attached. China's vaccine assistance is welcome and in the common interest of the international community.

Then, let us talk about the US's constant propagating policies and media campaigns against China and its vaccine assistance. Unfortunately, the US has miserably failed to manage the spread of COVID-19. The US, a global leader in medical technology, has indulged in political maneuverings to override epidemic control, leading to the infection of some 35 million Americans and the loss of lives of more than 610,000.

Moreover, it has failed to exercise effective outbound travel control measures, and many countries have reported imported cases from the US. It has sped up the repatriation of tens of thousands of illegal immigrants infected with the coronavirus, exacerbating the epidemic in many Latin American countries.

Furthermore, the US has hidden the truth from the world. Research by the University of Washington (2021) suggests that the number of COVID-19 infections and deaths in the US could be as high as 65 million and 900,000 respectively, far

higher than official statistics. While the timeline of early cases in the US has been constantly dialed forward, and Fort Detrick is shrouded with suspicion, the US still mentions nothing about whether it plans to invite WHO in and open Fort Detrick and other bio labs.

The US has been wasting time on the so-called “origin-tracing of virus.” Ever since its previous administration coined the term “Chinese virus,” the US has not stopped trying to sell stories that stigmatize China. It attempts to link the origin of the virus with China and even Asian countries as a group. It also plays dirty tricks on the scientific community, stifling the righteous voice of scientists and subjecting many outspoken scientists to verbal abuse and threats of physical assaults. Some media compare such behaviors of the US with acts of terrorism.

It has proven that the COVID-19 response in the US is the worst in the world. The US government has not taken any creditable action in the face of waves of suspicions surrounding containment breaches from the biological laboratory at Fort Detrick and the clusters of unexplained cases of pneumonia in Maryland in 2019.

Conversely, Chinese COVID-19 vaccines have been sent to more than 100 countries for market or emergency use. Among them, 53 countries received vaccines for free, including developing countries in Africa and some strategically important Asian countries such as the Philippines and Pakistan. 27 middle-income countries paid for doses. Rolling out of vaccines to developing countries, Beijing has framed itself as a solution to the pandemic rather than the origin of the coronavirus.

Chinese vaccines were promising from the beginning because they were built on traditional vaccine development methods, and China had previous experience developing a vaccine for SARS-CoV-1. Chinese companies have faced more hurdles than their US counterparts with their phase 3 trials; with so few cases in China, they had to run multiple trials in different countries.

China has taken important steps to close the global vaccine gap, including accelerating large-scale production, boosting fair distribution, and licensing local production in more countries.

(Mehmood Khan, Economic Policy Advisor to the Government of Pakistan)



## Challenges and Countermeasures of Global Human Rights Governance in the Context of the Once-in-a-century COVID-19

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More than five million people worldwide have died from COVID-19 so far. The number of death cases surged not only in Mexico, India, and many underdeveloped countries of Africa but also in such developed countries holding good medical technologies and resources as the United States, Russia, the United Kingdom, Germany, and France, which should have curbed the spread of the pandemic.

So, the COVID-19 pandemic is no longer a challenge for one country or one region, but a challenge facing the entire human world, which further threatens global human rights. The right to life and the right to health, once regarded as basic human rights, are now confronted with extensive and severe challenges. In the long run, the hate speech, the friction among countries, and the neglect of minority groups in some countries have led to the inhumane treatment of innocent people in many countries, and the outbreak has added insult to the misery. As the UN Secretary-General António Guterres highlighted, “human rights can and must guide the COVID-19 response and recovery.”<sup>[1]</sup> These impacts and challenges to human rights are widespread in the context of the pandemic, and we should recognize that COVID-19 is “a test of societies, of governments, of communities and of individuals. It is a time for solidarity and cooperation to tackle the virus.”<sup>[2]</sup> However, to respond effectively to the challenges of the pandemic the protection and governance of human rights cannot be limited to one country or one region. The world is calling for more

[1] *We Are All in This Together: UNSG Delivers Policy Brief on COVID-19 and Human Rights. (2020, April 23). The Office of the High Commissioner for Human Rights.* Retrieved from [https://www.ohchr.org/CH/NewsEvents/Pages/UNSG\\_HumanRights\\_COVID19.aspx](https://www.ohchr.org/CH/NewsEvents/Pages/UNSG_HumanRights_COVID19.aspx).

[2] *OHCHR and COVID-19. The Office of the High Commissioner for Human Rights.* Retrieved from <https://www.ohchr.org/CH/NewsEvents/Pages/COVID-19.aspx>.

effective global human rights governance.

What's worse, like SARS, COVID-19 will by no means be the last pandemic raging around the world. Looking ahead based on the current situation, I hold that it is time to build effective human rights governance mechanisms in response to the pandemic. We are required to abandon narrow-mindedness, embrace multilateralism, and stick to the goal of building a community with a shared future for mankind. Only by taking coordinated measures among countries and regions to stop the spread of the pandemic and realize prevention and control in due course, can we be equipped with perfect systems to cope with such crises.

The development of disease is normally characterized by distinct stages. Taking the past, present, and future of COVID-19 as an example, there are generally three stages that reflect how various human rights are influenced in different phases, with international human rights governance and cooperation made correspondingly. But the stages of human rights governance remain closely linked rather than separate from each other.

### I. Early Stage of the Pandemic: Protecting the Right to Life and the Right to Health

In the early stage of the outbreak, what matters most is to “cure the sickness to save the patient,” ensuring that the right to life and the right to health can be protected to the maximum extent. When life and health are at risk, priority should be given to protecting these basic human rights from disease. It is unquestionably wrong to put ideological and economic considerations above human rights.

Countries should adopt the same attitude toward vaccine development. Vaccines are made to keep people alive and healthy, yet according to *Nature*, an internationally authoritative academic journal, in low-income countries, less than 1% of the population has been vaccinated against COVID-19. In the UK, 67 % of the population has already received the first dose. In the United States, where vaccination willingness is low, the vaccination rate remains at 6%. The status quo is obviously far from the WHO's call for action to “scale up vaccination to achieve 40% coverage for every country's population by the end of 2021.”

What's worse, the affluent countries and those in a position to produce vaccines have a monopoly to some extent, while poor countries can hardly have access to supplies sufficient to vaccinate all their people, which further results in the neglect of

their right to life and the right to health. WTO Director-General Ngozi Okonjo-Iweala sharply pointed out that vaccine inequality highlights a failure of global leadership. In response to this situation, several measures have been taken by some international organizations, including the WHO's COVID-19 Vaccines Global Access (COVAX) and the WTO's proposal of waiving intellectual property rights on COVID-19 vaccines, but have brought little effect so far.

The facts mentioned above remind us that even though a series of international organizations have been established for cooperation, there is a lack of the communication mechanism and the basis for mutual trust effective for countries to pool their strength and share research results to jointly meet the challenge of the pandemic. Objectively speaking, the WHO, as the "Central Agency" in the fight against COVID-19, has played a key role. On the other hand, the frictions and the malicious attacks among countries politicize the source tracing of the virus and the fight against the pandemic, making it difficult for the WHO, which has no coercive power in practice, to push forward the curbs on the pandemic.

How to change the situation and solve the problems caused by acting as one pleases? There are several considerations. First, it requires the attitude and notion transformation for all countries, who should turn to multilateral governance and make full use of the platforms of such international organizations as WTO and WHO for communication and cooperation. Second, countries need to build mutual trust and reach a consensus in terms of protecting human rights that basic human rights, including the right to life and the right to health, take precedence over other interests including intellectual property rights. Last but not least, international organizations, while upholding the depoliticization of scientific research, should consider making institutional reforms to improve work efficiency and facilitate the international consensus reached in various negotiations for playing a practical role.

## II. Middle Stage of the Pandemic: Protecting the Right to Privacy, the Right to Be Informed, and the Personal Freedom

As the pandemic has been relatively effectively controlled and the right to life and the right to health have been ensured to be free from serious violations, the pandemic has entered the second stage of prevention and control. Pandemic situations vary from country to country, and so do policies on personal isolation. But from the perspective of human rights, governments of all countries should consider how to

cope with pandemic prevention and control, avoid undue violation and restriction on the right to privacy and personal freedom, and guarantee the right to be informed related to the pandemic. Specific policies on pandemic prevention and control should be fully respected as internal affairs of each country. The United Nations Human Rights Council can advocate for the establishment of rules and principles for the treatment of the isolated and the related personnel and attempt to set minimum human rights standards for isolation policies under different circumstances, to ensure that all people are not subjected to inhuman treatment caused by COVID-19 prevention and control.

When it comes to cross-border flow, we should take into account the demands for pandemic prevention and control and the actual requirements of people-to-people exchanges. The trend of globalization cannot be reversed, and the exchanges among countries will never end due to the pandemic. Each person has the basic right to migrate freely. Against the backdrop of the pandemic, the treatment of some immigrants and stateless people has yet to be focused on by the international community. The human rights situation of a large number of refugees and stateless people in European and American countries is not optimistic, and forced labor and slavery frequently occur during the pandemic. Therefore, countries should reach a regional consensus and seek solutions for the protection of the human rights of these marginalized groups. While providing protection, we need to consider proper replacement. If a decision is made to repatriate some individuals, the risk of exposure to the pandemic on the way should also be taken into account.

### III. Late Stage of the Pandemic: Practicing and Realizing the Right to Development

COVID-19 has hindered the economic and social development in various countries to varying degrees. A series of studies have shown that the gap among countries and social classes will widen in the wake of such global crises.

It is foreseeable that in the near future, COVID-19 will be effectively contained, and a series of social and economic reconstructions will be made in an orderly manner when the discussion on the right to development should be put on the agenda. For a country, it is a national obligation and a human right that requires attention to ensure the orderly development of the country and the all-round development of its citizens in the political, economic, cultural, and social aspects. For the international

community, the developed countries and the countries that develop rapidly should also consider the development of the developing countries and their people, just as the UN Declaration on the Right to Development has indicated, “The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.”

In view of the human rights concept with the right to development, the post-pandemic reconstruction should leave no one and no country behind, and the development of all people in all countries should be respected and guaranteed. In January 2020, the UN Human Rights Council adopted The Draft Convention on the right to development, which indicated that no matter whether the right to development is an individual human right or a collective human right, corresponding mechanisms should be established to ensure that the right to development of states and individuals can be realized. The right to development cannot be realized through the efforts of only one country. It can only be realized through cooperation with complementary advantages among countries, which can boost high-quality economic and social development. It's worth noting that the idea of building a community with a shared future for mankind provides a good model for the international community to carry out cooperative actions on the right to development. The Belt and Road Initiative, based on the idea of building a community with a shared future for mankind, not only realizes China's own development but also provides development opportunities for countries along the Belt and Road. It implies China's profound understanding and energetic practice of the right to development.

Biden launched the Build Back Better World (B3W) initiative, which in essence followed the example of China's idea of building a community with a shared future for mankind. However, whether this plan can bring practical effects to the development of the developing countries depends on whether the Biden administration is really striving to “Build Back Better World” or just pretending to protect the right to development while being confrontational in secret.

In conclusion, the above analyzes prove that China has performed well in the three stages of pandemic prevention and control and human rights protection. In the early stage, China quickly curbed the spread of the pandemic and resolutely implemented the isolation policy, which to a considerable extent prevented the spread

of the pandemic in China and around the world, protecting the right to life and the right to health of everyone. Meanwhile, the rapid development of vaccines and the extensive cooperation with relevant countries greatly promoted the progress of vaccine R&D. China, as a major country, firmly supported and participated in the sharing of vaccines, providing a full guarantee for the life and health of people all over the world. In the middle stage, China continued to participate in WHO's research on the virus, adhered to the principle of depoliticization of source trace, lifted lockdowns, and opened its door to the outside world in an orderly manner. In the late stage, China was engaged in the reconstruction of the international community in various aspects, and gradually turned the idea of a community with a shared future for mankind into reality.

What China has done for pandemic prevention and control has effectively guaranteed national stability, social harmony, and orderly development, met the basic requirements of the people in their daily lives, and reflected the correctness and advanced nature of its path of human rights. With the rapid development of China in economy, society, culture and more say in the world, China's experience in responding to the pandemic should not be limited to storytelling and publicity but play a greater role in building a global governance mechanism against the pandemic in the future.

(Xiao Junyong, Professor of School of Law at Beijing Institute of Technology)

# Building a Global Community of Health for All and Protecting Human Rights: the Data Divide

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Nigeria

In this paper, we seek to examine the effects of the lack of sufficient health data on non-communicable diseases in the south-south countries. We will also point out the potential benefits of harnessing such data and how it can improve healthcare delivery.

Ethical health data collection, processing, storage, and retrieval for analysis, research, and policy formulation can play a major role in the improvement of the quality healthcare at points of care, guide policy formulation at the macro level, and expedite the achievement of sustainable development goals among nations of the global south.

## I. Background

While there have been noticeable gains in the indicators of sustainable development goals, such as life expectancy, healthy life expectancy, maternal and child mortality, and infectious diseases during the last decade, much work needs to be done in the collection, aggregation, and updating of health data surrounding non-communicable diseases, and non-communicable disease (NCD) mortality.

As of 2019, the probability of dying between 30 and 70 from any cardiovascular disease, cancer, diabetes, or chronic respiratory disease was 16.3% in Europe, 21.6% in Southeast Asia, 14.0% in the Americas, and 20.8% in Africa.

An estimated 41 million people worldwide died of NCDs in 2016, equivalent to 71% of all deaths. Four NCDs caused most of those deaths: cardiovascular diseases (17.9 million deaths), cancer (9.0 million deaths), chronic respiratory diseases (3.8 million deaths), and diabetes (1.6 million deaths) according to world health statistics 2020.

In high-income countries, cancer has become the leading cause of premature

death. In other countries, income groups such as the nations of the south-south, particularly low- and lower-middle-income countries, cardiovascular diseases continue to be the main NCD that claims the largest number of lives among people in the age group, yet the progress of mortality reduction is the slowest among all country-income groups. Mental health occasioned by the aftermath of the COVID-19 pandemic is also worth mentioning, as mental health cases are expected to rise as a result of the prolonged lockdowns.

Cancer is among the leading causes of death worldwide. According to the International Agency for Cancer Research, in 2018 there were 18.1 million new cases and 9.5 million cancer-related deaths. While it is currently believed that cancer rates are highest in countries whose populations have the highest life expectancy, are most literate, and have the highest standards of living, nations of the south-south are gradually catching up, due to the rapidly growing economy and robust rise of the middle class, despite the disruption caused by the COVID-19 pandemic.

In recent times, the lack of data such as digital copies of CT and MRI scans, comprehensive gene databases, dermatologic databases, and de-identified clinical and pathology reports has prevented much of the global south from being included in and benefiting from products of medical artificial intelligence and genetic research. The healthcare data collected at hospitals and other points of care can be used in ways that include but are not limited to:

- (1) The development of intelligent software that can be used to detect skin, lung, brain, breast, and other tumors in underserved communities;
- (2) The identification of specific causative gene mutations responsible for various cancers for timely and effective target therapy;
- (3) The detection of cancerous versus non-cancerous skin lesions, using detection systems built and algorithms trained with data collected from the global south, to avoid unwanted biases.

There are also documented pieces of evidence of lack of diversity in the scientific community such as “National Institute of Health (NIH) funding disparities observed in the American College of Neuropsychopharmacology” (ACNP), which outline the structural barriers to receiving research funding for research. Another example is “Editorial bias in scientific publications,” which describes the selective acceptance of research publications to scientific journals based on country or continent of origin and research center or primary language of the authors.



## II. Path to the Solution

As practiced in developed economies, adequate data collection and processing is important to the inclusion of the global south in advanced medical technology developments.

Using next-generation sequencing technology (NGS) in cancer gene detection assays should be encouraged in tertiary hospitals especially in Sub-Saharan Africa, South Asia, and South America as there is a critical lack of genetic data relevant to cancers recorded in that part of the world. As such, there is a chasm of lack of knowledge about the potential differences in the genetic makeup of cancers occurring in those countries.

Improvement of medical health informatics systems is eminently important to track changes that occur over time. This role shouldn't only be left for the monitoring and evaluation teams of the CDC and public health departments, but should be further encouraged and practiced as health data is a critical life wire in advanced healthcare delivery, much like blood is, for human existence.

Encouraging medical research by the provision of requisite funding for medical and research institutions, doctors, researchers will not just encourage the discovery of new disease etymologies and potential modalities of therapy, such as oral pharmaceutical compounds, radiation techniques, and in some cases, local production of vaccines; it will also create a pool of published medical research, which are a fundamental source of publicly available records and medical literature, to be used as a reference for further study of ailments currently afflicting the global south.

Continuous sensitization of health workers, health administrators, policymakers, non-governmental organizations, and government agencies, on the need to pay closer attention to the management of non-communicable diseases in their duty posts, domains of influence, territories, and jurisdictions will go a long way to raise awareness to these issues.

## III. Conclusion

By sufficiently leveraging existing healthcare technologies, the global South can significantly shorten the time to achieve critical targets of the 2030 sustainable development goals.

(Idorenyin Asuquo, Medical Director of Beijing Carpa Healthcare Technology Co. Ltd)

## Public Diplomacy Boosting the Protection of the Right to Health

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China

As an important human right stipulated in both the international human rights law and the regional human rights law, the right to health is regarded as the basic right of citizens in the constitutions of many countries, including the right to life in a healthy environment, the right to labor protection, the right to equal medical treatment, the right to pandemic prevention, the right to hygiene and safety of health-related products, the right to option for euthanasia, the right to health of special groups (including women, children, disabled people, and patients), and the right to relief of health infringement, etc. It is a prerequisite for the subsistence and development of mankind and the common responsibility of the international community to protect and promote the realization of the right to health. As the COVID-19 pandemic rapidly sweeps across the world and poses unprecedented challenges to the lives and health of all mankind, the world is undergoing profound changes unseen in a century with increasing uncertainties, which poses challenges to the realization of the right to health. It requires all countries and the international community to join hands in coping with no matter the health crisis caused by illnesses, or the economic crisis and political turmoil triggered by the pandemic. As a key supplement to inter-governmental diplomacy, public diplomacy plays an essential role in promoting exchanges among countries, coordinating their actions to co-create a peaceful and stable environment for development, protecting the development of human rights, and responding to the challenges posed by the pandemic.

### I. Public Diplomacy Promoting the Exchange of Views on Protecting the Right to Health

The countries and regions vary in the interpretations and policies on the

protection of the right to health due to different national conditions, historical backgrounds, and cultural heritages, and they adopt their models of protection consistent with their national circumstances, which shall be respected. Meanwhile, exchanges must be strengthened among governments and non-governmental organizations on the principles and ideas related to the right to health to efficiently coordinate to strive for the protection of the right to health for mankind.

As a “soft power,” public diplomacy can be more broadly and directly used for exchanges with the foreign public. In terms of quantity, it allows more institutions to be involved in the discussion of the right to health and popularize the research achievements to benefit more people. In terms of content, public diplomacy can fully reflect people’s demand for the protection of the right to health, thus enriching and improving the theoretical system of protecting the right to health. Recently, the outbreak of COVID-19 has posed difficulties and challenges to the economies of all countries to varying degrees. To better share their experience on the implementation of economic rights and the right to health, countries and the international community need to discuss how they should balance the development of the economic rights and the right to health, and explore the trend and the cooperative path of international relations in the context of the pandemic. The Charhar Institute, an unofficial, internationally-renowned and leading think tank of diplomacy and international relations in China, has assisted the Human Rights Research Center of Jilin University and the Human Rights Research Center of Northwest University of Political Science and Law to hold “The International Seminar on Protecting the Economic Rights and the Right to Health” online and offline, with more than 30 experts and scholars from China, Japan and South Korea attending for discussion, achieving fruitful results. Many experts and scholars put forward their constructive opinions and methods, providing great intellectual support for China, Japan, and South Korea to establish new non-governmental exchange mechanisms, facilitate cooperation and development, and protect economic rights and the right to health.

## II. Public Diplomacy Expanding the Practice of Protecting the Right to Health

The merciless pandemic brings out the warmth of humanity. With the outbreak of COVID-19, countries have taken forceful measures to respond, and non-governmental organizations have also been actively carrying out public diplomacy,

taking concrete actions to support governmental endeavors and protect the right to health for the people. In March 2020, the donation ceremony of the anti-pandemic materials, coordinated by the Charhar Institute and led by The Jiangsu Chamber of Commerce in Beijing, was held at the Embassy of the Republic of Korea in China. The batch of supplies was donated to the ROK Red Cross via the “Special Committee on the COVID-19 Response” of the National Assembly of the Republic of Korea, assisting the people in fighting against COVID-19. Many mainstream ROK media reported on this.

As a Chinese saying goes, good friends feel close even when they are thousands of miles apart. In June 2021, a new community-based outbreak in Cambodia continued to spread rapidly, with the daily increase of cases remaining in the hundreds, particularly in Phnom Penh. After the Culture and Peace Committee of the Charhar Institute learned of relevant circumstances, the Charhar Institute and Jackie Chan promptly donated 1 million masks for pandemic prevention, which were transported to the Chinese Embassy in Cambodia in Phnom Penh from Xiamen, Fujian province, to Vietnam via Jiangxi, Guangdong, Guangxi, and entering Cambodia from Moc Bai landport, extending for 3,600 km. The Charhar Institute ASEAN Center kept the Chinese Embassy in Cambodia posted, and the Embassy attached great importance to and coordinated with relevant departments to handle the special case with a special method to ensure that the donated supplies could be delivered to Phnom Penh as soon as possible for the local pandemic prevention and control.

All the practices of public diplomacy have enhanced China’s confidence in coordinating actions with people of other countries to fight against the pandemic and further promoted the right to health for the people. Since then, the Charhar Institute raised materials to support pandemic prevention in Argentina and other countries and regions many times. These public diplomacy initiatives have provided vital support to the anti-pandemic endeavors of relevant countries and regions and deepened their friendship with China, laying a solid foundation for coordinated international actions and joint efforts to fight the pandemic and protect the right to health.

### III. Public Diplomacy Creating a Stable International Environment for Protecting the Right to Health

“Peace” and “Development” are the themes of the era. Only by achieving peace

and development can the right to health be fundamentally protected. In recent years, communication and cooperation among governments have persisted, while unofficial channels have also played a role in building the platforms of exchanges for all parties. With the increasing trend of globalization, the non-governmental strength has been increasingly intensified in both the frequency and the influence of public diplomacy activities, creating a stable international environment and providing a strong guarantee for the realization of the right to health.

Politically, public diplomacy can more effectively enhance the cultural attraction and political influence of countries, improve the international public opinion environment, and display the true image of their countries, thus enhancing mutual understanding and political trust and creating a favorable political and cultural environment for the communication among countries. Economically, the development of public diplomacy and economic exchange complement each other. A sound economic environment is conducive to the continuous development and advancement of public diplomacy, and effective public diplomacy will in turn promote regional economic cooperation and achieve mutual benefit. Taking China's "High-speed Railway Diplomacy" as an example, in recent years, China's high-speed railway industry has actively implemented the strategy of "going global" and introduced China's high-speed railway and related technologies to the international market and the people worldwide in the form of "high-speed railway diplomacy," to build national brands, strengthen corporate exchanges, stimulate economic vitality, and promote mutual exchanges and interaction. In 2015 alone, China signed contracts with Russia, the United States, Thailand, Serbia, Laos, Indonesia, etc., respectively, to build local railways facilitated by China's facilities or technology. The new communication is undoubtedly an important form of "corporate diplomacy" and an integral part of "public diplomacy." Culturally, public diplomacy can be carried out from three levels: ideology, civilization, and art. The ideology can influence people's outlook on life, values, and the world. The civilization can showcase a country's traditional culture, way of life, rules of conduct, laws, business ethics, etc. Art can help gain the understanding and recognition of people in other countries by revealing the best side, in such ways as the promotion of a country's literature, art, cultural heritage, and cultural products globally.

These public diplomacy activities in the fields of politics, economy, and culture

can effectively deepen mutual understanding, promote exchanges and cooperation among countries, lay the foundation for a sound and stable international environment from multiple dimensions, and ultimately realize the development and protection of human rights including the right to health.

(Zhang Guobin, Vice Chairman of the Chahar Institute of China)

## China's Vaccine Aid and the Health Silk Road Case Study: Malaysia

Peter T. C. Chang  
Malaysia

As we enter the 2nd decade of the 21st century, the world is facing a set of distinct yet interconnected crises: the COVID pandemic, an economic slowdown, and a degrading environment. These exigencies are all happening at the same time, and this is subjecting the global community to enormous pains and strains. We can and must turn these negative challenges into a shared future of positive possibilities. But to achieve this, we have to put people first and build a global governance based on human rights.

This paper will look at these risks and potentials from the perspective of the pandemic afflicting humankind. Indeed, as we meet today, the world is still battling against the COVID-19 pandemic. Over the past two years, this deadly disease has taken a heavy toll on every one of us. The rapid spread of the coronavirus has exposed how vulnerable we are and how unprepared the international community was in responding to this global pandemic.

Under the WHO leadership, the world is relying on mass inoculation of vaccines as a means to overcome the pandemic. But there is still inadequate and inequitable access to vaccines, especially for those in the poorer countries. On this account, China's vaccine aid has played a critical role and will continue to play a vital role in ensuring the entire human family is eventually immunized, thus enabling the global community to emerge out of the pandemic.

This paper is a study of China's vaccine aid in Malaysia. We begin with an overview of the challenges facing the world in our ongoing fight against COVID-19. We then look at the pandemic situation in Malaysia and how China is helping the country to contain the disease. China's vaccine aid does encounter some competition and concerns. Still, the vaccines produced by China remain the most affordable and

accessible. This paper will argue that together with the Health Silk Road, China's medical outreach will strengthen global public health and in turn better prepare the world for the next pandemic.

## I. The Pandemic-induced Global Crisis

Started in 2019, the COVID-19 pandemic has spread quickly and turned into a global pandemic. As of November 2021, there are more than 256 million recorded cases worldwide and 5.13 million known deaths, making the pandemic one of the deadliest in history.

In recent months, the new cases reported have stabilized but we are not yet near the end of the pandemic. Nor is the world able to regain any semblance of pre-COVID normalcy. In fact, the world has been changed irreversibly by the pandemic.

### 1. A Multi-Dimensional Crisis

The coronavirus pandemic has shown how interconnected the world is and how exposed we are to communicable diseases. But the danger posed by the virus is not confined to public health. COVID-19 has also induced a multi-dimensional social-economic crisis, destroying both lives and livelihoods.

The pandemic has rattled the world economy, disrupted the supply chain, and stalled global manufacturing and international trade. The economic slowdown caused by COVID-19 has aggravated pre-existing inequity between the rich and poor countries of the world. Aside from protecting lives and restoring health, the world must also work together to narrow the wealth gap between the haves and have-nots.

### 2. Vaccination and Global Public Health

To be sure, the immediate task is to contain the coronavirus. On this account, the crisis has generated a rare historic accomplishment, that is, the world pharmaceutical companies' success in producing a range of vaccines in record time to immunize the human population.

That said, this success is overshadowed by our failure to support one another. Vaccine nationalism, for example, has and still denies many, especially those in the developing world, of the much-needed inoculation. The global community can and should do better in making sure that all, the poorest in particular, have access to the vaccines required to overcome the pandemic.

Looking ahead, we have to work to strengthen the world's public health system. In this regard, China's launch of the Health Silk Road is an important initiative. By



stepping up to aid less developed countries in training medical personnel and setting up medical infrastructure, China is helping the world to be better prepared to face the next pandemic. And Malaysia provides an intriguing case study to understand the prospects and challenges that awaits such endeavor.

## II. The Pandemic in Malaysia and China's Vaccine Aid

Malaysia had a relatively successful response at the start of the pandemic. The caseload was low, all the way up to October 2019. Then in October, the state election in Sabah opened the floodgate of cases, and the virus soon spread to peninsular Malaysia. Henceforth, Malaysia had never had full control of the spread, with daily new cases starting from 3-4k per day, to 50k per day. The numbers have since fallen and steadied at 20k per day. The cumulative infections are now over 1.3 million and the casualty toll has passed the grim 13,000 milestone.

A set of factors led to this struggle Malaysia had in fighting against the pandemic. First, the Delta variant is crippling efforts to flatten the curve. Second, an ineffective lockdown has been blamed for the worsening situation, reflecting the government's failure to strike the right balance between saving lives and saving livelihoods. Some economic sectors were allowed to operate, and this resulted in factories and construction sites being responsible for super-spreader clusters. The inconsistent enforcement of movement control orders fuelled perceptions of double standards, undermining public confidence in the government. Third, the recent change of government has undoubtedly added another complication to Malaysia's fight against the deadly virus. Fourth, another compounding factor is the slow start to Malaysia's vaccination rollout. In February 2021, the National Immunization Program (NIP) secured advance purchase agreements of a portfolio of vaccines for emergency use, of which 30% were to come from China's manufacturers.<sup>[1]</sup> The NIP's "three-phase plan" was to inoculate the country's entire adult population by February 2022. But right from the start, the campaign was hobbled by erratic vaccine delivery, especially of the highly sought-after Pfizer vaccine. As a result, by June 2021, only 10% of the targeted population was inoculated.

Vaccine shipments have since come through and the vaccination rate has picked up. Most adults in the country are now expected to be fully immunized by October

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[1] According to the National COVID-19 Immunization Program, the remaining advance acquisitions were apportioned between Pfizer (50%) AZ (20%), and Sputnik (10%).

2021, a target date brought forward in lieu of the worsening infection caseload. The vaccination rollout was also plagued by “empty syringe” allegations, further eroding public confidence in the government.

### 1. China’s Outreach to Malaysia

Vaccination is the strategy to get out of the pandemic. Vaccine-producing countries therefore have significant leverage to use their production to win support/influence. China is not different, dispensing vaccines to exert dominance. At the onset of the pandemic, China supplied Malaysia with shipments of pharmaceutical inventories and hospital equipment and assigned medical personnel to the country.

Later, as the vaccination campaign got underway, Beijing promised Putrajaya supplies of its vaccines. In February, the first batch of Sinovac was received in a high-profile airport ceremony. The Minister in charge of the NIP, Khairy Jamaluddin, became the first recipient of the Sinovac jab in a show of personal confidence in the vaccine. All the trenches of Sinovac were subsequently delivered on schedule. By July 2020, Malaysia had received in total 12 million doses of Sinovac, of which 500,000 shots were donated, and the rest purchased. Earlier in June, two additional China vaccines, CanSino and Sinopharm, were added to the list of vaccines awaiting approval for emergency use in Malaysia.

### 2. Equity and Strategy

Concerns over efficacy and big power rivalry notwithstanding, China’s vaccines remain a vital component in the global fight against COVID-19. This is largely because they remain as some of the more accessible, relatively affordable, and easier vaccines to administer.

#### (1) Vaccine Availability and Equity

According to the British life science analytics firm Airfinity, China has administered a third of all COVID vaccines globally, underscoring China’s role as a lead manufacturer and contributor to the world’s supply of vaccines.[1] As China was able to contain the pandemic relatively quickly at home, its vaccine-makers were able to export the bulk of their production. However, the outbound shipment has since slowed as China seeks to vaccinate its entire population by the middle of 2022. Even so, at the recent International Forum on COVID-19 Vaccine Cooperation in August, President Xi Jinping stated that China will continue contributing 2 billion doses to the global stockpile throughout this year. Thus, though it is considered that China’s

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[1] *China Has Administered about 37.4 % of All COVID Vaccines Globally.* (2021, June 23). *Airfinity*. Retrieved from <https://www.airfinity.com/insights/analysis-1>.

vaccine may not be the most effective, it is likely to remain one of the most accessible and widely used in the world.

By comparison, in the West, the devastating virus outbreak early in the pandemic meant that vaccine productions were mostly retained for use at home. Some observers have faulted the wealthy vaccine-producing countries for unconscionable export ban and hoarding, purported four times over what is necessary, with widespread reports of stockpiles being left unused and disposed of once past their expiration date.

WHO's Director-General Tedros Adhanom Ghebreyesus has called out the wealthy countries' "me first policy" with a blunt chastisement of hoarding as "a catastrophic moral failure." In Malaysia, the government decided at the outset to keep immunization free of charge to ensure that every citizen is guaranteed equal access to the vaccine. Amidst global talk of a third booster shot, WHO has pleaded with richer nations to hold off from offering supplementary jabs to allow low-income countries access to vaccine supplies.

## (2) Vaccine Affordability and Equity

Initiated in April 2020, COVAX aimed to pool resources and distribute vaccines equitably to the developing world. Yet the WHO-led program has struggled to acquire doses, as wealthy countries prioritized their domestic use. India was to be a key supplier but after cases surged in March, the government halted vaccine exports. China joined COVAX in May 2021, only after WHO greenlighted its vaccines for use.

Vaccine supplies are starting to come through, but the COVAX pricing mechanism designed to ensure equitable distribution has floundered. Countries, rich and poor alike, are competing for limited supplies. And the wealthier ones have scrambled to secure advance purchase agreements, pushing those with lesser means to the back of the queue. Malaysia, for example, has complained of the long waiting time where COVAX is concerned. COVAX's failure underscores another hindrance to vaccine equity. As pharmaceutical companies scale up production, the cost of vaccines becomes the next restriction on access.

Some countries are approaching the vaccine-makers directly, bypassing the COVAX program altogether. Due to non-disclosure agreements (NDA), specific procurement costs are not made public.<sup>[1]</sup> Manufacturers, however, do provide a range of prices, and based on the information available, Moderna is at the top end

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[1] The non-disclosure agreement (NDA) makes it difficult to evaluate the commercial values and relative cost competitiveness of different brands of vaccines. The NDA also raised concerns over the lack of transparency and risk of graft.

of the price scale while AZ is at the lower end. Pfizer is mid-range, although its high handling cost offsets this advantage. China's vaccines are not the cheapest, but as state-owned enterprises, Chinese manufacturers have shown greater latitude to subsidize and have organized more competitive packages. In Malaysia, for example, the Sinovac deal allows the "fill-and-finish" process to be carried out locally, to facilitate technological transfer and an opportunity for Malaysia "to buy at a good price" according to Minister Khairy Jamaluddin.<sup>[1]</sup> Despite that, Pfizer is Malaysia's main vaccine and the government is negotiating a new contract that is expected to further strain the country's finances amidst reports of a price hike in the hugely popular but increasingly pricey vaccine. The "gold-standard" vaccine carries a price-tag that is beyond the reach of lesser economies.

### (3) Vaccine Administration and Equity

Another outlay often overlooked in the vaccination rollout is the handling costs. The inoculation process requires supporting facilities for the transportation, storage, and administration of the shots. In some of the poorest countries, these basic logistical supports are not readily available. A plight highlighted in a recent *New York Times* report on how some African states struggled to get donated vaccines from the airport tarmac into the arms of the people. This is a difficulty most pertinent where Pfizer and Moderna are concerned, as these mRNA vaccines require ultra-cold refrigeration. All the other vaccines, including China's Sinovac, need only standard refrigeration, making them easier and less costly to handle. Requiring lighter logistical support, these are more easily dispatched to "low resource" countries, especially those in the tropics. In Malaysia, for example, the one-shot CanSino vaccine will be deployed to inoculate villagers living in the remote interiors of Sabah and Sarawak.

### (4) Commitment and Strategy

The same NYT report alleged that the struggle to get vaccines to end users was aggravated by Biden's administration diverting funds initially designated for the vaccination drives to pay for the donated Pfizer doses. The re-directing of funds calls into question the US's commitment and priorities. The Americans signed on to COVAX only in February 2021, after the US under the Biden administration re-joined WHO, reversing the Trump administration's earlier withdrawal from the

[1] *Cheaper COVID-19 Vaccine from China via Pharmaniaga*. (2021, January 12). *New Straits Times*. Retrieved from <https://www.nst.com.my/business/2021/01/656732/cheaper-covid-19-vaccine-china-pharmaniaga>. China and Malaysia also signed an agreement to facilitate expertise and knowledge sharing, as well as cooperation in the fields of science and technology. These are in line with the aspiration to develop the vaccine industry of both nations.

international body. The new turnaround cast doubts over Washington's reliability.

This brings us to a key feature in China's vaccine aid, namely its role in the broader Health Silk Road (HSR), an offshoot of the Belt and Road Initiative (BRI). First touted in 2016, Xi Jinping framed HSR as a "global public good" initiative to strengthen regional and global health governance. The aim is to build an integrated network of healthcare and medical aid infrastructure. In the current vaccine drive in Indonesia and UAE, for instance, in addition to harnessing local vaccine production capacities, plans are afoot to also set up R&D facilities for medical training and scientific research. Some observers have ascribed these investments as part of China's "medical assistance" to develop a comprehensive international healthcare eco-system to better prepare the world for future pandemics.

By contrast, aside from its one-off donation of Pfizer doses, it remains unclear what the US's next course of action is in assisting countries like Malaysia to recover from the pandemic. That said, the recently launched "Build Back Better World" (B3W) initiative may provide an opening for the US to maintain a strategic longer-range engagement with the developing world. The B3W's stated goal is to generate uplift across a broad spectrum of industries including the medical sector and public healthcare. If actualized, this US-led initiative can play a pivotal role in reviving the pandemic-stricken global economy.

### III. Conclusion

The world is facing a set of converging crises: the COVID-19 pandemic, an economic slowdown, and a degrading environment. Indeed, the world is still battling against the COVID-19 pandemic. It is clear that the way out of the pandemic is through mass inoculation of vaccines. But there is still inadequate and inequitable access to vaccines, especially for those in the developing world. On this account, China's vaccine aid has played a critical role in countries like Malaysia. This is because China's manufacturers offer some of the more accessible, relatively affordable, and easier-to-administer vaccines. Together with the Health Silk Road, China's medical outreach will strengthen global public health and in turn better prepare the world to respond to the next pandemic.

(Peter T. C. Chang, Deputy Director of Institute of China Studies at University of Malaya)





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## Part Two :

# Anti-poverty and Realization of the Right to Development

# The Significance of China's Elimination of Absolute Poverty for the Right to Development

Zhang Xiaoling  
China

On July 1, 2021, General Secretary Xi Jinping solemnly announced at the celebration of the 100th anniversary of the founding of the Communist Party of China that “through the continued efforts of the whole Party and the entire nation, we have realized the first centenary goal of building a moderately prosperous society in all respects. This means that we have brought about a historic resolution to the problem of absolute poverty in China.” Since the reform and opening-up, China has successfully lifted 770 million people out of absolute poverty, creating a Chinese miracle in the world history of poverty alleviation. This is of great significance to realizing the Chinese people's right to development.

## I. China's Great Achievement in Eliminating Absolute Poverty

Eliminating poverty is the basic requirement to protect human rights and is people's basic right to pursue a happy life. China's achievement in poverty alleviation is one of the greatest achievements of China's human rights cause.

### 1. Eliminating Absolute Poverty for the First Time in Chinese History

Poverty elimination has been a dream and a goal of the Chinese nation since ancient times, but this dream has never been realized in history before the founding of the People's Republic of China (PRC). Since the founding of the PRC in 1949, the CPC and the Chinese government have always taken poverty elimination food security, and access to clothing as the most important and urgent tasks. Since the reform and opening-up, in particular, the CPC has led the Chinese people to take large-scale, planned, and organized actions to fight against poverty and made unprecedentedly great achievements. Since the 18th CPC National Congress, the CPC Central Committee with Comrade Xi Jinping at its core has attached even



more importance to poverty elimination and adopted a strategy of targeted poverty alleviation and elimination. Poverty elimination efforts are unprecedented in terms of amount, scale, and results. More than 10 million people were lifted out of poverty every year on average, which is equivalent to the population of a medium-sized country. By the end of 2020, China had secured a comprehensive victory in the fight against poverty and solved the problem of overall regional poverty. Based on the current standard, all of the 98.99 million rural poor people, all 832 poverty-stricken counties, and 128,000 poor villages had been lifted out of poverty. For the first time in China's history of five thousand years, the Chinese people eliminated absolute poverty, realizing a thousand-year dream and a miracle in human history of poverty alleviation. For a developing country with a large population like China, it is truly a remarkable achievement to eliminate absolute poverty and lift hundreds of millions of people out of poverty in the context of a still severe global poverty situation.

## 2. Transforming Chinese Rural Areas and Fundamentally Changing the Lives of Poor Farmers and the Fates of Numerous Rural People

All rural poor people were lifted out of poverty and their levels of income and welfare were greatly improved. The per capita disposable income of rural residents in poverty-stricken areas increased from 6,079 yuan in 2013 to 12,588 yuan in 2020, with an average annual increase of 11.6%. With the income level improved significantly, they now have access to food, clothing, compulsory education, basic healthcare, and house security (“Two Assurances and Three Guarantees”), as well as safe drinking water.<sup>[1]</sup> More than 20 million poor patients received classification-based treatment, nearly 20 million poor people received subsistence allowances and extreme poverty aid, and more than 24 million poor and severely disabled people received living and nursing subsidies. More than 1.1 million poor people worked as forest rangers with a stable income. The people's living dignity was guaranteed, with a significantly enhanced sense of gain, happiness, and security for the people.

## 3. Narrowing the Gap Between Urban and Rural Areas

The development conditions of poverty-stricken areas were significantly improved, the pace of infrastructure and public service construction was continuously accelerated, and social undertakings made great progress. Access to transport services, drinking water, electricity, communications, education, and medical

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[1] State Council Information Office. (2021, April 6). White Paper on *Poverty Alleviation: China's Experience and Contribution*.

services was all ensured for the first time in history. There were no dropout students in compulsory education from registered poor families. All the villages and towns in poverty-stricken areas with favorable conditions were accessible by hardened roads and connected with bus and mail routes. A total of 1.1 million km of highways were newly built and reconstructed and 35,000 km of railways were newly constructed. The reliability of power supply from rural power grids in poverty-stricken areas reached 99%; all poor villages within the service area of large power grids were connected to the grids; and over 98% of poor villages had access to optical fiber communications (OFC) and 4G technology. The dilapidated houses of 7.9 million households and 25.68 million poor people were renovated. A total of 35,000 centralized resettlement areas and 2.66 million resettlement houses were built. More than 9.6 million people were relocated to new homes and out of poverty. They now enjoy roads, safe and clean drinking water, and spacious and well-lit houses. Millions of children from poor families now enjoy fairer educational opportunities. They no longer need to walk long ways to get to schools every day and can live in schools and eat in canteens. All 28 ethnic groups with small populations had been lifted out of poverty. Some of the ethnic minorities who had entered the socialist society directly from a very primitive society after the founding of the PRC have now achieved another giant leap from poverty and backwardness to all-round moderate prosperity.<sup>[1]</sup>

## II. China's Elimination of Absolute Poverty Significant to the Realization of the Right to Development

The right to development is a new and important human right. In December 1986, the United Nations General Assembly adopted the groundbreaking Declaration on the Right to Development, which states that the right to development is an inalienable human right. Article 1.1 of the declaration states: "The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized." Poverty is the greatest obstacle to realizing the right to development. The elimination of poverty in all its forms is an inevitable requirement for the realization of the right to development.

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[1] Xi Jinping. (2021, February 26). Xi Jinping's Speech at the National Poverty Alleviation Summary and Commendation Conference. *People's Daily*.

### 1. Greatly Promoting the Universal Realization of the Right to Development

The United Nations Millennium Declaration announced in 2000 clearly states that the primary goal of the right to development is to eliminate poverty. It declares: “We are committed to making the right to development a reality for everyone and to freeing the entire human race from want.” Transforming Our World: the 2030 Agenda for Sustainable Development adopted at the United Nations Sustainable Development Summit 2015 clearly states: “Eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development.” The CPC and the Chinese government successfully lifted 770 million people out of absolute poverty, raised their life quality, and maintained their living dignity by basing on China’s reality and placing development as the top priority, taking poverty elimination as the main development goal, and making every effort and taking various measures to eliminate poverty. As President Xi Jinping said in his speech at the United Nations Sustainable Development Summit 2015, “Development bears on the hopes and the very survival of the peoples of all countries. It embodies the expression of their dignity and their rights.” And “only through development can we resolve the root cause of conflicts, safeguard the basic rights of the people, and meet the ardent hopes of people for a better future.” As the largest developing country in the world, China believes that the right to subsistence and the right to development are primary human rights and that development is the key to solving all problems. By actively taking various measures, China eliminated absolute poverty, greatly reduced the world’s poverty population, and promoted the universal realization of the right to development.

### 2. Highlighting the Development Concept of “Putting People First” by Allowing Everyone to Benefit from the Development Achievements and Leaving No One Behind

The Declaration on the Right to Development adopted by the United Nations states: “Development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom.” The right to development emphasizes equal opportunities for all and the purpose of development is for all. This helps promote human well-being and build a harmonious, safe, and beautiful society. The right to development is also a

fundamental and indispensable requirement for the realization of all other human rights. “Eliminating poverty, improving people’s lives, and achieving common prosperity are the essential requirements of socialism and the important mission of the CPC,” said General Secretary Xi Jinping. The Fifth Plenary Session of the 18th CPC Central Committee held in 2015 put forward “five development concepts of innovation, coordination, green, openness, and sharing,” reflecting China’s deepened and systematic understanding of the ways to realize the right to development. This is of important theoretical guiding significance to eliminating poverty and better realizing the right to development. Eliminating poverty and promoting sharing will inevitably require focusing on socially disadvantaged groups. “For the people in need, we shall pay extra attention, love, and care,” said General Secretary Xi Jinping, “We will make sure that no one is left behind on our way to prosperity.” By attaching great importance to the effective protection of the right to development of specific groups, adopting special policies, and increasing support for groups such as ethnic minorities, women, children, the elderly, and the disabled, China ensures equal opportunities for specific groups to participate in the development and share the achievements.

### 3. Poverty Elimination Achieved by Means of Development as a Source of Experience and a Successful Example

China’s success in eliminating absolute poverty is helpful for better promoting global poverty management and the realization of the global right to development. Poverty is always the most important problem that threatens human existence. It is a common challenge faced by the whole world. Poverty and its associated problems such as hunger, diseases, and social conflicts have seriously hindered human beings’ pursuit of a better life. As the world’s largest developing country with a population of more than 1.4 billion, China is characterized by its weak foundations and uneven development. China had long been plagued by poverty at a scale and a level of severity that has rarely been seen anywhere else in the world. As a result, the challenge of poverty alleviation in China almost defies imagination.<sup>[1]</sup> Over more than 40 years of reform and opening-up, China has built a complete set of effective policy systems, work systems, and institutional systems, found a poverty alleviation road with Chinese characteristics, created anti-poverty theories and practices

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[1] State Council Information Office. (2021, April 6). White Paper on *Poverty Alleviation: China’s Experience and Contribution*.

with Chinese characteristics, and made human beings' dream and goal of poverty elimination a reality by basing on its national conditions and respecting the laws of poverty alleviation. What's more, China has also provided successful experience and proven solutions for achieving the poverty alleviation goal of the UN 2030 Agenda for Sustainable Development and provided a realistic approach to the universal realization of the right to development.

#### 4. Helping the International Community Take the Common Responsibility of Eliminating Poverty and Removing Obstacles to Development

As stated in Agenda 21 adopted by the United Nations in 1992, "The struggle against poverty is the shared responsibility of all countries." The Vienna Declaration and Program of Action in 1993 reaffirms: "The right to development is a universal and inalienable right and an integral part of fundamental human rights. States should cooperate in ensuring development and eliminating obstacles to development." The right to development is not only an individual right of everyone but also a collective human right that the people of every country should enjoy. As the largest developing country in the world, China has taken a variety of measures at home to eliminate poverty and promote the realization of the right to development. Internationally, it has actively aided developing countries and made significant contributions to the realization of the right to global development.

The right to development requires equal opportunities for all to participate in the development and share the fruits of the development. It also requires attention to socially vulnerable groups at home and in the most vulnerable countries. Poverty elimination is not just a matter of economic development, but an inevitable requirement of the right to development. The international community must view the challenge of poverty elimination from the perspective of human rights protection. In accordance with the requirements of the United Nations and the spirit of the right to development, all countries in the world should assume responsibilities, cooperate, remove obstacles to development, and promote the realization of the well-being of all mankind.

### III. Making Solid Progress Toward Common Prosperity to Help Further Realize the Right to Development

The right to development is a meaningful and constantly evolving concept. Eliminating absolute poverty is an important step for China to guarantee the right to

development. China will continue to promote the higher-level realization of the right to development in the process of promoting common prosperity.

Since the 18th CPC National Congress, the CPC Central Committee with Comrade Xi Jinping at its core has attached even more importance to the gradual realization of common prosperity for all people. Winning the tough battle against poverty and building a moderately prosperous society in all respects have created favorable conditions for promoting common prosperity. In August 2021, General Secretary Xi Jinping emphasized in his speech at the tenth meeting of the Central Finance and Economics Committee: “Common prosperity is an essential requirement of socialism and a key feature of Chinese-style modernization. China should adhere to the people-centered philosophy of development and promote common prosperity through high-quality development.”<sup>[1]</sup> This shows China’s determination to further promote the higher-level realization of the right to development by promoting common prosperity.

### 1. Making Solid Progress Toward Common Prosperity as an Inevitable Requirement for Securing the Right to Development

President Xi Jinping said: “The common prosperity we are working to achieve is for everyone and covers the enrichment of people’s lives in both the material and non-material sense. It is not prosperity for a few, nor is it rigid egalitarianism. We should undertake thorough research on targets in different stages, and advance common prosperity in phases.” This important statement reveals the profound meaning of common prosperity.

Common prosperity is for everyone, not for a few. Common prosperity requires more attention to allowing everyone to benefit from the development achievements, which is also an essential requirement of the right to development. China has made great achievements in economic and social aspects but still faces the prominent problem of uneven and insufficient development. The degree to which people benefit from development achievements and social welfare varies in different groups, industries, regions, and between urban and rural areas. The statement “making solid progress toward common prosperity” proposed by China pays more attention to allowing the development achievements to benefit all people more and more equitably to achieve social harmony and stability.

The common prosperity China is working to achieve pays more attention to

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[1] Xi Jinping. (2021). Making Solid Progress Toward Common Prosperity. *Qiushi Journal*, 20.

equal opportunities and social fairness. Social fairness is an essential requirement of the right to development and China attaches great importance to the issue of fairness. General Secretary Xi Jinping has said on many occasions that “we should regard promoting social fairness and justice and improving people’s well-being as a gauge to measure our various systems, mechanisms, and policies to see whether there are problems with these aspects. Reforms are needed where such problems exist.” “We shall regard promoting social fairness and justice and improving people’s well-being as both our starting point and our target.” “We shall gradually establish a social equity security system that mainly includes equity in rights, opportunities, and rules, strive to create a fair social environment, and ensure that people have equal rights to participate in the development.” Common prosperity stresses eliminating unfair distribution, preventing polarization, and preventing social stratification. It requires us to deepen the reforms of the household registration system, create opportunities for more people to live a better life, and build a development environment in which everyone participates.<sup>[1]</sup>

Common prosperity covers the enrichment of people’s lives in both the material and non-material sense. This requires improving systems like the public cultural service system to meet the cultural needs of the people in many aspects and protect their rights.

## 2. Common Prosperity that Will Surely Promote the Higher-level Realization of the Right to Development

By aiming to build a powerful modern socialist country in all respects and realize the Chinese Dream of national rejuvenation, the CPC Central Committee with Comrade Xi Jinping at its core has made an overall plan for China’s phased goals of promoting common prosperity.

In the first phase, by 2035, China will have made more notable and substantive progress toward common prosperity and equitable access to basic public services will be ensured. Gaps between urban and rural areas and residents will be narrowed significantly.

In the second phase, by the middle of this century, common prosperity will be basically achieved, while income gaps between individuals and actual consumption levels will be narrowed to an appropriate range.

With the gradual realization of common prosperity goals, our society will

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[1] Xi Jinping. (2021). Making Solid Progress Toward Common Prosperity. *Qiushi Journal*, 20.

become more equal and fairer, citizens will be entitled to the higher-level right to development and other rights, and people's lives will be happier and better.

### 3. Making Solid Progress Toward Common Prosperity to Help Further Realize the Right to Development

Common prosperity is a long-term target. It takes quite a long time and is difficult and complex. Therefore, China needs to attach great importance to the issue of fairness in rights and take various measures to promote equal opportunities for all and allow everyone to benefit from the development achievements.

China should adhere to the people-centered philosophy of development and earnestly solve problems such as regional, urban-rural, and income disparities, to promote social fairness and justice.

China should properly balance the relationship between equity and efficiency. It should establish basic institutional arrangements enabling coordination and complementarity between the primary, secondary, and tertiary distribution. "China must set up a scientific public policy framework and form a reasonable pattern of distribution in which everyone gets a fair piece of the cake."<sup>[1]</sup> China should gradually increase the proportion of labor remuneration in the primary distribution and improve the reasonable wage increase mechanism. It should also intensify efforts to regulate distribution through taxation, social insurance, and transfer payments. This helps expand the relative size of the middle-income group and raise incomes among low-income earners, creating an olive-shaped distribution structure that is larger in the middle and smaller at each end.

China should promote equitable access to basic public services. The social support system is an important means to promote common prosperity for all. By improving the pension and medical insurance systems, the safety net assistance system, and the housing supply and support system, China pays more attention to low-income and socially disadvantaged groups and helps them share the fruits of social development.

Farmers and rural areas are the key targets of assistance and support in our efforts to promote common prosperity. China should consolidate and build upon the success it has achieved in the fight against poverty, boost the development of rural infrastructure and public service systems, bring common prosperity to rural areas

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[1] Xi Jinping. (2021). Making Solid Progress Toward Common Prosperity. *Qiushi Journal*, 20.



and rural residents, and make them better enjoy their rights.

In a word, by making solid progress toward common prosperity, China will take its human rights cause to the next level and make greater contributions to building a peaceful and prosperous world where everyone enjoys human rights.

(Zhang Xiaoling, Professor and Doctoral Supervisor at the Party School of the CPC Central Committee [National Academy of Governance])

# Global Human Rights Development: Current Situations in China and Mali

Biga Amadou  
Mali

## I. Preface

Since the adoption of the Universal Declaration of Human Rights on December 10, 1948, China has been committed to fairly fulfilling its international human rights obligations, getting deeply involved in international human rights governance, and promoting the establishment of a more equitable, reasonable and effective human rights system.

Human rights are an old concept in Mali. Long before the Universal Declaration of Human Rights was issued, human rights were mentioned in the Manden Charter in 1236 which incorporates the principles of equality and respect for others. With the passage of time, the Republic of Mali has also remained committed to safeguarding all civil, political, economic, social and cultural rights as defined in the Universal Declaration of Human Rights, despite the precarious and dangerous situation.

Thus, the Universal Declaration of Human Rights states that universal rights and freedoms apply to all people. “Regardless of race, color, sex, language, religion, political opinion or other opinions, nationality and social background, property or origin, these human rights are inalienable, interdependent and universally shared.” We can all still draw inspiration from the Universal Declaration of Human Rights to promote the development of human rights.

## II. Current Situation in China

When the progressive thought of human rights was first put forward, China’s idea of sharing human rights protection was one of the main drivers for the adoption of the Universal Declaration of Human Rights. The parties reached an unprecedented consensus on the definition, characteristics, and scope of inherent human rights,

making a major breakthrough in human history.

Over the past three decades, China has made remarkable progress in the field of human rights. China's Constitution stipulates that "The state shall respect and protect human rights." Recently, China issued the Human Rights Action Plan of China (2021-2025), which consists of eight parts and contains nearly 200 goals and tasks. The drafting of the action plan makes China one of more than 60 countries in the world that have formulated national human rights action plans, setting a new example for the rest of the world. Since 2009, China has formulated and implemented three human rights action plans. During this period, China has enabled its people to live a increasingly prosperous life, protected their rights, constantly improved policies and legal measures to protect the rights of specific groups, and consolidated legal protection for human rights. In addition, China has fully participated in global human rights governance, made important contributions, and set the goal of promoting the free, comprehensive, and common development of mankind.

At the 48th session of the UN Human Rights Council held on September 14, 2021, China issued a joint statement, with the support of Mali and other friendly countries, to speak up for justice and rationality in the international community, demonstrating China's sense of responsibility for human rights.

Global human rights development remains an arduous task. In the face of a large number of factors of instability and groundless accusations made by some countries in the United Nations to suppress and contain China's development, China will, as always, fulfill its international human rights obligations and make its own contribution to the global human rights cause.

### III. Current Situation in Mali

From the outbreak of a series of crises (rebellions, military coups, and invasion of jihadists) in January 2012 until the signing of the peace and reconciliation agreement following the Algiers process, the country was almost at a standstill. In the northern region occupied by rebel forces and some important central regions later, government institutions almost existed in name only. The state was incapable of respecting, protecting, promoting, and realizing the rights of citizens.

In the wake of the above crises, the world was in turmoil, mainly manifested in the inability of the state to govern, promote, protect, and realize the rights of citizens. Since then, the state has taken few necessary measures to satisfy the legal rights of

individuals within its jurisdiction.

Human development in Mali has become more complex as more and more challenges arise in the exercise of freedom, access to justice, and the fight against social injustice. In this context, the current crisis is largely due to the gap between the concerns of citizens about their rights and the response proposed by the responsible state. In practice, this gap is reflected in that the state continues to learn from the practice of the welfare state in the planning of public services, but it ignores human rights. A human rights-based approach should have been a whole, including the planning, implementation, and monitoring of the participation of civil and human rights organizations in related actions.

At the international, regional, and subregional levels, the number and diversity of human rights measures taken by Mali enable it to rank among the leaders. Although the normative framework for promoting and protecting human rights has been established, the specific implementation is still subject to certain restrictions, largely due to the lack of coordination between international and regional human rights measures and national legal frameworks.

For many human rights organizations, the workshop for senior government officials, armed forces, police officers, and other non-governmental organizations is one of the main activities for the promotion of human rights. Such workshops are held to make participants have a comprehensive understanding of rights, think about previous actions they or their institutions have done with regard to rights, and encourage them to develop plans to better fulfill their rights and obligations. Besides, the workshops can also provide an information exchange channel for participants, so that they can share what they have learned and materials distributed at the workshop, or organize similar activities for their colleagues or other peers.

#### IV. China-Mali Cooperation

Cooperation with China is now the most useful and productive way for the Malian people. China can prove itself to be a loyal friend of Mali in almost any field. Instability, frequent violence, and crises on multiple levels have left fragile countries like Mali unable to guarantee basic services such as the protection of human rights. China, as a special partner that has made great progress in this field, should help Mali strengthen the state and non-governmental institutions so that they can fulfill their commitments to human rights.

## V. Conclusion

The world today needs the wholehearted commitment of every person on the planet to human rights, especially universal human rights, regardless of their status (citizens, civil society activists, and decision-makers in public and private sectors).

The Universal Declaration of Human Rights calls on all of us to assume our responsibilities. The principles it describes are as relevant today as they were in 1948. We must safeguard our own rights as well as those of others. We can do some things every day to protect our rights and make it possible for all people to join the human family.

At all times and in all contexts, human rights-related content must remain on the public agenda to take concrete measures to respect, promote, protect, and fully realize human rights. Human rights protection mechanisms should be strengthened to make human rights organizations more involved in strengthening rights preventing and condemning violence and discrimination. Accusations that have nothing to do with the interests of one's own country but obstruct the development of other countries should be stopped undoubtedly. It must be always kept in mind that to bring about positive change in society, we must protect the right to life.

We must remain optimistic. For Mali and China, it will be a long and thorny road. But leaders of human rights organizations have the ability to demonstrate that humans don't make the same mistakes over and over again without learning lessons like animals. If this is destiny, we must be able to stand up and fight it again and again.

(Biga Amadou, President of the Alliance for Human Rights and Democracy in Mali)

## My Wheelchair Basketball Dream

Dai Jiameng  
China

I am Dai Jiameng, a player of China Women's National Wheelchair Basketball Team. At the Tokyo 2020 Paralympic Games, being fearless in face of the strong opponents and playing tenaciously, players of the Chinese delegation harvested 96 gold medals, 60 silver medals, and 51 bronze medals and broke 29 world records, ranking first on the gold medal and total medal lists for five consecutive appearances at the Summer Paralympic. For this reason, on September 5, 2021, the closing night of the Tokyo Paralympics, President Xi Jinping made a directive: "The Chinese delegation is 'heroic'! It should be well publicized." This is an acknowledgement of our achievements and reflects the achievements of Chinese-style human rights and national development. China Women's National Wheelchair Basketball Team, which I am playing in, won the silver medal in the women's game, winning honor for our motherland with the best record in team history. Today, I am honored to be on the stage of the South-South Human Rights Forum to speak on behalf of Chinese parasport athletes and share with you my dream journey as a wheelchair basketball player.

I was born in 1995 in an ordinary family in Pinggu District, Beijing. At the age of four, my left lower leg was amputated after a car accident. Disabled at such a young age, I grew introverted. Disability brought many troubles too during my girlhood. I was very fond of basketball, but I couldn't play the game the way healthy children did, let alone play basketball as a professional athlete someday.

When the 2008 Beijing Olympic Games and Paralympic Games were held in Beijing, I was on my summer vacation. So, I watched many wheelchair basketball games, and the memory of those exciting games has lingered in my mind ever since. I was shocked to know that there were games specially designed for the disabled and that one doesn't have to have legs to play basketball! The wheelchair turned out to be

so amazing in that it could save me from my physical disability. This gorgeous and passionate game fascinated me so much that I could not let it go for a long time.

In 2009, I participated in the trial of wheelchair basketball players organized by the Beijing Disabled Persons' Federation. When I saw the disabled players moving fast and freely on the court in wheelchairs, dribbling freely, cooperating tacitly, and shooting gracefully, I lost myself almost instantly to this sport. From that day on, the character MENG in my name, which means "dream" in English, got its real meaning, that is, to realize my basketball dream in a wheelchair.

Then, I joined Beijing Women's Wheelchair Basketball Team. Professional wheelchair basketball training was not as enjoyable as the experience I had during the trial. High standards and strict requirements during training day after day honed both my will and skill. Years of training roughened my delicate hands. With hard training and my unyielding spirit, I became one of the top players on my team. We won the national championship for three consecutive years from 2013 to 2015, and I was selected to be on the national team for the first time in 2014.

During my seven years in the national team since 2014, my teammates and I have set records by winning three champions in the Asian Championships, two Asian Paralympic Games, 4th place in a World Championship, and a runner-up in the Paralympic Games. I was named the MVP in the 2015 Asian Championship. Whenever I was playing as a member of the national team, I would always feel thrilled out of a sense of patriotism hearing the national anthem and seeing the national flag being raised. From an ordinary disabled girl to a national team athlete with many honors, as I pursued my dream, besides my own efforts and the instruction from my coaches, I owed my success to China Disabled Persons' Federation and the disabled persons' federations at provincial and city level for their enormous input and support to Chinese parasports over the years. It is on the powerful platform of our nation that we made our dreams true.

Thanks to the many honors I won as a wheelchair basketball player, I got the opportunity to further study in the Paralympic champion class at Beijing Sports University. Four years of college life enhanced my professional knowledge, broadened my horizons, and brought me many new friends.

Wheelchair basketball, a Paralympic sport that highlights power, turned out to be the most valuable wealth in my life. In the future, we will play with an unyielding spirit on the court, always strive to perform better and create a better life.

I like the saying “When one door closes, another opens.” Wheelchair basketball is indeed another door opened for us disabled people who love basketball. It brings us joy and confidence, as well as an equal chance to enjoy sports as healthy people do. It also taught me tolerance, acceptance, and sacrifice, how to communicate with others, and how to live down to the earth. In my opinion, we are not a group of special people in need of help. We are as capable and important as able-bodied athletes. We are all athletes who need to train hard. We can all win glory for the country.

As President Xi once said, “We will build a well-off society in an all-round way without any disabled people left behind.” As China develops, I feel that the rights and interests of disabled people have been increasingly valued by all sectors of society, with the disabled and the people of the whole country enjoying a well-off society in an all-round way at the same time. Upon relevant special policies in terms of education, employment, and medical security, and with the barrier-free facilities being continuously improved, many of my disabled friends are on their way to realizing their dreams with the care and support from society. I am so proud that I live in such a great country, and I hope my story will inspire more disabled friends to brave the challenges, join society, and enjoy a better life.

(Dai Jiameng, Athlete from the Chinese Sports Delegation at the Tokyo 2020 Paralympic Games)



# The Realization of the Right to Development Promoted by Poverty Alleviation

Li Yunlong  
China

Poverty is the main restraint on realizing the right to development, and poverty alleviation is the basis for development. So only by eliminating poverty can we truly protect the right to development. Eliminating extreme poverty by poverty alleviation and shortening the gap between urban and rural places by rural vitalization have laid a solid foundation for the Chinese people to achieve the right to development. The common prosperity opens up bright prospects for realizing the right to development in all respects.

## I. Poverty Alleviation as the Prerequisite for Realizing the Right to Development

The right to development is a basic human right widely recognized by the international community. The Resolution on the Right to Development passed in the UN General Assembly in 1979 stressed that the right to development is a human right, and the equal development plan is a privilege both for the country and for an individual. The Declaration on the Right to Development passed in the UN General Assembly in 1986 indicated that the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural, and political development, in which all human rights and fundamental freedoms can be fully realized. The Vienna Declaration and Programme of Action (1993) states that “The World Conference on Human Rights reaffirms the right to development, as established in the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights.” Since the turn of the 21st century, most countries have taken development as their main task, and the international community has

increasingly attached importance to development. The United Nations has always placed development alongside security as a core objective. To provide equal access to development for all nations and all people, the United Nations Millennium Summit was held in September 2000, setting the goals of halving the proportion of people living in extreme poverty, popularizing primary education, curbing the spread of AIDS, reducing child mortality, improving maternal health, and reducing maternal mortality by three quarters by 2015. With the concerted efforts of all countries worldwide, the UN Millennium Development Goals have been achieved as scheduled, and the situation of the impoverished in developing countries has significantly improved. The UN 2030 Agenda for Sustainable Development adopted by the General Assembly in 2015 set out 16 categories of goals, including eliminating poverty and hunger in all forms, improving nutrition, ensuring healthy lifestyles, providing inclusive and equitable quality education, achieving gender equality, providing water and sanitation for all, and promoting long-lasting, inclusive and sustainable economic growth, to facilitate the right to development for the developing countries and the impoverished.

Many factors affect the realization of the right to development, of which poverty is undoubtedly the main factor since it is both the result of underdevelopment and the key obstacle to the right to development. From an international perspective, poverty deprives poor and underdeveloped countries of the opportunity to participate in and enjoy economic, social, cultural, and political development. From a national perspective, poverty is the root cause that these countries failed to stage economic take-off, fulfill social modernization, and build modern political structures. Poverty and underdevelopment form a self-reinforcing vicious circle. The only way of breaking the vicious circle is to realize development via poverty alleviation and then eliminate poverty based on development. From a personal view, poverty limits the individual's right to free development and hinders realizing basic human rights. For people in abject poverty, the right to development is out of the question. Poverty eradication is the basis and prerequisite for realizing the right to development.

## II. Poverty Alleviation as the Guarantee for Realizing the Right to Development

China's Poverty Alleviation Campaign has greatly promoted the right to development. Since the reform and opening-up, China has made historic

breakthroughs in eliminating poverty and improving the basic living conditions of people in poor areas. The Chinese government has formulated the Seven-year Priority Poverty Reduction Program (1994-2000), the Outline for Development-oriented Poverty Reduction of China's Rural Areas (2001-2010), and the Outline for Development-oriented Poverty Reduction for China's Rural Areas (2011-2020). The government has taken the leading role in poverty alleviation in rural areas, allocated special funds for development-driven poverty alleviation, improved the infrastructure of the poverty-stricken areas, and developed industries in poor areas. A total of 592 poverty-stricken counties were designated as key areas for poverty alleviation. The entire poor villages and the poverty-stricken areas were developed as a whole contiguous area. With the efforts of more than 30 years, the impoverished population in rural areas has been reduced substantially, and the production and living conditions in poverty-stricken areas have greatly improved. Since the 18th CPC National Congress, the CPC Central Committee with Comrade Xi Jinping at its core has paid great attention to rural poverty. In November 2015, the CPC Central Committee and the State Council issued the Decision on Winning the Tough Battle Against Poverty, in which the target of lifting all the impoverished in the rural areas out of poverty by 2020 was set, "we should take unconventional measures, make feasible measures and pool the strength of the whole Party and society to win the tough battle against poverty." The Chinese government adopts targeted poverty alleviation as the basic guideline and measure, accomplishing "Targeted Efforts in Six Areas" which refer to efforts to identify the poor accurately, arrange targeted programs, utilize capital efficiently, take household-based measures, dispatch first Party secretaries based on village conditions, and achieve the set goals. China has adopted categorized and targeted measures to reduce poverty, based on the situation of individual households, local conditions, and the causes for and types of poverty. As required by the targeted poverty alleviation, the Chinese government adopts the policy of poverty alleviation by category, adjusts measures to the local and specific conditions of poor areas and populations, and takes forms of poverty alleviation suitable to the characteristics of the poor population such as developing industries with local characteristics, guiding the export of labor service, relocating poor people from inhospitable areas, integrating ecological protection, strengthening education, launching medical insurance and medical assistance, implementing the rural subsistence allowance system, and exploring the use of earnings from poverty alleviation funds and assets.

Since launching the battle against poverty, the central government has guaranteed that the government's investment in poverty alleviation is commensurate with its mission and requirements. For the past eight years, the central government, provincial and municipal governments, and counties have invested nearly RMB 1.6 trillion as funds for poverty alleviation, of which the central government has invested RMB 660.1 billion. From 2016 to 2020, the central government funds for poverty alleviation increased by RMB 20 billion per year for five consecutive years, from RMB 46 billion in 2015 to RMB 146.1 billion in 2020. The central government allocated RMB 30 billion of comprehensive financial subsidies to support poverty alleviation in designated areas in 2020 and has allocated over RMB 280 billion of incremental funds from 2018 to 2020 for the extremely impoverished "three areas and three prefectures" in favor of poverty alleviation in deeply impoverished areas. China has implemented a trans-provincial policy of transferring surplus indicators linked to the increase or decrease in urban and rural construction land, raising over RMB 440 billion for poverty alleviation and rural vitalization. Over RMB 710 billion of micro-credit for poverty alleviation, RMB 668.8 billion of re-loans for poverty alleviation, and RMB 9.2 trillion of financial loans for targeted poverty alleviation have been offered. Nine eastern provinces and municipalities have provided over RMB 100.5 billion of financial aid and social assistance to the poverty-relief cooperative areas. Enterprises from the eastern region have invested more than RMB 1 trillion in the poverty-relief cooperative areas. The financial institutions are given the guidance to provide over RMB 600 billion of micro-credit for poverty alleviation by means of loans with discounted interest and risk compensation. From 2016 to the first three quarters of 2020, 832 poor counties in China pooled government funds for agriculture and rural areas at all levels, totaling more than RMB 1.5 trillion. The annual budget for poverty alleviation at the disposal of each poor county increased from RMB tens of millions before the pilot integration to more than RMB 360 million after the pilot integration. The central government has increased general transfer payments to poor areas and guided transfer payments for agriculture, education, medical care, transportation, ecology, and such conducive to poverty alleviation to favor the poor areas and the poor population. The Chinese government has put in place a comprehensive poverty-relief system with the strong support of fiscal funds, financial funds, and land policies. Each year, more than RMB one trillion of funds have been invested in poor counties and villages to help people lift themselves out of poverty.

### III. Rural Vitalization Strategy Contributing to the Right to Development

China has made great achievements in poverty alleviation. Through eight years of hard work, China has realized the goal of poverty alleviation. 832 designated poor counties removed the label of extreme poverty, with guarantees of adequate food and clothing and access to compulsory education, basic medical services, and safe housing for impoverished rural residents, achieving the goal of eliminating extreme poverty. Farmers in poor areas' per capita net income grew faster than the national average. In 2020, the per capita disposable income of the rural area was RMB 12,588. Compulsory education for the poor has been guaranteed, and dropouts due to poverty have come to a solution. As basic medical insurance and critical illness insurance cover all poverty-stricken people, basic medical care is guaranteed for them. China has provided medical assistance to poor rural people so that they can afford basic medical insurance. From 2018 to 2020, China subsidized 230 million poor people to be involved in medical insurance through medical assistance channels, and the prepaid medical assistance funds totaled RMB 36.7 billion. The coverage of basic medical insurance for poor people remained at over 99.9%. The impoverished have access to safe housing and drinking water. The renovation of dilapidated rural households with poverty registration is finished, and the housing insecurity for poor households has been solved, with the dilapidated houses of 25.68 million poor people in 7.9 million households renovated. The drinking water safety for poor people has been fulfilled. Since 2016, China has guaranteed water supply for 227 million rural residents and provided safe drinking water for 17.07 million poor people. Transportation and electricity conditions in poor areas have been improved. All towns, townships, and administrative villages where conditions permit have paved roads, and all poverty-stricken villages have access to power and electricity. The basic endowment insurance has covered all poor people. China has achieved the goal of relocating the impoverished from inhospitable areas. During the 13th Five-Year Plan period (2016-2020), a total of RMB 600 billion of various funds were invested in building 35,000 centralized resettlement areas, including more than 5,000 urban resettlement areas and 30,000 rural resettlement areas. More than 2.66 million housing units have been built, together with more than 6,100 primary and secondary schools and kindergartens, 12,000 hospitals and community healthcare centers, 3,400 service facilities for the elderly, and 40,000 venues for cultural activities newly built

or expanded. All the 9.6 million registered poor people moved into new homes.

Poverty alleviation has eliminated extreme poverty. It is a major achievement, but not the end of China's fight against poverty. After eradicating extreme poverty, China is committed to solving the relative poverty, especially that of rural residents. Due to the gap between urban and rural areas, most of China's rural areas are less developed. In an effort to narrow the urban-rural gap, promote rural development, and increase rural income, China launched the Rural vitalization Strategy. In February 2018, the Opinions of the CPC Central Committee and the State Council on Implementing the Rural vitalization Strategy proposed to improve the quality of agricultural development, promote green rural development, flourish rural culture, establish a new system for rural governance, create a new outlook of beautiful countryside, and by 2025 realize rural vitalization with strong agriculture, beautiful countryside, and wealthy farmers. In 2018, the CPC Central Committee and the State Council jointly released the Strategic Plan for Village Revitalization (2018-2022), which explicitly stipulated that by 2022, the development of rural industries would be accelerated, the incomes of the farmers would be increased, the rural infrastructure would continue to improve, the rural living environment would become better, and the level of basic public services in rural areas would be further improved. The Strategic Plan also called for the establishment and implementation of a sound financial security system for the Rural vitalization Strategy to ensure that financial investment coincides with the objective of rural vitalization for which life affluence is fundamental. To increase the income and improve the lives of rural residents, the Chinese government gives priority to rural education, attaches great importance to developing rural compulsory education, popularizes secondary education in rural areas, and strengthens vocational education, so that the vast majority of the new rural labor force can receive secondary education. China has carried out large-scale training on vocational skills, promoted the transfer employment of rural labor, increased the income of low-income rural people, expanded the middle-income group in rural areas, and ensured that the income of rural residents grows faster than that of urban residents. The infrastructure construction of the rural roads, water supply, gas supply, environmental protection, power grids, logistics, information, radio, and television has accelerated, and the rural infrastructure has been upgraded.

Over the past four years, steady progress has been made in rural construction, and the countryside has gradually developed toward prosperity. The rural reform is

further advanced. The confirmation, registration, and certification of the separation of the ownership rights, contract rights, and management rights of rural contracted land have been basically finished, and a new round of pilot reforms on rural housing land has been launched to improve the effectiveness of rural governance and strengthen the vitality of rural development. The rural infrastructure continues to be strengthened, the agricultural modernization is accelerated, the overall agricultural productivity has steadily increased, and the rate of comprehensive mechanization in plowing, sowing, and harvesting reached 71%. The agricultural economy centering on the planting industry has been transformed into an all-around development of agriculture, forestry, animal husbandry, sideline, and fishery and an integrated development of the primary, secondary, and tertiary industries. The development of new industries and forms of business, such as characteristic ecological industries, rural e-commerce, rural tourism, leisure agriculture, cultural experience, and health care for the elderly, has been accelerated. By 2020, all towns, townships, and administrative villages where conditions permit have paved roads and been open to traffic. 62.6% of rural household drinking water is purified tap water, and 46.2% of rural households use coal gas, natural gas, and liquefied petroleum gas for cooking. 68% of rural households use sanitary latrines. More than 90% of administrative villages collect, transport, and treat household garbage and domestic sewage treatment reached 25.5% in rural areas. Agriculture-related information service sites have covered 80% of the administrative villages nationwide. As a result of the new round of rural power grids upgrading projects, all rural areas within the scope of major power grids in China have access to them. The highway mileage of rural areas in China has reached 4.2 million km, and all towns, townships, and administrative villages where conditions permit have paved roads and been open to buses. Almost all villages have access to the 4G network. A unified system of basic old-age care, basic medical care, and critical illness insurance for urban and rural residents has been established. The development of rural industries was accelerated. In 2020, the national revenue for agricultural products processing reached RMB 23.2 trillion, the rural online retail sales totaled RMB 179 billion, the annual agricultural production trusteeship service area exceeded 1.6 billion *mu*. More than 10 million people returned to their hometowns for entrepreneurship and innovation, and new industries and forms of business flourished in rural areas.

Rural development has always been a key link in achieving all-round

development in China. The implementation of the Rural vitalization Strategy has effectively improved the lives of rural residents, promoted economic and social development in rural areas, and made an important contribution to the balanced and sound development of the country as a whole. Rural vitalization has effectively contained the trend of widening rural-urban disparity and reduced the income gap between urban and rural residents. In recent years, with further development of rural reform, the income of rural residents has grown significantly faster than that of urban residents, and the relative income gap between urban and rural residents has continued to narrow. From 2011 to 2020, the per capita disposable income of the rural area grew at an average annual rate of 10.6% in nominal terms, 1.8 percentage points more than that of urban residents. The per capita disposable income ratio of urban and rural residents decreased year by year from 2.99 in 2010 to 2.56 in 2020, a cumulative decrease of 0.43. In 2020, the per capita disposable income of urban residents in China was RMB 43,834, and that of rural residents was RMB 17,131. The Rural Vitalization Strategy has effectively promoted the right to development for rural residents. By 2020, the nine-year compulsory education retention rate reached 95.2%, and the gross enrollment rate of senior high schools reached 91.2%.

#### IV. Common Prosperity Promoting the All-round Development of Human Beings

While eliminating extreme poverty and improving farmers' lives, the Chinese government has set a higher goal of achieving common prosperity, an updated version of poverty alleviation. Only by following the path of common prosperity will poverty be eradicated in the end. Poverty alleviation will lead to common prosperity, which in turn is the answer to wiping out poverty. Since any kind of poverty is a restriction on the right to development, common prosperity creates conditions for realizing the right to development and provides a realistic basis for the comprehensive development of all people.

Common prosperity is a long-pursued ideal of the CPC. In the early days of the founding of the People's Republic of China, the CPC proposed common prosperity. As Deng Xiaoping explained the reform and opening-up policy, he clarified common prosperity as the ultimate goal, "Some regions and some people may prosper before others do, and then they can help other regions and people to achieve common prosperity gradually." As the report delivered at the 19th CPC National



Congress indicated, we should “see that the gains of reform and development benefit all our people fairly and strive to achieve shared prosperity for everyone.” With the poverty alleviation fulfilled and the rural vitalization strategy in place, the Chinese government takes realizing common prosperity as an important content of realizing the Second Centenary Goal, with the common prosperity from a vision into action. As stipulated in the Recommendations of the CPC Central Committee for Formulating the 14th Five-Year Plan for Economic and Social Development and Long-Range Objectives through the Year 2035, “we should take solid steps toward common prosperity, give the people a stronger sense of gain, happiness and security, and promote well-rounded human development and social progress.” The Outline for the 14th Five-Year Plan for Economic and Social Development and Long-Range Objectives through the Year 2035 put forward specific ways and measures to achieve common prosperity, which includes the following aspects: improving the quality and standards of public services and providing equitable access to basic public services; building a multi-tiered social security system; implementing employment-first strategy and creating more employment opportunities, especially high-quality jobs; increasing the proportion of labor remuneration in the primary distribution, improving the mechanism for developing the minimum wage standard and wage guidelines that determine wages through collective discussion, and keep increasing the income of low-income groups; and launching the initiative to expand the rank of the middle-income earners and consistently increasing its proportion, with the focus on graduates from regular universities and vocational schools, skilled workers, and migrant workers. The distribution pattern of income and wealth will be improved, benefiting from more intense and accurate adjustments to taxation, social security, and transfer payments, and the role of charity in the third distribution. In May 2021, the CPC Central Committee and the State Council issued the Opinions on Supporting Zhejiang’s High-quality Development and Building Demonstration Areas for Common Prosperity, which pointed out that the fundamental purpose of common prosperity is to meet people’s growing needs for a better life and promote their all-round development; the main direction of common prosperity focuses on addressing regional, urban-rural, and income disparities; the emphasis of common prosperity is on rural areas, grassroots, relatively underdeveloped areas, and poor people; and the realization of common prosperity requires to improve the income distribution system and to build institutions and mechanisms that promote common

prosperity for the social equity and the people's well-being, constantly enhancing people's sense of gain, happiness, security, and identity. In June 2021, the CPC Zhejiang Provincial Committee and Zhejiang Provincial People's Government issued the Implementation Plan of Supporting Zhejiang's High-quality Development and Building Demonstration Areas for Common Prosperity (2021-2025), planning the roadmap for realizing common prosperity in Zhejiang. During the 14th Five-year Plan period, Zhejiang will implement the plan to double the size of the middle-income group and the plan to double the resident income in ten years and basically form an olive-shaped social structure with the middle-income group as the main body. The proportion of the group with an annual disposable income of RMB 100,000-500,000 will reach 80%, and that of the group with an annual disposable income of RMB 200,000-600,000 will reach 45%. The income gap between urban and rural residents was narrowed to less than 1.9, with the per capita disposable income gap kept within 1.55. The income gap between high and low-income groups among urban and rural residents has continued to narrow, and low-income groups have significantly improved their ability to increase income, quality of life, and social welfare. As a common prosperity demonstration area, Zhejiang is taking the lead in China's future development.

China has stepped up efforts to achieve poverty alleviation, rural vitalization, and common prosperity step by step, thus ensuring that the Chinese people enjoy the right to development. By mid-century, as China achieves socialist modernization and common prosperity, the Chinese people will enjoy even more benefits of the right to development.

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# Poverty Alleviation and the Role of the Right to Development: Where Does Africa Stand?

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To better understand what the right to development is and its implementation, it is important to go back to the genesis of its construction, as well as to define its foundations in order, finally, to identify the actors of its implementation. It is after this presentation that it will be easy to better question what the right to development is in an African context.

## I. The Right to Development and Its Foundations

From its preamble, the UN Declaration on the Right to Development 1986 emphasizes development as “a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits resulting therefrom.” Article 1 (paragraphs 1 and 2) emphasizes this vision by defining the right to development as “an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.” This right presupposes the full realization of the right of peoples to self-determination, which includes, subject to the relevant provisions of the two International Covenants on Human Rights, the exercise of their inalienable right to full sovereignty over all their wealth and natural resources. Finally, Article 2 (paragraphs 1, 2, and 3) goes further by considering that: The human person is the central subject of development and should be the active participant and beneficiary of the right to development. All human beings have a

responsibility for development, individually and collectively, taking into account the need for full respect for their human rights and fundamental freedoms as well as their duties to the community, which alone can ensure the free and complete fulfilment of the human being, and they should therefore promote and protect an appropriate political, social and economic order for development. States have the right and the duty to formulate appropriate national development policies that aim at the constant improvement of the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom.

## II. Who Are the Actors Who Work for the Realization of the Right to Development?

Alongside the States, individuals and peoples are in turn the main actors in development law. They are central due to being the subject of, and beneficiary of the right to development as well as “participants” since they are involved in the implementation of the right to development, as stipulated in Articles 2 (1 to 3). Article 8, for its part, advocates “equality of opportunity for all in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income.” This article also imposes the implementation of appropriate economic and social reforms with a view to eliminating all social injustices and encouraging popular participation, which is an important factor in the development and full achievement of all human rights. The realization of the right to development is only effective if strong and adequate measures are taken. According to Article 10 of the declaration, it is clarified that “Steps should be taken to ensure the full exercise and progressive enhancement of the right to development, including the formulation, adoption and implementation of policy, legislative and other measures at the national and international levels.”

## III. Controversies Surrounding the Right to Development and Its Implementation

Introduced into the academy by Keba M’baye during his inaugural lecture in Strasbourg (France) in 1972, the right to development is the subject of great

controversy. Bedjaoui,<sup>[1]</sup> Marks and Andreassen,<sup>[2]</sup> Chowdhury<sup>[3]</sup> and others argue that the right to development is a fundamental and essential right. For them, it is the right without which human rights lose their value. From this perspective, this right is essential to guarantee human dignity. Therefore, the community, the nation-state, and the international community have an obligation to ensure that this right becomes a reality.<sup>[4]</sup> On the other hand, Donnelly,<sup>[5]</sup> Bello,<sup>[6]</sup> Whyte<sup>[7]</sup>, and Vandenbogaerde<sup>[8]</sup> believe that the right to development is a mirage—a right that cannot make tail nor head, a right that weakens the discourse of human rights. From this perspective, opponents of the right to development criticize the complex nature of the law. According to them, asking the international community to be the guarantor of the right to development seems to enrich the controversy, because the countries of the North do not want to be forced to put their resources for the enjoyment of human rights in the countries of the South. This disagreement among academicians has extended to the United Nations where the right to development has become the subject of a political battle between states.

The countries of the South very often vote for any United Nations resolution that deals with the right to development, while the countries of the North abstain or vote against such resolutions. This disagreement between the countries of the South and those of the North has always fueled controversy because indeed the movement of non-aligned countries bringing together the countries of the South was at the origin of the demand for a new world order in the 1970s. This demand was the foundation of the right to development. The leader of the opposition to this claim was the United

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- [1] Bedjaoui, M. (1989). *The Difficult Advance of Human Rights Towards Universality in a Pluralistic World* (pp.32-47). The book is the proceedings at the colloquium organized by the Council of Europe in co-operation with the International Institute of Human Rights, Strasbourg.
- [2] Andreassen, BA., & Marks, S. (Eds.). (2006). *Development as a Human Right: Legal, Political and Economic Dimensions*. Marks, S. (Ed.). (2008). *Implementing the Right to Development: The Role of International Law*.
- [3] Chowdhury, SR, Denters, E., & Waart, P. (Eds.). (1992). *The Right to Development in International Law* (p.10).
- [4] Kanga, SD., & Fombad, CM. (2013). A Critical Review of the Jurisprudence of the African Commission on the Right to Development. *Journal of African Law*, 196.
- [5] Donnelly, J. (1985). In Search of the Unicorn: The Jurisprudence and Politics of the Right to Development. *California Western International Law Journal*, 473.
- [6] Bello, E. (1992). Article 22 of the *African Charter on Human and Peoples' Rights*. In Bello, & Adjibola. (Eds.). *Essays in Honor of Judge Taslim Olawale Elias* (p.462).
- [7] Whyte, J. Review of Development as a Human Right. *Electronic Journal of Sustainable Development*, 1.
- [8] Vandenbogaerde, A. (2017). The Right to Development in International Human Rights Law: A Call for its Dissolution. *Netherlands Quarterly of Human Rights*, 187-209.

States, which spared no efforts to mobilize these allies, to ensure the adoption of the United Nations resolution for the establishment of a new world economic order; yet any claim relating to the right to development remains a dead letter. It is in this context that during the vote of resolution 41/128 of 1986 on the right to development, the only negative vote was that of the United States while its allies such as Denmark, Finland, Germany, Iceland, Israel, Japan, Sweden, and Great Britain abstained from voting. This situation was not unique to the vote for the adoption of the Declaration on the Right to Development. It was just a continuation of the disagreements that characterized nearly every development law vote at the international level. The right to development has become an inevitable issue.

#### IV. The Right to Development in an African Context

Although *a priori* intended to provide economic support to third world countries to alleviate the horrors of colonization, the right to development will be presented in a concise manner as “the right of the poor.” That is to say, it is a right in favor of third world countries regardless of its fundamental nature for the peoples gathered within the United Nations. This is what justifies that the right to development has remained at the stage of a non-binding principle, the implementation of which remains at the discretion of the States. Beyond the economic determinants, which have interested most of the developed countries, the African continent has intended to take advantage of the principle of the right to development by its consecration as not only the legal basis of respect for the rights and freedoms contained in international institutions but also a tool of political management, to remedy the shortcomings of human development in the African context. The right to self-determination and to the sovereignty of peoples over their resources and their future is the very basis of the right to development. The principle of the right to development formulated on the basis of the work of various United Nations commissions will be the subject of particular appropriation in the African context, the short-term implementation of which envisages the economic, social, and cultural development of the African peoples.

##### 1. The Ideological Appropriation of the Right to Development in Africa

The African reality of the appropriation of the right to development is reflected in the ideology conveyed by the objective morality of the laws in force. Thus, it was for African countries to ideologically tame the right to development in the interest of

translating it into facts and realizing its cultural, social, and economic values to better root the development of Africa. The conceptual ideological appropriation of the right to development was thus a prerequisite for its textual consecration in the African context from the Banjul Charter of 1981 and its subsequent legislation.

The African conceptual appropriation of the right to development as an individual and collective privilege contributing to economic, social, and cultural development has been achieved in a daring way. Rejecting the idea of an optional right, African countries have ideologically appropriated the right to development above all as a natural right of individual and popular essence beyond the perception of the United Nations since 1974.<sup>[1]</sup> Indeed, a certain doctrine has summarized the understanding that should be retained of the notion of the right to development in the African context. Judge Keba Mbaye, the father of the right to development in Africa, started from the distinction between the English notions of Law and Right, to irreversibly deduce that the right to development belongs primarily to subjective rights and as such relates to the human rights. Thus, in the African context, the right to development is understood as a fundamental human right. This is a primary right that must be respected by all and constitutes the basis of state protection and, beyond that, the foundation of the collective development of African peoples. In the African context, the right to development is no longer a “given right” nor is a “received right,” but rather one that is recognized and adopted. This renewed African perception of the right to development after 1974 was moreover enshrined in an important doctrine, which establishes precisely that the right to development is the principle, the subjective right, which must be objectified in the general rules of rights that constitute the development law.<sup>[2]</sup> On the other side of theoretical debates, Africa has ideologically appropriated the principle of this right to work effectively for its development. The interest of a conceptual appropriation consisted in preventing the inadequacy of a borrowing right foreign conceptions distant from African cultural values. The conception of an African ideology of the right to development based on individual rights allowed the society to adapt to new conditions of existence, by transforming individuals in this society into free people aspiring to the protection of their fundamental rights. This is what led African states to conceptualize the judicial

[1] Kamba, SD. (2017). The United Nations System and the Realization of the Right to Development: Challenges and Opportunities. In *42 SA Yearbook on International Law* (124-126).

[2] Roger, I. (2003). Le droit au développement comme droit de l'homme, genèse et concept. Mémoire de fin etude non publié. Institut d'études politiques de Lyon.

protection of the right to development through its textual appropriation.

The textual appropriation of the right to development in the African context refers to the consecration of this prerogative by the normative texts in force. It was more than the simple recognition of this prerogative to fully apply it, to establish and implement its normative nature. Thus, the normative appropriation of the right to development admits in addition to its consecration in the preamble of the African Charter on Human and Peoples' Rights, to value the point of view of legal specialists, particularly those in charge of the day-to-day application and protection of rights. This text specifies in particular that: It is convinced that it is essential from now on to pay particular attention to the right to development; that civil and political rights are inseparable from economic, social and cultural rights, both in their conception and in their universality, and that the satisfaction of economic, social and cultural rights guarantees the enjoyment of civil and political rights. It is thus noted that the conceptual appropriation of States in the African context of the right to development reflects the recognition of a real binding standard, the guarantee of execution of which is reserved for the judicial body. Since the judge cannot apply the law without interpreting it, textual appropriation makes it possible to have an adequate legal framework to facilitate the realization of the right to development in Africa. Conceptual appropriation ensures the orientation of the judge's office, which in practice must set the law on a case-by-case basis. Thus, to give meaning and a chance to the right to development to produce its effects in the African context, the role of the judge has proved to be essential in his capacity as guardian of rights, on the fringes of the obligation of States and of the international community recognized as both custodians and debtors of the right to development.

## 2. Structural Implementation of the Right to Development in Africa

The end of the 20th century saw the development of a set of common structural policies in Africa, creating a framework adapted to the consecration of development on the continent. The implementation of the right to development has been articulated around many common sectoral programs at the national and regional levels. Based on the empowerment of the capacities of African states, these programs, which in reality conveyed the African conceptual ideology of the right to development, claimed to be the means of achieving development in Africa. The intensification of both common economic policies and technical bodies with a continental vocation is sufficient to reflect the will to achieve development in the African context. The



structural implementation of the right to development in Africa primarily questions the empirical means of societal structuring of development in the African context. In reality, it is a question of raising the procedural frameworks, even the endogenous bases through which African countries envisioned the materialization of the right to development on their continent. The answer to this question was reflected in the 1980s by the implementation of many controversial common policies by African institutions. These include, among others, the Lagos Plan of Action for the Economic Development of Africa in 1980; the Programme of Action for African Economic Recovery and Development in 1986; the African Alternative Framework to Structural Adjustment Programmes for Socio-Economic Recovery and Transformation in 1989; the African Charter for Popular Participation in Development and Transformation in 1990; the United Nations New Agenda for the Development of Africa in the 1990s in 1991; and more recently the New Partnership for Africa's Development (NEPAD) in 2001.

However, the African continent since then has gone through serious crises supposed to be anticipated by those institutions. The general deterioration of macroeconomic indicators, the disintegration of production structures and infrastructure and the degradation of social welfare, including education, health, housing, and the environment, illustrate the failure of social policies of the 20th century.<sup>[1]</sup> The superposition of development programs in the 1980s in reaction to the pressures of the hour has contributed to the self-destruction of efforts to make material advances in the right to development in the African context.

The period of the 20th century was marked in the African context by the implementation of a set of collective economic and social policies aimed at the implementation of the right to development. The reality of the difficulty in benefiting from the fundamental right to development has, however, been taken up by certain African institutions, in particular the African Commission on Human and Peoples' Rights on one hand and the NEPAD Agency on the other. The role of the African Commission on Human and Peoples' Rights is to safeguard human and peoples' rights with a view to their fulfillment for the benefit of development. The African Commission is also supported in its action by the African Commission on Human and Peoples' Rights with which they participate in effectively ensuring the establishment

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[1] Merrien, FX. (2013). La protection sociale comme politique de développement: un nouveau programme d'action international. *International Development Policy Revue internationale de politique de développement*.

of a human rights protection system. The deployment of the African Commission and the African Court of Human Rights reassures not only the effectiveness of the right to development but also its implementation. These institutions reinforce the psychological feeling of being bound by the constraint that permeates the principle of the right to development.

NEPAD designates the African Union Development Agency set up in Lusaka (Zambia) in October 2001, to mark a new direction, bringing hope for African countries in the realization of the right to development. After the deadlock of the previous development policy programs, the concerted institution of NEPAD within the AU again anticipated self-centered management by African leaders of the problem of underdevelopment at the start of the new millennium. The NEPAD Agency, seen as an integrated strategic framework for socio-economic development in Africa, should serve as a platform to achieve the Millennium Development Goals in Africa. Thus, as soon as it is operationalized, it will immediately tackle the obstacles to the realization of the right to development and social well-being in Africa, such as poor governance, security, investment in priority sectors, and the mobilization of resources.

In the same vein, the international community as a whole has taken several initiatives, including the Millennium Development Goals (MDGs) and now the Sustainable Development Goals (SDGs). Despite all these measures, it seems that Africa is still a long way from emerging from its perpetual state of poverty. Many consider that all the efforts made for the African continent are a waste of time and energy; because deep down, there is no reason to be optimistic, especially since Africa remains poor and underdeveloped even when endowed with vast natural resources. In addition, the massacre observed in the Mediterranean, following the wave of immigration of young Africans does not seem to be about to change the unflattering outlook that everyone may have on the African continent. Indeed, the tragedy of high unemployment, lack of education, lack of access to health and other socio-economic privileges, as well as lack of the right to enjoy civic and political rights, are unquestionably proof that there is no progress concerning the right to development in Africa. Although this right is binding in the African Charter and in several African constitutions, including Cameroon, Benin, Ethiopia, Uganda, and Malawi, to name a few examples, it does not yet seem to have a concrete effect. However, the African Commission and the African Court on Human and Peoples'

Rights have demonstrated the justiciability of this right.

## V. Anti-Poverty Efforts and the Role of the Right to Development

Fulfilling individual and collective rights, for instance, in the fields of education, health, food or shelter, and the civil and political aspects of life, that are meeting the international human rights standards, could be interpreted as the realization of rights that include the composite right to development. The characteristics of the process for realizing the right to development and the success or failure of those efforts could be analyzed by first looking closely at the policies to alleviate poverty and protect vulnerable groups in society from the dislocating impacts of development. Poverty, the worst form of deprivation of human rights, is multidimensional, extending beyond incomes, capability to covering nutrition, health, education, and social security among other aspects. The well-being of the poor and vulnerable groups could be determined both in terms of their income and consumption and in terms of their capabilities. Policies to eradicate poverty are therefore appropriate examples of relevant policies to secure the right to development.

### 1. Eradicating Poverty Based on the Spirit of the Right to Development (RTD)

Having poverty eradication oriented by the right to development rather than abstract human rights, while highlighting the effects of this right on poverty reduction, emphasizes the fact that the right to development has consistently adhered to the ideas of people-centered development, which takes social justice and even global justice as its basic principle and at the same time equality of opportunity for development as its core. Equal access to development opportunities and development benefits are the ideals of human society wherein each and every citizen can achieve well-rounded development and enjoy full rights to development. On this note, as a comprehensive human right, the right to development has transcended any single form of human rights and thus can play an irreplaceable role in eradicating poverty everywhere in all its forms and dimensions.

In a broader sense, when referring to links between poverty and human rights, experts and scholars hardly ever refer to poverty as exclusively lack of income, but to a complex concept of poverty that also involves capability deprivation. This is so because such an approach is widely recognized as the conceptual “bridge” between poverty and human rights, since it incorporates new variables to economics that

reflect the intrinsic and instrumental value of fundamental freedoms and human rights. Poverty is a distinct violation of one specific human right, namely the “right to be free from poverty”; which is the main thesis underlying UNESCO’s draft document “Abolishing Poverty Through the International Human Rights Framework.” So, the relationship between “poverty” and “human rights” should be optimized to the “right to be free from poverty with development.” Only in this way, can we study and resolve the issue of poverty reduction in a better manner under the framework of the Declaration on the Right to Development and the relevant UN agendas and resolutions for sustainable development.

## 2. Constructing a Pluralistic and Adaptable Poverty Reduction Action Model

The rights to subsistence and development are the primary, basic human rights, and poverty is the biggest impediment to human rights. Without the production and supply of material goods, it will be challenging to realize any other human right. Development is a means of eliminating poverty, as it provides the necessary conditions for realizing other human rights and releases human potential. The right to development is incorporated into other human rights, while the latter creates the conditions for people to facilitate development and realize the right to development. Safeguarding the right to development is the precondition for realizing economic, cultural, social, and environmental rights, and obtaining civil and political rights. To be able to participate in, contribute to, and benefit from development, it is compulsory to improve popular well-being and well-rounded development as the starting point and ultimate goal, and to fully mobilize people’s enthusiasm, initiative, and creativity.

Just as stipulated in the UN Declaration on the Right to Development: “The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.” According to the declaration, people’s participation is aimed at establishing a two-way interaction model between the external forces and the people living in poverty, and ensuring that poor people can actively participate in the whole poverty reduction process including decision-making, policy formulation, and project implementation. The people’s contribution, on the other hand, implies that it is essential to provide more development opportunities for those living in poverty, especially to ensure that they can be effectively involved in the development process

by enhancing their participation capacity. And finally, people's enjoyment brings forward the fact that development outcomes must be shared and at the same time distributive justice must be achieved. To build a moderately prosperous society in all respects and realize poverty reduction, there is a need to provide better education, more secure employment, more satisfying income, more reliable social security, better medical services, more comfortable housing, and a better environment, so that all individuals can develop, contribute to society, and share the opportunity to pursue excellence and realize their dreams.

## VI. Conclusion

The realization of the right to development is a historical course. There is no end either to development or to realizing the right to development. The latter is an ongoing process of improvement. The inadequacy in meeting the ever-growing material and cultural needs of the people because of backward social production remains one of the main social problems in the African continent. As a continent with a great number of developing countries, Africa still faces challenging problems and heavy tasks in development. In pursuit of more equal participation and development, Africa needs consistent efforts to fully realize the people's right to development.

(Joseph Olivier Mendo'O, Head of the African Youth Delegation of Cameroon to China)

# China's Exemplary Role in Poverty Alleviation Greatly Promoting the Building of a Community with a Shared Future for Mankind

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## I. Poverty: the Biggest Global Issue

The right to subsistence, as the basis for other rights and interests, is the primary concern. In light of a UN report, up to 132 million people suffer from poverty in 2020, bringing the total number to about 800 million, i.e., an average of one in ten people live on the brink of starvation. It is particularly worrying that, with the spread of COVID-19, these figures will increase and challenge once again the right to subsistence for mankind, not to mention the problems in education, health, and national development caused by poverty.

## II. The Traditional Solutions of Various Countries No Longer Enough to Cope with the Poverty Brought About by the Continuing Economic Downturn

The practice has proved that traditional relief-centered poverty alleviation is limited and short-term. Coupled with the cumbersome file routine and the corruption of some officials, “low efficiency” and “temporary medical relief palliatives” have resulted in enduring impoverishment in some poverty-stricken areas and more poor people, forming a vicious circle.

To begin with, distributing grain and materials regularly would make some impoverished people dependent and even lazy, falling into “psychological poverty.” More and more people would like to be involved in this endless “charity activity” since they can have relief without having to do anything.

Second, there is no actual data survey to back it up. Maybe some people want to labor for grain, but no one tells them what or where to do it, or the government

doesn't have anything for them to do.

Third, the government functions are inefficient. Inefficient and negative administrative practices in many countries have achieved poor results and even caused much material waste.

Fourth, a common goal and a platform and framework are required to address the problem of poverty. All relevant countries should be involved to reach a consensus.

### III. China's High Efficiency in Poverty Alleviation Solving the Drawbacks of Traditional Ways

After studying poverty alleviation with Chinese characteristics, we have learned that these problems can be avoided and have formed a positive coping mode of poverty alleviation with the participation of the entire people and society.

The government attaches great importance to building a large-scale platform and creating a highly-unified idea. First, China has built a huge platform for poverty alleviation. The Chinese government regards poverty alleviation as a “war” on poverty within the framework of a large national strategy. Such organs as the Poverty Alleviation Office have been set up at both the central and local levels. In this way, all the issues can be handled in one department, greatly reducing buck-passing among departments. As far as I'm concerned, the Poverty Alleviation Office is one of the few organizations that can be specially set up by the state. On the whole, it is supervised by a national sector. Second, we elevate poverty reduction to the level of the common cause of mankind and consider China's poverty reduction as part of promoting human development. In the chapter of Poverty Alleviation in *Xi Jinping: The Governance of China (Volume III)*, it is specially mentioned that China's poverty alleviation is writing “a new chapter in the history of the fight against poverty.” This is a great idea. Within this huge framework, China has achieved tremendous results. Over the past 30 years of reform and opening-up, China has lifted more than 300 million people out of poverty around 2012. From 2012 to 2017, the number of poor people in rural areas dropped from 98.99 million to 30.36 million, and 68.53 million people were lifted out of poverty in the past five years, with an increase of 70%. This is a feat of poverty eradication in human history that no country has ever achieved.

We have learned that only by building a corresponding platform can poverty alleviation programs receive great attention and better promote cooperation and

implementation. Without a platform, a target, or a framework, many problems will eventually go nowhere.

The interests of the people should be put first. I believe China is the best country in embodying human rights. The biggest difference between China and Western countries is that China's policies are based on the people's rights and interests, while so-called "China's restrictions on human rights" are only the norms and constraints on individual behaviors under the premise of ensuring national interests and social common interests. As the ruling party, the CPC represents the interests of the people and puts the interests of the people first in all its policies. What China has implemented is a true democracy. While Western "democratic politics" puts capital in the first place, giving favorable publicity to human rights and freedom. That human rights and freedom are unlimited has caused people to live in poverty in exchange for so-called "human rights and freedom." So, the gap between rich and poor is widening. In a capitalist society, the ruling class holds that wealth and poverty are determined by capital, which is a matter of course, and there is no need for a ruler to consider what to do for the poor.

Therefore, the inspiration for us is to always put people's rights and interests in the first place, to establish a fundamental idea in poverty alleviation in the future, which is also a basic guarantee for sustainable implementation.

The supporting measures of poverty alleviation are quite perfect. In many countries, much of the worn-out poverty alleviation approach involves governments, individuals, or NGOs donating money or goods, building bridges and roads, or launching projects. China's poverty alleviation is not a battle by various departments or a single department, but a battle as a whole, which is a huge project to be undertaken. In addition to the central and local units, the military and police departments, the participants also involve all available resources in the whole society, including road and bridge construction enterprises, education, medical and tourism organizations, and public welfare organizations. As the Chinese saying goes, "When people are determined, they can overcome anything." China is taking part in poverty alleviation by the whole society. The mechanism of coordination among all parties not only prevents empty slogans but also arouses the initiative of all parties and gives people more confidence and motivation to lift themselves out of poverty. It is worth learning and emulating. I visited once a remote mountain village in Xishuangbanna. It had been a poor village two years before. Tourism development projects have



been developed after the investigation and research. The Ministry of Commerce, the tourism sectors, the highways agencies, and such relevant departments worked together to spend a year perfecting new tourist attractions and featured homestays. The folk customs attracted a large number of tourists, and in less than a year the whole village achieved poverty alleviation. This is just a microcosm of China's many poverty alleviation programs, which bring together the tireless efforts of all relevant departments and personnel at the central and local levels, as well as the grassroots and villagers. It is not hard to imagine a "poverty alleviation war" of 90 million people, which is several or even dozens of times the base of many countries, showing the effectiveness of China's poverty alleviation policies, and other countries with smaller populations should have more confidence in their efforts on poverty alleviation.

We have learned that solving poverty is not a matter for a single functional department, but for multiple departments to work together to complement each other and optimize their resources. To solve the issue of poverty, no single country can do it alone. We must pursue multilateralism, bring all countries together to leverage their respective strengths and pool the resources of all.

The targeted poverty alleviation is launched. What impressed me most about how well-targeted China was in the deployment of front-line cadres. According to statistics, China has a total of 2.778 million rural Chinese cadres, who are called "village-based cadres," eat and live with villagers to get actual and accurate knowledge of local conditions. The first-hand materials they research are sent to poverty alleviation units at all levels to work out a new future for the whole village. Upon having a blueprint, the country allocates resources and funds to make it a reality. I think "village-based cadres" are of Chinese characteristics. These cadres play a very important role, and the way of "dispatching village-based cadres" and their professional dedication are worth learning very much.

Therefore, we have learned that it is necessary for full-time officials to conduct matter-of-fact surveys in poor areas, not only to collect statistical information such as population data but also to clarify human resources, so that people in these areas can "give full scope to the talents," providing a reference for the precise overall planning of follow-up poverty alleviation.

The endogenous power should be stimulated. In many countries, the external forms of poverty alleviation, such as dispatching rice and household goods, materials,

and money, not only fail to solve the problem but also form the bad habit of “waiting for help,” which leads to worsening poverty. China’s poverty alleviation policy curbs this phenomenon and highlights the need to inspire people’s endogenous motivation. There is an old saying in China, “To teach fishing is better than to give fish.” China’s poverty alleviation policies encourage people to be self-reliant and create value by themselves, so as to achieve the goal of sustainable development and lift themselves out of poverty.

The inspiration is that we must eradicate “ideological poverty,” to make people in poor areas have the idea of spontaneously lifting themselves out of poverty. You reap what you work for. This creates a virtuous circle.

The supervision mechanism should be set up. Each poverty alleviation blueprint is designed and improved, during which the government has special departments to supervise the implementation of the plans and verify the results to ensure the effectiveness of poverty alleviation. Strict supervision ensures that every link is carried out efficiently. Each department must liaise closely to reach the prescribed plans and standards on time and in quantity, so as to ensure the completion of poverty alleviation projects.

The creation of an ideal environment should be underlined. The Chinese government attaches great importance to environmental concerns. I have been to many Chinese cities of various sizes, and I have found that the sanitation management in Chinese cities is very well, and the streets are very clean, which shows the high quality of the Chinese people. China makes the most of the creation of all kinds of surroundings not only in an urban environment but also in various fields. The Chinese government also creates the right environment to lift China’s poverty out of poverty. For example, a good tourism environment and business investment environment are created in poor areas, so that poverty alleviation can yield twice the result with half the effort.

Therefore, building the atmosphere and environment for poverty alleviation is a crucial step to take.

#### IV. Discussing the Future Modes of Poverty Alleviation and Building a Community with a Shared Future for Mankind as the Only Way Out

Since 2017, Chinese President Xi Jinping has described the vision of the Community with a Shared Future for Mankind: “The community with a shared

future for mankind, as its name implies, means that the future of every nation and country are closely linked. We should stand together through thick and thin and strive to build the planet where we were born and brought up into a harmonious family and turn people's aspirations for a better life into reality." To have a better life, the first is to solve the problem of poverty and the issue of human survival. The world, including many developed countries, has a large number of poor people waiting for assistance.

### 1. Building a Community with a Shared Future for Mankind by Pooling Resources of All Parties to Turn the Passive into the Active Mode in Poverty Alleviation

First of all, all resources should be pooled, and a platform and framework should be established first.

Second, we should promote China's development spirit, so that other countries can get a better understanding of China's reform and opening-up and poverty alleviation, eliminate poverty alleviation, and better imagine the future world under the framework of a community with a shared future for mankind, to generate momentum for the people of all countries. China's present may also be the future of many developing countries, and China's future is also the future of the world. This is the meaning of a community with a shared future for mankind. People of the world work together to build a home on earth and contribute to the community, and they will get their share in return. It takes a lot of work. To build a community with a shared future for mankind, we will strengthen exchanges among countries, give full play to our strengths, and apply the principle of "making full use of talents and resources" in all fields.

### 2. Promoting China's Poverty Alleviation Experience Globally, Transforming It from "Armchair Strategy" to Actual Battle

We should not just be surprised by the success of China's poverty alleviation, but also need more research and global adoption. China's population is so large that a medium-sized city might be the size of some other country. Therefore, if China's experience is put into practice around the world, it should be very helpful to eliminate poverty. The question is how to "transplant" these strategies. For example, we can try to organize officials from various countries to visit China to take first-hand poverty alleviation measures and then combine actual local situations to make suitable plans.

## V. Conclusion

Building a community with a shared future for mankind is an important idea proposed by President Xi Jinping to realize the common ideals of mankind and achieve peace, stability, and development. I believe this wise concept is not only an important summary of the experience of the CPC over the past 100 years but also a selfless initiative of the Chinese government and leadership in human development. At present, there are two major powers in the world. One is the United States, which continues to stir up troubles and disrupt the existing world order, peddling unilateralism and running counter to the interests of the people around the world. The other is a China that is truly self-reliant, positive, and optimistic, united in the national community, and vigorously promotes multilateralism, world peace, and development, dares to shoulder its responsibilities, and continues to make contributions to the people of the world. Two important facts are telling the world the truth. One is that China, with a population of over 1.4 billion, has weathered the pandemic peacefully under the care of the leadership of the Chinese government. The other is that the number of Chinese living in poverty has dropped by nearly 100 million in the past five years. Confucius said, “First he practices what he preaches and then he follows it.” China’s human rights are reflected in the tangible benefits of the people every bit. China always does more, while the Western world with the so-called “paramouncy of human rights” talks much and does nothing. There is no doubt that people around the world will choose to stand with China in building a community with a shared future for mankind and charting a better common future.

(Munyrith Chea, President of the Association for the Development of Cambodia-China Relations)

## An Explanation of Human Rights in Xi Jinping Thought on Poverty Alleviation

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Ever since the founding of the People's Republic of China, Chinese leaders of different historical periods have consistently attached great importance to poverty alleviation. Mao Zedong called the CPC a firm leading force for addressing poverty. Deng Xiaoping emphasized the interrelation between rural economic development and poverty relief. Jiang Zemin underlined the importance of combining “assistance from others” with “self-help” and proposed five points in tackling poverty, namely development-driven poverty alleviation, application of science and technology, correct leadership, respect for local conditions, and sustainability. Hu Jintao stressed the significance of poverty alleviation and development for building the socialist cause.<sup>[1]</sup> Drawing on the ideas of his predecessors and based on his own experience, Xi Jinping put forth a strategy with targeted poverty alleviation as its basic approach, which later evolved into Xi Jinping Thought on Poverty Alleviation.

Guided by the Thought, the Party and the state take poverty elimination as the primary task and defining indicator in completing a moderately prosperous society in all respects. It has been made clear that by 2020, there must be no more rural people living below the current poverty line, and no more impoverished counties; regional poverty must be eradicated.<sup>[2]</sup> Targeted poverty eradication is also one of the three final tasks that must be accomplished to build a moderately prosperous society.<sup>[3]</sup> As of 2020, China registered a complete victory in the battle against

[1] Huang Chengwei, & Liu Xin. (2016). Formation and Development of Anti-poverty Thought in New China. *Journal of Chinese Academy of Governance*, 3, 63-68.

[2] Huang Chengwei. (2019). Seventy Years of Poverty Alleviation in New China: Evolution of Strategies, Great Achievements, and Basic Experience. *Journal of Nanjing Agricultural University (Social Sciences Edition)*, 19(6), 1.

[3] State Council Information Office. (2019, September 23). *Seeking Happiness for People: 70 Years of Progress on Human Rights in China*. *People's Daily*, p.14.

poverty, eradicated regional poverty in general, and completed the arduous task of eliminating absolute poverty,<sup>[1]</sup> a remarkable achievement highly commended at home and abroad.

The CPC has just achieved the goal of building a moderately prosperous society in all respects and winning the critical battle against poverty and is on course to carry out the Rural Vitalization Strategy. At this juncture, this paper combs through the process of how Xi Jinping's ideas on poverty reduction have evolved into a mature system of thoughts since 1992. It analyzes the principles and state obligations on human rights contained in the Xi Jinping Thought on Poverty Alleviation and expounds prominent contributions to the human rights cause.

## I. Human Rights Principles in Xi Jinping Thought on Poverty Alleviation

After the 18th CPC National Congress, the anti-poverty campaign centered on Xi Jinping Thought on Poverty Alleviation was elevated to be a national strategy for the first time. The Thought contains two fundamental principles of human rights: “respect for human dignity and equality” and “realization of free and comprehensive human development.” It gives top priority to protecting human rights in the anti-poverty efforts, values the poor's right to be free of want, and promotes the realization of multiple rights including the right to subsistence, by stressing the improvement of basic living standards for the poor.

### 1. Respect for Human Dignity and Equality

Human dignity is an inalienable right of every individual in human society.<sup>[2]</sup> As the origin of human rights, it is the core value of respecting and protecting human rights both in terms of the natural and social property of humans and in their rational thinking and emotional instincts. The issue of poverty is related to minimal living necessities. In other words, poverty means a family's total income isn't enough to obtain the minimal amount of living necessities needed to meet the family members' physical needs.<sup>[3]</sup> In addition to the pure biological needs for survival, human beings as members of society also have spiritual and social needs, which essentially constitute human dignity.

[1] State Council Information Office. (2021, April 6). White Paper on *Poverty Alleviation: China's Experience and Contribution*.

[2] Han Deqiang. (2006). *On Human Dignity* (Doctoral dissertation) (p.118). Shandong University.

[3] Xia Dingqian, & Deng Chaozhua. (2020). Targeted Poverty Alleviation from a Legal Perspective. *Journal of Dalian Official*, 4, 57.

Respecting human dignity is the starting point of Xi Jinping Thought on Poverty Alleviation in relation to human rights, as it is developed on the basis of full respect for and protection of individual dignity, and fully answers to individuals' social and spiritual needs. Guided by the Thought, China has put in place six systems, covering responsibility, policy, input, mobilization, supervision, and assessment, to effectively meet the double needs of the poor population. Fully recognizing individual dignity, the Thought doesn't rely on economic performance alone to enhance people's sense of happiness but stresses long-term mechanisms such as education to reduce poverty and protect individual dignity in the long run. For example, the "Special Post Program," a program designed to guide college graduates to teach in rural primary and middle schools, has recruited 950,000 teachers cumulatively since launched. The "National Training Program" that aims to improve the quality of primary and middle school teachers, especially those in rural areas, has trained 1.27 million rural teachers in central and western China and assigned 190,000 to support education in remote, poor, border, and ethnic areas. The "Nutrition Improvement Program" targeting students in the stage of compulsory education is carried out in 136,300 schools in 634 counties, benefiting more than 40 million students every year.<sup>[1]</sup>

Emphasis on human equality is a human rights goal established by Xi Jinping Thought on Poverty Alleviation. As far as institutional design is concerned, inadequate emphasis on equality will make it hard to form an equal society, and even harder to effectively address the inequity of resources and capacity among individuals. When viewed from a human rights perspective, equality has twofold meanings—formal and substantive. Formal equality is the very essence of the right of equality, whose core elements include "equality at the beginning" and "equal treatment on equal conditions."<sup>[2]</sup> Substantive equality, on the other hand, is the actual practice of the principle of equality, whose realization is closely related to how other rights are exercised or realized, such as labor rights. Formal equality is vital for the protection of the right to equality, while substantive equality is a reiteration of equality or feedback on the validity of formal equality.

As the poor are below the line in their individual disposable income or resources, substantive equality has become the precondition for formal equality. This

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[1] State Council Information Office. (2021, April 6). White Paper on *Poverty Alleviation: China's Experience and Contribution*.

[2] Xu Xianming, & Qi Yanping. (2002). Five Keywords in the Establishment of Human Rights System in China. *Journal of Literature, History and Philosophy*, 4, 46.

means individuals can only obtain the opportunity of formal equality when the nation provides them with the necessary material support. Xi Jinping Thought on Poverty Alleviation intervenes in substantive equality on the national level to push for formal equality, so as to fundamentally change the situation where inherent disadvantages in resources cause the poor to have inadequate access to rights. The Thought lays out “Three Focuses” and “Targeted Efforts in Six Areas,” applies “Five Measures for Poverty Eradication,” and makes innovations in “four aspects.” As such, it answers “Four Questions”: who should be helped, who should help, how to help, and how to evaluate whether someone has emerged from poverty.<sup>[1]</sup> The design of multiple layers of rules can precisely identify the really impoverished individuals, who will be registered and helped to ensure their right to a standard of living adequate for their health and well-being. In this way, rights and obligations are redistributed to achieve substantive equality and consequently promote formal equality.

## 2. Realization of Free and Comprehensive Human Development

Realizing free and comprehensive human development is the key human rights target of Xi Jinping Thought on Poverty Alleviation. The ultimate goal of poverty alleviation is to promote the universal development of human rights in the broadest scope. As far as the personal development of the poor is concerned, the state of poverty reflects the excessive imbalance in the tug-of-war between state power and individual rights in disfavor of the latter. Therefore, the state must provide certain material conditions to guarantee its citizens proper living standards to promote the progress of individual rights. An adequate standard of living is defined in Article 25 of the Universal Declaration of Human Rights<sup>[2]</sup> and Article

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[1] “Three Focuses” refer to focusing on formulating the key plans for poverty alleviation during the 13th Five-year Plan period, creating and improving the anti-poverty policy system, and setting up “Five Platforms.” “Five Platforms” refer to the platform of big data on poverty alleviation and development, a provincial platform for anti-poverty financing, a county-level platform for anti-poverty funds and projects, a rural platform for poverty reduction work, and a platform for the engagement of social forces in poverty alleviation. “Targeted Efforts in Six Areas” refer to efforts to identify the poor accurately, arrange targeted programs, utilize capital efficiently, take household-based measures, dispatch first Party secretaries based on village conditions, and achieve the set goals. “Five Measures for Poverty Eradication” include boosting the economy to provide more job opportunities, relocating poor people from inhospitable areas, compensating for economic losses associated with reducing ecological damage, improving education in impoverished areas, and providing subsistence allowances for those unable to shake off poverty through their own efforts alone.

[2] Item 1 of Article 25 of the Universal Declaration of Human Rights states, “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”



11 of the International Covenant on Economic, Social and Cultural Rights<sup>[1]</sup>. The Covenant recognizes the right of everyone to an adequate standard of living for himself and his family, and to obtain necessary relief when exposed to accidents or contingencies. Xi Jinping Thought on Poverty Alleviation upholds the “free and comprehensive development of every individual” from the beginning to the end. According to the Thought, the state provides material and other guarantees for the poor through the exercise of power, while the individual initiative is respected and the awareness of individual rights is awakened for long-term development in impoverished areas.

Targeted poverty alleviation, the fundamental approach to implementing Xi Jinping Thought on Poverty Alleviation, is how the principle of “free and comprehensive human development” is put into practice. This approach underscores “targeted” practices in guiding anti-poverty work and prohibits “pretty data in name only.” This is “putting personal rights first” in the real sense and delivering the goal of and historical commitment to “meeting the aspirations of the people to live a better life.” In the meantime, targeted poverty alleviation coordinates the anti-poverty efforts among the nation, society, and individuals. When we work to eliminate poverty, all parties are mobilized in a coordinated way, central leadership and local innovation are combined, and economic development and social security are integrated. When guiding local practices, the central government gives local areas full initiative to allow for their special conditions. For instance, while following the Xi Jinping Thought on Poverty Alleviation as the guideline, Lankao County in Henan Province put forth a series of targeted measures, such as “three-pronged” industrial development, ecological progress in “Jiao Yulu Spirit,” promotion of education, and ensuring basic living standards with social security.<sup>[2]</sup> Lankao’s flexible combination of the concept of multi-dimension poverty governance with specific local conditions offered methodological references for other areas.

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[1] Item 1 of Article 11 of *International Covenant on Economic, Social and Cultural Rights* states, “The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international cooperation based on free consent.”

[2] *Secure a Decisive Victory in the Battle Against Poverty and the Realization of All-round Moderate Prosperity—A Case Study of Lankao*. (2021, April 27). *China Comment*. Retrieved from [http://www.banyuetan.org/fpdxa/detail/20210427/1000200033138961619491898617435380\\_1.html](http://www.banyuetan.org/fpdxa/detail/20210427/1000200033138961619491898617435380_1.html).

## II. State's Human Rights Obligations in Xi Jinping Thought on Poverty Alleviation

Extreme poverty is defined as a combination of income poverty, human development poverty, and social exclusion. Addressing income poverty involves individual, national, and social levels, and requires an all-around human rights framework designed in light of the state of social development and political system. The Western “trickle-down theory,” which quantifies poverty with the sole economic indicator, is no longer able to reflect the depth and complexity of the poverty issue as society progresses. Poverty per se obstructs individuals' exercise of their economic, social and cultural rights, which leads to the loss of other human rights. With China's unique political system and social development path, we must modernize the West's liberal outlook on human rights, create new ways of fulfilling national obligations, and establish its obligations for human rights on the three dimensions of practice, guarantee, and relief.

### 1. Practice: Bespoke Anti-poverty Measures for Different Groups

In light of China's social development state at the moment, Xi Jinping Thought on Poverty Alleviation makes clear that poverty alleviation is not entirely the state's obligation. Measures and systems must be tailored for different groups according to their specific circumstances to stimulate individual initiative, in order to have in place long-term mechanisms in poor regions.

First, we must pay close attention to ethnic minorities. The nation should fulfill its obligation to ensure a decent life for ethnic groups, support their development with favorable policies, and pay special attention to infrastructure construction in those areas. On one hand, China has made preferential policies for ethnic regions. The Outline for Development-oriented Poverty Reduction for China's Rural Areas (2011-2020) maps out 14 contiguous impoverished areas, 11 of which are in ethnic autonomous areas; and 592 key counties for national poverty alleviation work, 263 of which are in ethnic autonomous areas. While continuously improving infrastructure construction for them, we should strengthen the supervision by people's congresses, within the government and the Party, by people's political consultative conferences, and by the society in general, so as to ensure tangible results from the targeted efforts. On the other hand, fulfilling national obligations should be coupled with stimulating local initiative and respecting actual conditions. Local areas should work out systematic and specialized anti-poverty regimes so that

relevant measures will be carried out over the long term as a normalized practice. For instance, through the collaboration between the eastern and western regions, Foshan in Guangdong Province has helped Liangshan Prefecture in Sichuan Province lift 1,772 impoverished villages and 801,000 residents out of poverty cumulatively, and removed four counties—Leibo, Ganluo, Yanyuan and Muli—from the poverty list.<sup>[1]</sup> Besides, efforts are made in Guangxi Zhuang and Inner Mongolia autonomous regions to streamline administration and delegate power; land is redistributed in south Xinjiang<sup>[2]</sup>, and tourism is developed as a way of poverty reduction in Guangxi's Bama Yao autonomous county<sup>[3]</sup>. Efforts like these have improved the self-propelled poverty alleviation in ethnic areas.

Second, we must pay close attention to people with disabilities. Earnestly implementing the Convention on the Rights of Persons with Disabilities, China has realized the right to education and labor for people with disabilities and helped them better merge into society while ensuring their basic lives. In 2015, Opinions of the State Council on Establishing a Full-Scale System of Living Subsidies for Disabled Persons with Financial Difficulties and Nursing Subsidies for Persons with Serious Disabilities came into effect. It was the first national system of welfare and subsidy for persons with disabilities. In addition to financial support, China also launched a national platform of online employment services for persons with disabilities that year. With government subsidies, 1.175 million households of poor rural persons with disabilities have seen their homes renovated, 3.17 million poor rural persons with disabilities have received training on practical skills, and 4.962 million have been lifted out of poverty. As a result of these initiatives, poverty resulting from disability has been effectively reduced.<sup>[4]</sup> Apart from basic social security, China attaches more importance to the right to employment, right to education, and cultural rights of people with disabilities. On September 23, 2020, the Ministry of Industry and Information Technology and China Disabled Persons' Federation jointly issued the Guiding Opinions on Promoting Accessible Information Services, which facilitates

[1] *Paired-up Assistance Empowers Impoverished Regions in Poverty Alleviation*. (2020, September 22). *Guangming Daily*. Retrieved from [http://news.gmw.cn/2020-09/22/content\\_34208614.htm](http://news.gmw.cn/2020-09/22/content_34208614.htm).

[2] *Land Redistribution a New Way of Poverty Alleviation in South Xinjiang*. (2018, February 18). *Xinhuanet*. Retrieved from [http://news.cnr.cn/native/gd/20180218/t20180218\\_524138192.shtml](http://news.cnr.cn/native/gd/20180218/t20180218_524138192.shtml).

[3] Singapore China Cultural Center. (2021, April 20). *A Collection of Typical Cases on Poverty Alleviation Through Tourism Development in 2020*. Retrieved from <https://heny.chinaculture.org/portal/pubinfo/2021/04/20/001002003003/a27b18ace0eb497797ce32c94b1045e6.html>.

[4] State Council Information Office. (2016, October 17). White Paper on *China's Progress in Poverty Reduction and Human Rights*.

people with disabilities in accessing information in the digital age and helps them better adapt to the sharing society.

Third, we must enhance the protection of women's and children's rights and interests. China has established a sound new model of social relief system with special emphasis on protecting the rights of women in poor areas. In 2015, 71.215 million people in the country received subsistence allowances and relief, of whom 26.094 million were women, accounting for 36.6% of the total. In this way, all qualified people received assistance and help.<sup>[1]</sup> Projects such as "treating poor mothers with breast and cervical cancers," "affordable housing for mothers," and "mothers' health express" have been carried out to enhance women's right to health and help them achieve better lives and better prospects for development. Regarding the protection of children's rights, China formulated and implemented the Outline on the Development of Chinese Children (2011-2020) and the National Development Plan for Children in Poor Areas (2014-2020). The documents improve the system of care services for "left-behind" children and the mechanism of classified services for children living in difficult circumstances, providing them with rescue and protection. Xi Jinping Thought on Poverty Alleviation also underlines the vital role of education in eliminating poverty. This covers pre-school, compulsory education, high school, higher education, vocational education, and off-campus education. While working toward the goal of "ensuring compulsory education for poverty relief recipients in 2020," the country also concentrated efforts on registered impoverished households to guarantee their right to education and consequently cut off the intergenerational transmission of poverty.

## 2. Guarantee: Synchronous Development of the Rights to Freedom, Subsistence, and Development

Breaking the limitations of traditional theories, Xi Jinping Thought on Poverty Alleviation emphasizes the advancement of the right to freedom, subsistence, and development in parallel. The right to freedom essentially means personal freedom with the freedom of thought at the core while passive freedom and active freedom are respectively the general and special manifestations.<sup>[2]</sup> The right to subsistence, which has material and spiritual dimensions, involves both formal and substantive

[1] State Council Information Office. (2016, October 17). White Paper on *China's Progress in Poverty Reduction and Human Rights*.

[2] Xu Xianming, & Qi Yanping. (2002). Five Keywords in the Establishment of Human Rights System in China. *Journal of Literature, History and Philosophy*, 4, 46.

contents.<sup>[1]</sup> The right to development, which is a dynamic concept, also boils down to a personal right. The relation of these three rights can be generalized as follows: the full realization of the right of freedom and right to subsistence guarantees the realization of the right to development; the free exploitation of individual potential and full development of personality are the key contents of the right to personal development; and equal opportunities are the basis for the realization of the right to development. Clearly advancing the three rights in parallel not only strengthens their integration and mutual promotion but also conforms with the trend of multi-party state governance in the post-industrial age.

To begin with, following Xi Jinping Thought on Poverty Alleviation, policies are designed to practice and develop all three rights in parallel in poor areas. The central government makes the top-level design to perfect the system of anti-poverty policies and form a macro anti-poverty framework. As early as 2012, China issued the Methods of Assessment of Poverty Alleviation and Development Work (trial) to make the work more effective. It has steadily advanced this campaign in accordance with the Outline for Development-Oriented Poverty Alleviation for China's Rural Areas (2011-2020). Following Xi Jinping Thought on Poverty Alleviation, we have separated the right to ownership, right to contract, and right to operate contracted rural land and promoted the rural collective property rights system reform to root up the institutional and structural factors for poverty. While protecting the poor's right to employment, we also ensure their right to health and cultural advancement through medical, sports, and cultural development. With better education, the poor are also encouraged to take an active part in democratic and social life, thus protecting the full realization of their political rights.

Second, on the theoretical level, Xi Jinping Thought on Poverty Alleviation underscores the progression of anti-poverty efforts from being objective to subjective to interactive—the interactions among different parties provide important theoretical support for making poverty reduction measures. On one hand, it emphasizes the interactions between the state and individuals, with leading cadres acting as an effective bond in between. People living below the poverty line are registered, reasons for their poverty and their development needs are analyzed, and classified guidance is provided. In this way, policies can be adjusted timely to truly represent and serve the

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[1] Xu Xianming, & Qi Yanping. (2002). Five Keywords in the Establishment of Human Rights System in China. *Journal of Literature, History and Philosophy*, 4, 46.

people's interests. Ideological guidance is also provided to serve the people and lift them out of poverty both materially and spiritually. On the other hand, the Thought emphasizes the interactions among individuals and calls for poverty alleviation based on individual initiatives in various ways and through diverse channels. The ultimate solution to poverty rests with people's voluntary explorations and internal drive, which is the only pathway to sustained and valid poverty eradication.

According to Xi, anti-poverty approaches should be tailored according to the development state in different areas and the characteristics of different poor groups. Speaking of industrial development, infrastructure construction should be conducted in light of the local natural environment and resources, and innovative approaches such as tourism, e-commerce, and relocation can be applied to truly improve the living conditions of the poor. As a result, the poor residents no longer just wait for assistance but are enabled and empowered to help themselves out of poverty, which also promotes the protection of their human rights. For instance, Fujian Province and Ningxia Hui Autonomous Region paired up in opening-up, dispatch of labor force, and sci-tech innovation, which removed nine counties in Ningxia from the poverty list.<sup>[1]</sup> In ethnic regions, special efforts are made to develop think tanks specializing in targeted poverty alleviation. The National Ethnic Affairs Commission issued the Plan for Developing Think Tanks for Ethnic Work (2016-2020) to guide anti-poverty work in ethnic regions with locally adapted thinking. In sum, the state has made a point of making efforts in educational, scientific, cultural, and health sectors to advance the Five-Sphere Integrated Plan and Four-Pronged Comprehensive Strategy in a holistic and coordinated way. It fully protects the cultural rights of individuals and has driven the implementation of the "Sports Power" strategy, whereby the sports system is reformed and connected with education and medical care, thus promoting the realization of the individual right to health.

### 3. Relief: Diversification and Perfection of Social Security System

German scholar Wilk said that the poor population, because of their state of poverty, is in no position to act as a political partner and often faces the risk of falling prey to the presumptuous actions of dominant political and economic groups.<sup>[2]</sup>

[1] *Friendship and Collaboration Between Fujian and Ningxia Initiated by Xi Jinping Progresses in New Era*. (2020, December 2). *Ningxia Daily*. Retrieved from [http://www.cpad.gov.cn/art/2020/12/2/art\\_5\\_185603.html](http://www.cpad.gov.cn/art/2020/12/2/art_5_185603.html).

[2] Wilk. (1982). *Poverty, A Structural Problem in Developing Countries*. Mao Zhenhu (Trans.). *Contemporary Digest of Foreign Philosophy and Social Sciences*, 10.

Therefore, to solve the poverty issue, we cannot simply prioritize technological advancement and national industrialization. More importantly, we must take action to change the domestic structure and give the poor a louder voice and a bigger say. That's why Xi Jinping Thought on Poverty Alleviation doesn't stop at reducing the size of the poor population. Rather, it reflects on the current institutional design in the country through poverty governance and pushes the value of and considerations for human rights to be included in the social security system, thus significantly enriching the entities and contents of this system.

In terms of entities, Xi Jinping Thought on Poverty Alleviation stresses the interactions between government, market, and society. As the entity bearing chief and absolute responsibility for human rights protection, the state should fulfill its due obligations. Nevertheless, with the evolution of social patterns and the notably expanding public scope in post-industrial society, the realization of any right should not depend on more entities than the state alone. The welfare pluralism theory<sup>[1]</sup> shows that a welfare system engaging multiple forces will lead to flattened interactions and institutions, which will maximize individual benefits and make up for the deficiency of the traditional approach where the state is the only welfare provider. That's why Xi Jinping Thought on Poverty Alleviation, on the premise of fulfilling state obligations, encourages private and social forces to engage in the social security system. In 2014, the General Office of the State Council issued the Opinions on Further Mobilizing Social Forces to Engage in Anti-poverty Development.<sup>[2]</sup> The Opinions called for giving full play to the role of private enterprises and social organizations in poverty alleviation and creating a situation where the government, the market, and the society work in synergy toward the same goal. For example, charity activities are organized to realize the third distribution of social resources, and people in possession of great wealth are urged, with a moral appeal, to help those with little social capital. The China Charity Fair in September 2020 matched up 23 projects worth RMB 13.52 billion,<sup>[3]</sup> marking a major innovation

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[1] *The Future of Voluntary Organizations* (Wolfenden Report) was one of the earliest publications using the concept of "welfare pluralism" in 1978. It suggested viewing voluntary organizations as a kind of provider of social welfare, in other words, diversifying the welfare provision system. See Wolfenden, J. (1978.) *The Future of Voluntary Organizations* (pp.9-149). Croom Helm.

[2] *Opinions of the State Council on Further Mobilizing Social Forces to Engage in Anti-poverty Development*. [2014] No.58.

[3] *Voice of CCA in September 2020*. (2020, October 12). *China Charity Alliance*. Retrieved from <http://www.charityalliance.org.cn/cszs2020/14052.jhtml>.

in the entities contributing to the social security system.

In terms of contents, Xi Jinping Thought on Poverty Alleviation expands the scope of social security laterally, attaching great importance to public services in educational, medical, and cultural sectors in addition to meeting the basic material needs of the poor. The Decision on Winning the Fight Against Poverty issued by the CPC Central Committee and the State Council in 2015 and the Plan for Poverty Elimination in the 13th Five-Year Plan Period in 2016 both set store by health care. They called for medical system reform in poor areas, improving the service capability of local doctors and medical institutions, and enriching the services. They tried to narrow the regional gap in medical resources by launching preferential policies for rural doctors and enhancing their capabilities, so as to better control more underlying diseases. Vertically, stressing the sustainability of the social security system, the Ministry of Civil Affairs, Ministry of Finance, and State Council Leading Group Office of Poverty Alleviation and Development took steps to stimulate local initiative while guaranteeing full coverage of social security. Upholding full-process poverty alleviation, authorities have provided more public services and allocated resources in light of demographic trends, and increased the accessibility and affordability in rural areas of the services, in a bid to narrow the rural-urban gap and eventually equalize their access to public services.

### III. Human Rights Contributions by Xi Jinping Thought on Poverty Alleviation

From the 18th CPC National Congress to the end of 2020, China accomplished its anti-poverty targets on schedule. With the rural incidence of poverty falling from 97.5% in 1978 to 1.7% in 2019, it created a miracle in human history by becoming the only country that rose from the level of “low human development” to “high human development” in per capita terms.<sup>[1]</sup> Given the special conditions in China, the anti-poverty achievements are a tremendous contribution to the international efforts against poverty. While making great efforts at home, we have also helped other countries in their anti-poverty endeavor through cooperation and exchanges, making positive contributions to the human cause of poverty reduction.

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[1] *China's Elimination of Absolute Poverty in 2020 Contributes to All Humankind*. (2020, January 3). *China Daily*. Retrieved from <http://cn.chinadaily.com.cn/a/202001/03/WS5e0e919ba31099ab995f50e1.html>.



## 1. Domestic Contributions

First of all, Xi Jinping Thought on Poverty Alleviation serves the anti-poverty path with Chinese characteristics and corrects the name of China's discourse system on human rights. Because of the dominance of the Western narrative, the human rights concepts established on Western values and preferences constitute the prevalent framework for interpretation.<sup>[1]</sup> Western countries influence the human rights culture in other countries and regions by taking advantage of historical factors, cultural traditions, and in other non-coercive means, thus making their human rights concepts and institutions the international norm. In this process, human rights become a sharp weapon with which certain countries, mainly Western ones, interfere in the political affairs of other countries. Due to historical factors and our special conditions, China has consistently stood at a disadvantage on many subjects and rules in relation to human rights, but our human rights cause has entered a new era along with socialism with Chinese characteristics. Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era summarizes China's historical experience in human rights development and traditional human rights outlook and develops the Chinese discourse system on human rights on that basis. Xi Jinping Thought on Poverty Alleviation is an important part of Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era. Therefore, our glorious victory in the anti-poverty battle under the guidance of this thought is in itself a theoretical underpinning for the Chinese human rights discourse system and a practical pillar for it to grow in depth and breadth.

Accomplishments made so far in poverty reduction attest to how deeply Xi Jinping Thought on Poverty Alleviation is rooted in China's actual conditions. In the macro sense, poverty alleviation work is focused on rural areas and linked with the goal of building a moderately prosperous society in all respects. It is also linked with the Party's first Centenary Goal on the height of national development strategy.<sup>[2]</sup> On the micro level, the poverty standard is determined according to purchasing power parity,<sup>[3]</sup> targeted poverty alleviation is the fundamental approach, and a dynamic

[1] Zhao Tingyang. (2006). Pre-paid Human Rights: A Non-Western, Common Human Rights Theory. *Social Sciences in China*, 4, 18.

[2] At the ceremony marking the centenary of the CPC held on July 1, 2021, General Secretary Xi Jinping solemnly announced that "through the continued efforts of the whole Party and the entire nation, we have realized the first centenary goal of building a moderately prosperous society in all respects. This means that we have brought about a historic resolution to the problem of absolute poverty in China." See <https://www.12371.cn/special/jdbnjh/>.

[3] State Council. (2015, December 15). *Adjustment of Poverty Line Doesn't Affect Anti-Poverty Work in China*. Retrieved from [http://www.gov.cn/xinwen/2015-12/15/content\\_5024183.htm](http://www.gov.cn/xinwen/2015-12/15/content_5024183.htm).

monitoring and assistance mechanism is created and improved to prevent relapse into poverty. Great efforts are made to develop the characteristic industries in poor rural areas, and grassroots political networks are woven to exert socialist China's institutional advantage in pulling forces to accomplish grand causes. Upholding human rights principles, Xi Jinping Thought on Poverty Alleviation gives top priority to the right to subsistence and the right to development and combines the universality of human rights with China's special conditions. By creatively putting forth targeted poverty reduction, "Five Measures for Poverty Eradication" and other initiatives, it has led the way to all-round moderate prosperity and blazed a Chinese path of human rights development.

Second, Xi Jinping Thought on Poverty Alleviation takes "living a happy life" as the primary human right. Unlike other countries, China adopts forward-looking and consistent policies on poverty governance and would continue to push rural development and revitalization after accomplishing the anti-poverty goal. As early as 2018, the CPC Central Committee and the State Council issued the Rural Vitalization Strategic Plan (2018-2022) to guide sustainable development in rural areas. Moreover, distinguished from capitalist countries' unfair hierarchy for the distribution of welfare based on their political and economic systems, the Thought aims at equality for all and common prosperity as the ultimate goal. It stresses that under the unified leadership of the CPC Central Committee, the nation provides equal opportunities for all individuals to share wealth and allocates political and economic resources rationally. The battle against poverty is conducted in a people-centric way with the poor's right to subsistence and development as the starting point and final aim of all work. On one hand, we must oppose formalism. Satisfaction of the poor population is an essential yardstick to assess the targeted anti-poverty work and its effects—only when the poor are satisfied can our work stand up to tests. Since 2013, more than three million first secretaries and resident working team members have been selected and dispatched to carry out targeted poverty alleviation.<sup>[1]</sup> This provided the organizational guarantee for winning the anti-poverty battle and made poverty governance more systematic with clearly defined and divided responsibilities. Steps were taken to develop the information network and rule of law in impoverished regions, with a view to enhancing the poor residents' awareness of their rights

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[1] State Council Information Office. (2021, April 6). White Paper on *Poverty Alleviation: China's Experience and Contribution*.

and raising their intellectual level. On the other hand, calling the people the “real heroes,” Xi Jinping Thought on Poverty Alleviation introduces and develops the idea and mechanism for people to act as masters of the country. It stimulates the poor’s initiative and creativity, respects their principal status, and motivates their pioneering spirit, turning them into active contributors to the realization and enjoyment of their rights.

## 2. International Contributions

For one thing, in a country like China with such a huge population, putting an end to poverty is in itself a huge human rights contribution to the global anti-poverty cause. Judging from the current progress, China’s poverty reduction campaign proceeds faster than the world average. According to the World Bank’s standards, people are considered to be in “extreme poverty” if they live on less than USD 1.90 per day. Starting in 2012, China kept lifting more than 13 million people out of poverty on an annual average for six years in a row, accounting for more than 70% of the global total over the same period.<sup>[1]</sup> Our anti-poverty miracle has been affirmed and applauded by many countries and extensively recognized and supported in the international community. The 73rd session of the UN General Assembly in 2018 adopted a resolution on eradicating poverty in rural areas, which included the China-initiated policy of “targeted poverty alleviation.” The World Bank issued a report titled “E-Commerce Development: Experience from China in November 2019,” which largely affirmed the important role played by e-commerce in China’s economic development and recommended it to other developing countries for its positive effect on poverty reduction.

For another, Xi Jinping Thought on Poverty Alleviation contributes to Chinese wisdom and plan for addressing the poverty issue. Guided by the Thought, which upholds targeted poverty alleviation as the fundamental approach, China has created and improved an accurate poverty identification mechanism combining the top-down mode (based on specific indicators, scale, responsibility, and tasks on each level) and the bottom-up mode (democratic review and discussion among villagers). This all-round and multi-layered system of protecting the human rights of the poor is meaningful for perfecting the international approach to poverty reduction.<sup>[2]</sup>

[1] *Contributing Chinese Experience to World Poverty Reduction*. (2019, October 25). *China Youth Daily*. Retrieved from [http://zqb.cyol.com/html/2019-10/25/nw.D110000zgqnb\\_20191025\\_4-04.htm](http://zqb.cyol.com/html/2019-10/25/nw.D110000zgqnb_20191025_4-04.htm).

[2] Huang Chengwei. (2020). China’s Battle Against Poverty in the New Era: Historical Significance and World Contributions. *Journal of Nanjing Agricultural University (Social Sciences Edition)*. 20(4), 9.

The combination of the two modes is also helpful for effectively identifying poor populations and lays a solid foundation for implementing targeted measures in the future. In the meantime, the Thought demonstrates socialist China's institutional advantage in pooling resources to solve major problems. It inherits the wisdom of Marxism and previous Chinese leaders while making unique innovations. According to the Thought, the central government commands the overall planning and collective design while giving free rein to local innovation; it guarantees basic social security while inspiring the poor to take an active part too. The Thought underscores helping the poor build self-belief and have access to education, to fundamentally prevent poverty from passing down from generation to generation and make the achievements sustainable. Furthermore, the theories and practices contained in Xi Jinping Thought on Poverty Alleviation, such as valuing people's internal drive, providing reasonable resources, and designing sound institutions, are valuable references for developing countries to step out of poverty more quickly.<sup>[1]</sup>

While striving to meet its own goal of poverty alleviation, China has actively assisted other countries in their poverty reduction efforts. In his speech at the Moscow State Institute of International Relations, General Secretary Xi Jinping said "There cannot be sustainable development in the world when some countries are getting richer and richer while others languish in prolonged poverty and backwardness. Only when all countries achieve common development can there be better worldwide development. Such practices as beggar-thy-neighbor, shifting crises onto others, and feathering one's nest at the expense of others are both immoral and unsustainable."<sup>[2]</sup> China achieved the poverty alleviation goal set on the UN 2030 Agenda for Sustainable Development 10 years ahead of schedule. While achieving this extraordinary feat at home, it has assisted other countries with no political strings attached. For example, with China's help, the rice planted in Guinea-Bissau yielded 385% more output than traditional rice; satellite digital TV signals could be accessed in a number of villages in Ghana, Rwanda, and Kenya; the village where China and Laos carried out a pilot project for poverty alleviation studied the greenhouse planting technology and pursued green development through rural tourism.

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[1] Huang Chengwei. (2020). Significance of General Secretary Xi Jinping's Basic Strategy of Targeted Poverty Alleviation. *Party Building*, 6, 27.

[2] *Following the Trend of Time, Promoting World Peace and Development*. (2013, March 24). *Workercn*. Retrieved from [http://media.workercn.cn/sites/media/grrb/2013\\_03/24/GR0104.htm](http://media.workercn.cn/sites/media/grrb/2013_03/24/GR0104.htm).

In addition, China has been actively promoting South-South Cooperation and the Belt and Road Initiative (BRI) to help other countries enhance the capability of sustainable development through mutually beneficial opening-up. A research report by the World Bank showed the BRI could help lift 7.6 million people out of extreme poverty and 32 million people out of moderate poverty globally. At the Forum on China-Africa Cooperation (FOCAC) Africa-China Poverty Reduction and Development Conference held in November 2019, UN Under-Secretary-General Bience Gawanas said under the framework of the FOCAC and BRI, China has played a significant role in a wide range of areas, including supporting African Union in infrastructure planning, promoting regional integration, creating trade and job opportunities, and boosting economic growth and poverty reduction in Africa.

#### IV. Conclusion

Poverty is a pressing task of human rights. The poor population has difficulties in enjoying an array of human rights, and the scarcity of economic resources has prevented them from accessing education, medical care, safe drinking water, or basic health facilities. Poverty per se may lead to specific violations of human rights. For instance, the poor may be forced to work in unsafe and unhealthy environments. Poverty may also derive from the inadequate protection of human rights. For instance, a nation's failure to provide compulsory education for all school-age children may cause poverty to be passed down to the next generation. Therefore, eliminating poverty is more than charity work—it is a matter of human rights that must be addressed urgently.

Xi Jinping Thought on Poverty Alleviation is a perfect illustration of the Chinese outlook on human rights. The full realization of human rights depends on material sufficiency, which in turn decides how well human rights can be realized. Since the 18th CPC National Congress, General Secretary Xi Jinping has put poverty alleviation in a prominent position in state governance, considering it an inherent part of building a moderately prosperous society in all respects and realizing the Chinese dream of national rejuvenation. Xi Jinping Thought on Poverty Alleviation, a combination of field studies and theoretical explorations, has guided China's poverty reduction cause to a complete success, whereby the Chinese people can fully enjoy all human rights. There is no end to protecting human rights. As a responsible member

of the international community, through its poverty alleviation, China not only brings about a happy life for the Chinese and facilitates the achievement of a moderately prosperous society in all respects, but also provides proven experience and references for the anti-poverty work in other countries.

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# Common Prosperity and Development and China's Human Rights View —Taking Xizang as an Example

Zhang Yun  
China

According to President Xi Jinping, Common prosperity is an essential requirement of socialism and a key feature of Chinese-style modernization. We should adhere to the people-centered and high-quality development model to realize common prosperity. We must always put the people first, rely closely on them, constantly bring benefits to them, and make solid progress in promoting common prosperity. In the new stage of development, we must pay more attention to common prosperity to apply the new development philosophy in full, in the right way, and in all fields of endeavor. Realizing common prosperity is more than an economic goal. It is a major political issue that bears on our Party's governance foundation. We must not allow the gap between the rich and the impoverished to grow wider and even become insurmountable. President Xi's statements not only epitomize the connotation of socialism with Chinese characteristics, but can also be considered a prelude for the Chinese people to achieve common prosperity and move towards the second centenary goal of the great rejuvenation of the Chinese nation.

## I. Firm Belief: Pursuing Common Prosperity

On July 1, 2021, President Xi Jinping solemnly declared: "Through the continued efforts of the whole Party and the entire nation, we have realized the first centenary goal of building a moderately prosperous society in all respects. This means that we have brought about a historic resolution to the problem of absolute poverty in China." Building a moderately prosperous society in all respects covers the economy, democracy, science, education, culture, society, and people's lives. Plus, it is achieved in the context of the increasingly complex international situation, the

COVID-19 pandemic raging all over the world, and the downward trend of the world economy. At this moment, the Chinese people's sense of happiness, fulfillment, and pride has increased unprecedentedly. The people of the whole country have experienced a major test unseen in a century which taught us a harsh lesson. Undoubtedly, they will have a deeper thinking and understanding of many major issues, including democracy, human rights, and equality.

Achieving moderate prosperity fulfills the long-cherished dream of the Chinese nation. China's long history and cultural legacy dictate that the Chinese people are unique in their thinking and behavior, and they must take their own road to common prosperity. *Li Yun* in *The Book of Rites* written more than 2,000 years ago depicts a blueprint for such a society for the people at that time and for later generations: "Now a just cause for the common good has disappeared and the world has become the property of one family. People care about their own relatives and children. Property and labor are privately owned. The imperial power has become hereditary and a justified ritual system. City fortification has been built. A code of ethics and various systems have been established to regulate the relationship between kings and officials, to foster harmonious relationships between father and son, elder brothers and younger, husband and wife, to divide fields and houses, to honor the brave and wise as sages, and to reward accomplishment. So dark schemes and tricks emerge. Thus, wars broke out, and Da Yu of the Xia Dynasty, King Tang of the Shang Dynasty, King Wen, King Wu, King Cheng and Duke Dan of the Zhou Dynasty became outstanding figures. All of the six gentlemen carefully observed the etiquette system which they publicize and use to examine people's credit, expose mistakes, set a model of courtesy, and teach the rituals of etiquette and law to the people. If there is deviation or violation, those in power would deal with it, and the people also regard it as a scourge. This kind of society is called Xiaokang, a moderately prosperous society." Confucius, an ancient Chinese philosopher, said, "I've heard that the princes who own state fiefs and the dukes who own family fiefs worry about not the scarcity of resources, but their uneven distribution; not poverty, but people's not keeping their places. If the wealth distribution is fair and reasonable, there will be no poverty; if there is harmony between the ruling class and the masses, there is no need to worry about fewer people; if the society is stable, the country will not be in danger of being toppled." This reveals the core content and goal of Chinese people's thinking on development. The slogan of "even wealth distribution and equality" put



forward by the leaders of the peasant uprising in history to mobilize the masses, a grand harmony and universal cornucopia advocated by Kang Youwei, the leader of the modern reform, and the interpretation of people's livelihood by Sun Yat-Sen, the leader of the Revolution of 1911, as socialism, "also known as communism, that is, grand harmony of the world," all try to respond to the most essential problems of Chinese society and put forward the ideal solution to them.

The Communist Party of China (CPC) led the founding of the People's Republic of China and turned the dream of common prosperity into reality by adopting the socialist system. Common prosperity and development are important thinking of the Chinese people throughout ancient and modern times. We should not only eradicate poverty but also address the widening inequality, that is, the worry about unequal distribution rather than poverty. Despite having been continuously promoted for thousands of years, it has not been fundamentally solved. The CPC led the Chinese people in the democratic and socialist revolutions, eliminated exploitation, realized public ownership of basic means of production, liberated and developed productive forces, and eliminated polarization, thereby laying a solid foundation for achieving the goal of common prosperity. The socialist system and the people-centered approach to development determine that China must take the road of common prosperity. In 1955, Mao Zedong put forward the concept of common prosperity for the first time in his report "On the Co-operative Transformation of Agriculture." At the end of the same year, he also stressed that the implementation of such a system would mean more wealth and greater strength shared by everyone. In the late 1970s and early 1980s, when drawing the blueprint for China's economic and social development, Deng Xiaoping put forward the strategic concept of building a "moderately prosperous society," giving a new connotation to Xiaokang. He proposed that we break the shackles of the traditional system, refrain from practicing egalitarianism, and allow some people and some regions to get rich first, which greatly liberated and developed the social productive forces.

Since the 18th CPC National Congress, the CPC Central Committee with comrade Xi Jinping at its core has understood the new changes in the new development stage, placed the gradual realization of common prosperity in a more important position, promoted coordinated regional development, taken effective measures to ensure and improve people's livelihood, declared a "complete victory" in the fight against poverty, and finished the building of a moderately prosperous society

in all respects, thus creating good conditions for promoting common prosperity. It clearly pointed out that we have reached the historical stage of solidly promoting common prosperity. “Common prosperity is an essential requirement of socialism and a key feature of Chinese-style modernization. It is the prosperity for all and the prosperity of both material and spiritual life rather than the prosperity of a few people or egalitarianism.” Building a moderately prosperous society in all respects in 2020 has a profound ideological foundation, social foundation, and institutional guarantee. It is the result of the wise leadership of the CPC and the concerted efforts of the people of all ethnic groups.

China proposes building a community with a shared future for mankind under the principle of extensive consultation, joint contribution, and shared benefits. Another important thinking in Chinese cultural tradition is the thinking of harmony. *Li Yun* in *The Book of Rites* writes: “When a just cause is pursued for the common good, people with noble morality and high capability would be selected; integrity and harmony would be advocated; people would not only care for their own parents and raise their own children. In this way, the elderly can be provided for; the adults can be employed; the young can grow up smoothly; the widowers and widows, the orphans, the childless, and the disabled can be supported; men can have jobs and women can have homes; people would hate the act of throwing their wealth on the ground, but they don’t have to hide it; people would be willing to do their best for the public, not necessarily for their own self-interest. Therefore, treachery, theft, rebellion, and harm will not happen, and doors don’t have to be closed. This is what an ideal society should be like.” Fan Zhongyan’s “The Yueyang Tower” writes, “One should be the first in his country to worry about state affairs, and the last to enjoy oneself,” which shows the ancients’ concern for humanity. Gu Yanwu, a thinker of the Qing Dynasty, said in his *Zheng Shi* in *Rizhilu*: “Protection of the country should be planned by the monarch and ministers; and as to the protection of the world, everyone is responsible.” The “world” here mostly refers to ancient China, but the thinking is universal.

In the era of highly developed transportation and unprecedented development of information technology, no country is able to solve the common problems of energy, climate, population, food, war, disease, and development all by itself. The idea of building a community with a shared future for mankind put forward by China is an effective solution to various global challenges. It comes not only from Chinese traditional ideas but also from the sense of responsibility of the Chinese government

and people, as well as their wish to realize common prosperity for the people of the world. President Xi Jinping stressed the need to work for the rejuvenation of Chinese nation and progress of mankind, and to work together to build a new type of international relations and a community with a shared future for humanity. He also advocated striving to see that no country is left behind on the road of development and progress, working together to build a new type of international relations featuring win-win cooperation, and promoting the common prosperity and development of all countries in the world. China hopes that the common values of peace, development, fairness, justice, democracy, and freedom of all mankind will become the converging values between different social systems, different levels of development, and different cultures, making it an important starting point for eliminating war, poverty and hatred. The policy of deepening mutually-beneficial cooperation and connectivity with neighboring countries, and the guiding principles of the Belt and Road Initiative (BRI) including openness, cooperation, harmony and inclusiveness, market-based operation, and mutual benefit, are all based on the thinking of common prosperity and development. Derived from ancient wisdom, this thinking is applicable to international relations and the entire mankind, embodies universal human rights and human rights for all, and is a human rights view held by the whole world.

## II. Correct Policy: Promoting Common Prosperity

To promote common prosperity, China has embarked on a unique path. To take Xizang as an example, after the founding of the PRC in 1949, the socialist system was gradually established through the democratic revolution; its exploitation system and exploiting classes were eliminated; national oppression was eradicated; and the policy of ethnic equality, unity, and mutual assistance was implemented, laying a solid foundation for the development of Xizang and other ethnic regions and for ethnic regions to realize common prosperity together with other parts of China. After the democratic reform was carried out in Xizang in 1959, on April 15 of that year, Mao Zedong said at the 16th State Council meeting about counterinsurgency in Xizang: “Some people sympathize with Xizang, but they only sympathize with the minority, not the majority. On the contrary, we sympathize with these 1.1 million people rather than those 30,000 or 40,000 people, because they are exploiters and oppressors.” This is the sticking point of the problem. The serfs and slaves, who accounted for 95% of the population in old Xizang, had no property, status, freedom, or human rights, and

suffered ruthless oppression and exploitation. The “human rights,” “democracy,” and “freedom” demanded by the rebels and the serf owners in exile were always limited to the 5% of the upper-class nobles. Only when the millions of serfs were liberated and became masters was the social system that led to long-term poverty eliminated and the common prosperity in Xizang made possible. Over the past 70 years since the peaceful liberation of Xizang, the CPC Central Committee has unswervingly implemented the policy of caring for and supporting Xizang, which has effectively promoted local economic and social development and the realization of the goal of common prosperity.

The central government’s care and support are a prerequisite for Xizang to realize common prosperity together with other parts of China. Since the peaceful liberation of Xizang, the CPC Central Committee has always attached great importance to the economic and cultural development and the improvement of people’s livelihood in Xizang and made great efforts to eradicate poverty and backwardness caused by its natural environment, imperialist aggression, and the long-standing existence of feudal theocratic serfdom. Since the reform and opening-up, the CPC Central Committee has held seven national symposiums on the work in Xizang to study and plan for major events bearing on its stability and development. While implementing a series of special preferential policies, the First Symposium in 1980 decided to increase the annual subsidy to Xizang to 496 million yuan, allocate 90 million yuan for various special purposes and invest 262.2 million yuan for infrastructure construction. At the Second Symposium in 1984, it was decided that nine provinces and cities across the country would assist Xizang in developing 43 projects. In 1994, the Third Symposium decided that the central government and provinces and cities across China should assist in the development of 62 projects, including the construction of the Manla Water Control Project and Woka Hydropower Station, the construction, reconstruction, and expansion of Lhasa Kongga International Airport and Qamdo Bangda Airport, and the reconstruction of Sino-Nepalese Highway. The central government also decided to build the Qinghai-Xizang Railway in due time. The Fourth Symposium in 2001 decided to support the development of 117 projects in Xizang and develop major projects such as Nyingchi Mainling Airport and Zhikong Hydropower Station. The Fifth Symposium in 2010 raised the general requirements for effectively guaranteeing and improving people’s livelihood, accelerating the development of social undertakings, strengthening

infrastructure construction, accelerating the development of distinctive local businesses, enhancing self-development capacity, and strengthening ecological and environmental protection.

Since the 18th CPC National Congress, the CPC Central Committee has successively held the sixth and seventh symposiums respectively in 2015 and 2020 to make the Party's strategy for governing Xizang in the new era. It was proposed that governing Xizang according to law, bringing prosperity to Xizang, building Xizang for a long time to come, enhancing its cohesion and consolidating its development foundation were the important principles of the Party's work in Xizang; improving the well-being of people of all ethnic groups should be taken as the basic starting point and ultimate purpose of developing Xizang, and economic development and all-round social progress should be promoted with the focus on national unity and improvement of people's livelihood so that the people of all ethnic groups can better share the fruits of reform and development. Both two symposiums had exerted a huge social impact.

Rallying national support for Xizang is an important guarantee for it to achieve common prosperity. In 1994, the central government specified the assistance pattern of "allocating responsibilities to certain provinces and rotating them on regular intervals." 17 provinces (cities) and 16 enterprises directly under the central government have continuously increased investment in Xizang from capital and project development to industry cultivation, economic cooperation, and technical support. For more than 20 years, the continued assistance to Xizang has greatly promoted the local economic and social development and the improvement of people's livelihood. In 2015, the state sent medical talents from across the country to assist Xizang. In the past five years, a total of 841 medical talents have entered Xizang to support the People's Hospital of the Xizang Autonomous Region and the people's hospital of seven cities (prefectures). Through the mechanisms of "teams guiding teams," "experts guiding core members" and "masters guiding apprentices," they have helped build the medical teams and train medical workforce for Xizang. The seven provinces that undertook the task of pairing assistance invested a total of 920 million yuan in Xizang. At the same time, more than 4.1 billion yuan of the budget at all government levels and Xizang assistance funds were integrated for infrastructure construction, medical equipment procurement, scientific research and teaching, and other projects of the seven municipal (prefecture) people's hospitals, which greatly improved the medical conditions in Xizang. The program of aiding Xizang with educational talents from across China launched in 2016 sent 800 teachers

to assist 20 primary and secondary schools in Xizang to help build them into high-level demonstration high schools and standardized primary and secondary schools. At the same time, 410 primary and secondary schools in Xizang sent their backbone teachers and leaders to the mainland for on-the-job training. At the Seventh National Symposium on the Work in Xizang, President Xi Jinping emphasized that the central government and the whole country supporting Xizang is the consistent policy of the CPC Central Committee. We must uphold this policy over the long term and conscientiously sum up our experience, to usher in a new situation in our aid to Xizang.

The hard work of the people of all ethnic groups in Xizang is the inexhaustible source of Xizang's common prosperity. The millions of serfs who stood up after democratic reforms have not only made material progress thanks to the reform and opening-up and sustainable development, but have also undergone fundamental changes in their mindset. A new generation with knowledge, ability, and ideals continues to grow, increase their skills, and broaden their horizons in poverty alleviation and the endeavors to secure a decisive victory in building a moderately prosperous society in all respects. At the same time, we have led the people to work hard together for a happy life, which has also enhanced the self-development capacity of Xizang and paved the way for the transformation of its future development pattern.

### III. The Effective Measure: Realizing Common Prosperity

Xizang is the only provincial-level contiguous poor area among the severely impoverished areas in the “three regions” (Xizang, the four prefectures of Hotan, Aksu, Kashgar, and Kizilsu in southern Xinjiang, and the ethnic Tibetan areas in Sichuan, Yunnan, Gansu, and Qinghai) and the “three prefectures” (Liangshan Yi Autonomous Prefecture in Sichuan, Nujiang Lisu Autonomous Prefecture in Yunnan, and Linxia Hui Autonomous Prefecture in Gansu). It is the region with the highest incidence of poverty in the country at the beginning of the poverty eradication campaign, with the deepest poverty, the highest cost of poverty alleviation, and the greatest difficulty in eradicating poverty. President Xi Jinping pointed out that in building a moderately prosperous society in all respects, no nation, no family, and no person will be left behind. Winning the fight against poverty is a key move for Xizang and the whole country to build a moderately prosperous society in all respects. It is also a typical case of how China achieves poverty alleviation in severely impoverished areas.

We have implemented the policy of targeted poverty alleviation. The CPC Central Committee attaches great importance to poverty alleviation and has specified policies and paths for winning the fight against poverty. President Xi Jinping emphasized that government-led and development-oriented poverty alleviation bears on building a moderately prosperous society in all respects, improving people's well-being, consolidating the Party's ruling foundation, and the long-term stability of China. In June 2015, the CPC Central Committee clearly put forward the "Six Elements of Targeted Poverty Alleviation," that is, (1) Institutional innovations are needed to ensure that the recipients are those in need; (2) The projects are adapted to the eligible recipients; (3) The funds are effectively used; (4) Appropriate measures are taken for individual households; (5) Capable workers (first Party branch secretary) are dispatched to individual villages; (6) The results of poverty alleviation reach expectations. On October 16 of the same year, specific measures were further put forward to "alleviate poverty by developing production, conducting relocation, providing ecological compensation, developing education, and guaranteeing social security." In accordance with the guiding principles of the central government's instructions, the local Party committee and government in Xizang have formed a "five-in-one" poverty alleviation pattern, i.e., poverty alleviation through special projects, industry, society, finance, and aid. Since 2016, a total of more than 40 billion yuan has been invested to implement more than 2,800 industrial poverty alleviation projects, which has lifted 238,000 impoverished people out of poverty and benefited more than 700,000 farmers and herdsmen. By so doing, we ensured the success of poverty alleviation in Xizang. At the end of 2020, the survey on poverty alleviation in Xizang was completed with public satisfaction rate reaching over 99%.

We have tackled tough issues. Firstly, efforts have been made to develop transportation infrastructure. At present, the Qinghai-Xizang Railway, the Lhasa-Xigaze Railway, and the Lhasa-Nyingchi Railway have been completed and opened to traffic. The construction of the Sichuan-Xizang Railway has begun. A number of feeder airports have been built, including Bamda Airport in Qamdo, Mainling Airport in Nyingchi, Peace Airport in Xigaze, and Gunsu Airport in Ngari. Xizang now has 140 domestic and international air routes in operation, reaching 66 cities. With a modern communication network mainly consisting of optical cables and satellites, Xizang is a part of the information expressway. All administrative villages have mobile phone access, and optical cable broadband coverage has reached 99%,

which lays a solid foundation for its development.

Secondly, we have launched a government-subsidized housing project for farmers and herdsmen in 2006 to improve the living environment. The state and the autonomous region have invested more than 18 billion yuan into this project and adopted the method of integrating government support, social aid, bank loans, and donations to minimize the cost for farmers and herdsmen to build houses. We adhere to the principle of conducting renovation, construction, and relocation based on the will and living habits of farmers and herdsmen. The project which was completed at the end of 2013 realized the dream of 2.3 million Tibetan farmers and herdsmen to move into new houses and increased their per capita housing area by 20% to 30%. The low and dark adobe houses accommodating both people and livestock have become two-story buildings with reinforced concrete structures. During the development of the project, a large number of farmers and herdsmen set up sand and gravel factories, brick and tile factories, and lime factories. Their income was greatly increased as they worked in construction teams, transportation teams, and carpentry teams on construction sites. The local governments have enhanced skill training for them, which has cultivated many local experts with special skills and promoted the transfer of the labor force in farming and pastoral areas. At the same time, we have solidly promoted the construction of supporting facilities for water, electricity, road, communication, radio and television, mail, and biogas and orderly village governance where the administrative village is located; implemented rural cleaning projects on water supply, toilets, roads, livestock enclosure and ditches based on the standards of being clean, beautiful and green to create a green living environment; and earnestly safeguarded people's livelihood by focusing on medical care, pension and social security, employment and education.

Thirdly, through continuous efforts, Xizang has established a comprehensive social security system covering all urban and rural residents with five major insurances, i.e., pension, medical care, unemployment, occupational injury, and maternity, which effectively guarantees people's basic livelihood. Xizang has also provided social assistance for the 114,000 registered impoverished people to cover all the people in difficulty. The central government requires Xizang to make greater efforts to consolidate the achievements of poverty alleviation, devise more methods, and provide more follow-up assistance and support. The central government also requires Xizang to effectively leverage rural vitalization, especially the full coverage



of transportation facilities, medical treatment, education, and social security that are closely related to daily life. Xizang is cultivating its ability to create jobs through multiple channels and solve the problems of the greatest concern to the locals.

We have addressed the root cause of the most essential problems. Firstly, the implementation of resettlement in high-altitude areas has achieved remarkable results. Since 2016, Xizang has redoubled its effort to resettle the impoverished from inhospitable areas to places with better economic prospects. By 2020, Xizang had completed the construction of 964 relocation zones/sites for poverty alleviation in low-altitude, hospitable areas, where 266,000 poor were happy to resettle, they account for nearly 10% of the total number of farmers and herdsmen, and more than one-third of the total number of people in poverty. Some 5% of Xizang's growth-driven poverty alleviation funds were applied to the development of industries and businesses at relocation sites, and at least one individual from each resettled household was guaranteed employment. This was a significant primary step in ensuring steady progress toward a prosperous life. The 266,000 impoverished people who were relocated to lower-altitude areas gained new development opportunities, became healthier, and significantly improved their quality of life.

Secondly, education is given priority, and Xizang has implemented policies to sustain poverty elimination results through the endogenous initiatives of the impoverished themselves by helping them acquire knowledge and skills. Developing education is an effective way to improve people's livelihood and achieve common prosperity. Xizang's education funds are directed more toward basic education and vocational education in poverty-stricken areas to improve conditions there. Xizang has established a student financial assistance system covering all stages of education from preschool to higher education, covering both private and public education, and covering all students experiencing economic difficulties, supported by 40 financial assistance policies. The "Three Guarantees" policy for education in Xizang—providing food, accommodation, and school expenses for preschool to senior high students from farming and herding households and impoverished urban families—has resulted in a rise in subsidy to an average of RMB 4,200 per student per year; dropouts from registered poor families are all identified and helped back into school in a timely manner. Going forward, we will continue to train professionals we are badly lacking in the fields of science, engineering, agriculture, and medicine, run vocational education by focusing on economic and social development and future market demand,

scientifically set up disciplines, improve their level, and cultivate more professional and skilled talents, to provide strong support for the regional economic and social development and the improvement of the quality of all the people.

Thirdly, a beautiful Xizang is built by protecting the environment. President Xi Jinping pointed out that protecting the ecology of the Qinghai-Xizang Plateau is the greatest contribution to the subsistence and development of the Chinese nation. We should uphold the principle that lucid waters and lush mountains are invaluable assets, undertake responsibility for history, the people, and the world, put ecological conservation in a more prominent position, protect wildlife and ecology of the Plateau, and build the Plateau into an ecological conservation hub throughout the country and even internationally. Protecting Xizang's ecological and natural environment not only bears on the sustainable development of the Chinese nation but also determines whether the Tibetan people can lead a happy life. Relying on the national grassland ecological protection subsidy and incentives, forest ecological benefit compensation, and other special funds, Xizang has created 655,000 full-time and part-time jobs in ecological compensation, which integrates ecological protection and improvement of people's livelihood and forms a positive interaction between the two. Currently, Xizang has 11 national nature reserves, 4 national scenic spots, 3 national geological parks, 9 national forest parks, and 22 national wetland parks. Natural reserves account for 38.75% of the region's land area. It has made a unique contribution to the building of a beautiful Xizang.

The promotion of common prosperity in Xizang continues. As of 2020, the average life expectancy in Xizang has reached 71.1 years, the completion rate of compulsory education is 95%, and the main working-age population has an average of 10.2 years of education. We have seen to it that there are no urban zero-employment households, dropouts, and hydatid disease cases. The first cloud computing center was rated as a national green data center, and the first production line for the complete set of computers has been completed, thus filling the gap in Xizang's electronic information manufacturing industry.

The development of Xizang epitomizes China's development and progress. As a typical example of the Chinese people's progress towards common prosperity, Xizang's building of a moderately prosperous society in all respects enjoys a profound historical and cultural foundation and broad social support. It reflects China's view on human rights and is a major contribution China has made to the development and

progress of the human rights cause in the world.

On the contrary, as the disaster brought to the world by COVID-19 has redefined the connotations of such concepts as “human rights,” “democracy” and “freedom” worldwide, the Western countries who style themselves “human rights defenders” and even wield the baton of human rights have mostly handed in blank papers in the exams of this crisis, and their performance in the field of human rights is obviously among the “poor students.” According to statistics, in the United States, the world’s largest developed country and a country upholding the policy of putting itself first, more than 700,000 people have lost their lives to COVID-19, and racial conflicts and social divisions have worsened. Instead of self-reflection, the United States continues to provoke international disputes, interfere in other countries’ internal affairs, seek vaccine hegemony, and smear China. Data show that the net worth of billionaires in the United States has almost doubled since the pandemic outbreak to USD 5.04 trillion, and the wealth of the top 1% has exceeded the total wealth of the bottom 50% of society. The gap between the rich and the poor has widened further. People can’t help but ask, do Americans really have the rights to subsistence and development? Who will protect their basic human rights? It is unbelievable that even in this context, politicians in Western countries led by the United States have repeatedly hyped up the concepts of “democratic country” and “human rights,” and made so many wrong remarks and groundless accusations about human rights in other countries. It also slandered and vilified the human rights cause of all-round development and progress in China’s Xizang region. These lies have been repeated countless times, no matter from the old Tibetan feudal lords who are approaching their dead end, or from the “human rights defenders” in the US-led Western countries who apply double standards and intimidate other countries, are extremely hypocritical and pale before truth and facts! History has not ended, and the world history of the new era has just begun. Common prosperity and development are undoubtedly one of the core imperatives of human rights and democracy. Building a community with a shared future for mankind and realizing the common human rights of people all over the world are the right path and the most worthy and noble cause.

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## Promoting and Protecting Human Rights Through Development: the Chinese Theory and Practice

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On September 21, 2021, Chinese President Xi Jinping attended the general debate of the 76th session of the United Nations General Assembly and proposed five Global Development Initiatives. The second initiative reads: “Staying committed to a people-centered approach. We should safeguard and improve people’s livelihoods and protect and promote human rights through development, and make sure that development is for the people and by the people, and that its fruits are shared among the people. We should continue our work so that the people will have a greater sense of happiness, benefit and security, and achieve well-rounded development.” This important initiative places the people, development, and human rights into a unity where the people stay in the center, development serves as the path and human rights as the purpose. The successful progress of China’s human rights cause since the reform and opening-up, in particular the 18th CPC National Congress, points to a precious experience: we need to stay people-centered and to protect and promote human rights through development.

The notion of human rights should be perceived from a historical, developmental, case-specific, and realistic perspective. As the idiom goes, poverty is the biggest obstacle in the way of the realization of human rights. True and undoubtful is this statement. In terms of the human being’s survival and development, the production of material goods always goes first. Without the safeguards of material goods, especially basic supplies such as clothing and food, to satisfy basic survival needs, the discussion of human rights would lack essence hence never a serious talk.

According to the United Nations and other international institutes and organizations in the anti-poverty cause, although over 1 billion of the world’s population has been lifted out of absolute poverty in the past 30 years, millions

of people across the globe lack access to the fruits of development of the human society. 1/3 of the world's population lives in countries of low human development. Approximately 800 million people live in extreme poverty. In developing countries, 36% of the population lives on less than 3.1 US dollars a day, and half of the children under 15 live in poverty. Over 300 million of the population in developed countries live in relative poverty, among them 1/3 are children.

The COVID-19 pandemic is not only ravaging the world but also hitting the once fruitful poverty reduction cause hard. Should we include the part of the world population that should have been lifted out of extreme poverty but failed because of the pandemic (the number was 31 million in 2020), the COVID-19-induced "new poor" in 2020 would amount to approximately 119-124 million. It is expected that the COVID-19-induced "new poor" in 2021 will increase to 143-163 million. During the presentation of the Global Humanitarian Overview 2022 report, Martin Griffiths, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, pointed out that a total of 274 million people worldwide will need emergency aid and protection in 2022, equivalent to the population of the world's fourth most populous country.

These facts have told us that there is still a long way to go for human beings to shake off the heavy burden of poverty. Set aside other global issues such as environmental pollution, climate change, ecological imbalance, population, and energy, when 1/10 of the world's population is still enduring hunger, the world is far from a satisfying one, far from one with general well-being.

There might be many solutions to poverty, but the most important, future-facing, and fundamental solution is development. We can raise many successful examples to prove this, the most outstanding and persuasive one being the development of China in the past four decades.

Same with many other developing countries, due to many reasons, for many years China used to be a poor country and the Chinese people used to be afflicted with basic needs such as food and clothing. Since the reform and opening-up by the end of the 1970s, development has been regarded as the CPC's top priority of governance. The Party has been striving to improve people's lives and build a modern socialist country. After more than 40 years of tireless endeavor, China has brought about a historical solution to absolute poverty, finished building a moderately prosperous society in all respects, and realized the first centenary goal.

China has created unparalleled miracles of development and achieved the protection and advancement of the economic, social, cultural, civil, and political rights of the Chinese people in an all-round way.

Many can be drawn on the successful experience of China's human rights cause. However, the key point for developing countries would be to put people's interests first and to advance human rights protection through development. This also explains why the rights to subsistence and development are stressed by China to be the primary basic human rights.

With precious experience in terms of advancing and protecting human rights through development, China has raised its own set of solutions:

First, we should embrace a philosophy that development is the Party's top priority in governing and rejuvenating China. We should abstain from the distractions of various other factors and concentrate on developing the country and improving people's lives. The Chinese approach to advancing all causes of the country through development impresses economist and Nobel Laureate Dr. Amartya Sen. He points out in the preface to the Chinese version of his work *Development as Freedom* that development is an interdependent course, and economic success goes inseparable with social, political, and cultural accomplishments. Each country and society would have its own problems to tackle. The world will follow China's process of all-around development with great interest.

Second, we should uphold a human rights philosophy that centers on the people. In a congratulatory letter to a symposium marking the 70th anniversary of the Universal Declaration of Human Rights, Chinese President Xi Jinping talked about China's adherence to a people-centered vision of human rights. The CPC respects the principal position, historical status, and ownership of the people and puts people's interests first. It takes the people's desire for a better life as the focus of its endeavors, improves people's well-being, and evaluates its work by looking at people's satisfaction. Closely relying on the people and learning from the people's wisdom and strength, the Party perseveres in protecting the people's rights to equal participation, development, and sharing.

Third, through development, we should provide the people with a more adequate right to development. The right to development does not come from thin air but is realized through development—a process in which the State provides its people with development opportunities that enable them to participate. Therefore, there will be

no right to development without development. Meanwhile, a right to development that is constantly realized through development will provide basic conditions for the realization and continuous advancement of other human rights. The Chinese practice of setting the rights to subsistence and development as the primary basic human rights explains how China has found the key to the promotion and protection of human rights and how that has led to the ongoing advancement of China's human rights cause.

Fourth, we should facilitate the advancement of all basic human rights through the promotion of the right to development. The right to development is a basic and comprehensive human right. It concerns the coordinated progress of the people's economic, social, cultural, environmental, civil, and political rights, and the common development of individual rights and collective rights. As clearly stated in the UN Declaration on the Right to Development, "The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized." Over the years, China timely shared the fruits of development with all Chinese people, enabling them to really benefit from the country's development.

Fifth, China includes the development of human rights in its national development strategy. The country's development follows a series of carefully designed development plans. To realize the national economic and social development strategy, the Chinese government has consecutively formulated four national human rights action plans. Associating national development and the advancement of human rights in all areas, the Chinese government has launched many policies and action plans covering the protection of human rights in terms of employment, healthcare, education, social security, ecological civilization, ethnic minorities, women, children, the elderly, the disabled and many other areas.

Over the years, through continuous efforts of adhering to a people-centered philosophy of development and protecting and promoting human rights through development, China has tremendously enhanced the country's human rights safeguards. The achievements of China's human rights cause can be further analyzed and understood through the Human Development Index (HDI) compiled by the United Nations Development Programme (UNDP). HDI is used to measure the level of human development in different countries and regions. It combines

economic indicators and social indicators with a focus on cultural development instead of solely economic development. The three basic indicators of HDI are life expectancy, education and standard of living. It is divided into four tiers: very high human development (above 0.8), high human development (0.7-0.8), medium human development (0.55-0.7), and low human development (below 0.55). When HDI was first introduced in 1990, China was under the low human development category. The country quickly entered the medium human development category in 1995 and further transformed into a high human development country in 2015. China's HDI score has been steadily increasing over the years, from 0.501 in 1990 to 0.761 in 2020. Since the inception of HDI in 1990, China has been the only country that has completed the astonishing transition from a low human development country to a high human development country.

Not only has the Chinese practice of protecting and promoting human rights through people-centered development significantly strengthened the country's human rights safeguards, but it has also contributed to the global human rights cause. With nearly a fifth of the world's population, the continuous progress of the Chinese human rights cause constitutes a profound contribution to the global human rights cause. Since China's reform and opening-up in the late 1970s, 740 million Chinese people have been lifted out of poverty, counting for 70% of the world's poverty reduction. At the end of 2020, China won its fight against poverty as scheduled, meeting the targets of the UN SDG Goal 1 ten years ahead of schedule, greatly contributing to the cause of global poverty reduction and common development. By doing all it can, China actively supports developing countries to accelerate economic development, welfare improvement, and human rights safeguards.

The important thoughts of Chinese President Xi Jinping, from constructing a community with a shared future for mankind to the Belt and Road Initiative (BRI) and the Global Development Initiative, have contributed to Chinese wisdom and proposals for global development and the cause of protecting and promoting human rights in developing countries through development. By October 2021, China had signed more than 200 Belt and Road cooperation agreements with 140 countries and 32 international organizations, accumulating a total trade volume with BRI countries of 10.4 trillion US Dollars. In the meantime, China's nonfinancial outbound direct investment in BRI countries has exceeded 130 billion US Dollars. The successful implementation of a considerable number of BRI cooperation projects effectively



facilitates the realization of the economic, social, and cultural rights of the peoples in subject BRI countries and regions. The World Bank estimates that the BRI could lift 7.6 million people in relevant countries out of extreme poverty and 32 million out of moderate poverty. Trade is expected to increase by between 2.8% and 9.7% for corridor economies and between 1.7% and 6.2% for the world. Global real income is expected to increase by 0.7% to 2.9%. China has through the years made relentless efforts in supporting the just development cause and basic human rights protection of all developing countries.

As President Xi provided in his congratulatory letter to the 2021 South-South Human Rights Forum, “Practices of human rights are varied, and countries around the world should and can choose the development path of human rights that suits their own national conditions. China is willing to work with all developing countries to carry forward the common values of humanity, practice true multilateralism and contribute wisdom and strength to the sound development of the international human rights cause.” China has always been promoting this human rights vision and has been acting accordingly. Adding to the enrichment of mankind, the Chinese experience and practice of promoting and protecting human rights through development has proved to be one successful model of human rights protection against the backdrop of diverse civilizations.

(Lu Guangjin, Secretary-General of the China Society for Human Rights Studies and Professor of the Human Rights Center at Jilin University School of Law)





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Part Three :

Multilateralism and Global Human  
Rights Governance

## Multilateralism and Global Human Rights Governance

Aslan Abashidze  
Russia

In international cooperation in the field of human rights, it is necessary to be guided by the principled provision enshrined in the Universal Declaration of Human Rights, which states that “a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,” which in fact means the inadmissibility of unilateral imposition of “standards.”

The states united in the South-South are not only interested in international cooperation in the field of human rights based on international human rights treaties; they, in cooperation with China and Russia, are able to defend the established international legal system from any unilateral actions that destroy this system.

Today’s world is ethnically, religiously, and culturally diverse. It is both unique and fragile, requiring the preservation and strengthening of its international legal and value pillars. It is precisely this kind of peace that is needed in an increasingly interconnected community of peoples and their states.

Every nation in the world historically represents a unique civilization. Over the past four centuries they have evolved on the basis of political organization in the form of sovereign states, which constitute the main actors of the global political system, on which state of condition the degree of respect for the world order depends entirely.

The present world order, based on a system of collective security, which is now in deep crisis, was established by the states of the Anti-Hitler coalition in a bipolar world. This unity of the bipolar world was made possible by the joint struggle of civilization against Nazism in the twentieth century. This is reflected in the determination of the people of the United Nations “to save succeeding generations from the scourge of war.” These words open the UN Charter. These words are increasingly relevant and important for the preservation of civilization on planet

Earth, for in the event of nuclear war humanity will not have another chance to establish another world order, and in conditions where there are two states among the UN member states that voted against—the US and Ukraine, and 58 states that abstained from voting on the resolution condemning fascism and neo-Nazism in the UN on November 14, 2021.

The situation was outlined by the Russian President in his speech at the Valdai International Discussion Club on 21 October 2021 as follows: “Political history, perhaps, does not yet know examples of how a stable world order would have been established without a great war as well as based on the outcome of such a war, as it was after the Second World War. Thus, we have an opportunity to set an extremely favorable precedent.”

Another important point from his speech may be quoted as follows: “The current state of the world is a result of that very failure. We should learn a lesson from this.”

As we can see, the West has not learned its lesson under the pressure of US dictation. It continues with its unilateral actions in the form of various restrictive measures, division of countries into “democratic” and “non-democratic,” and arrogation of the authorship of “common values.” Their substitution with purely political-legal notions of “liberalism,” “democracy,” “rule of law,” and “human rights” purposefully undermine the established unique system of international human rights protection based on international cooperation, turning it, as the Russian President figuratively said, “into moral ruins” when it is totally impossible to create anything.

Against this backdrop, our forum today takes on an important, without exaggeration, geopolitical significance, as we, as representatives of the South-South, which are majority in the world’s political structure, stand for defending the unique achievement of the UN human rights system from those who still consider themselves the winners of the Cold War, perched on top of the Olympus Mount and not showing, as the Russian President has aptly noted, the ground shifting beneath their feet.

In today’s multipolar world, the principled provisions on international human rights cooperation that were enshrined in the UDHR remain still valid and relevant. Among these provisions, we single out the one to which special attention is paid: “...a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge.”

The quoted provision suggests a number of key points, including the following:

- (1) International cooperation is only possible in that portion of human rights on which a “universal understanding of the nature of those rights and freedoms” has been achieved by States parties, while the remainder of human rights remains an internal matter for sovereign states;
- (2) Their full implementation by states depends on their universal understanding;
- (3) Full implementation cannot in principle be measured and assessed by any universal standard, which is why the UDHR has been proclaimed “as a task to be pursued by all peoples”;
- (4) In terms of compliance with international legal obligations at the national level, not only the historical, cultural, and other particularities of each person are supposed to be taken into account, but also their crucial role in determining the legislative and other measures taken by States at the national level to secure human rights and freedoms within their jurisdictions.

These key points of a theoretical and applicable nature are reflected in various international instruments, especially those adopted in the period of the bipolar world, which should not be forgotten in a multipolar world. In particular, the Committee on Economic, Social and Cultural Rights, which exercises international supervision over States parties to the International Covenant on Economic, Social and Cultural Rights, in its General Comment 3, adopted in 1990, where the Committee explains the nature of States parties’ obligations under the Covenant, in particular, states: “... in terms of political and economic systems the Covenant is neutral and its principles cannot accurately be described as being predicated exclusively upon the need for, or the desirability of a socialist or a capitalist system, or a mixed, centrally planned, or laissez-faire economy, or upon any other particular approach. In this regard, the Committee reaffirms that the rights recognized in the Covenant are susceptible to realization within the context of a wide variety of economic and political systems, provided only that the interdependence and indivisibility of the two sets of human rights, as affirmed *inter alia* in the preamble to the Covenant, is recognized and reflected in the system in question.”

Let us also recall what is equally affirmed in the two International Covenants, the ICESCR and ICCPR: “...in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his economic, social and cultural rights”.

In 2017, Chinese President Xi Jinping sent a congratulatory letter to the forum, stressed that “the development of human rights around the world cannot be achieved without the joint efforts of developing countries,” and expressed the hope that “the international community respect and reflect the will of the people in developing countries.” South-South needs international cooperation, not division by inviting some to the meeting of the so-called “club of democracies,” which is a continuation of the unilateral actions of the United States and its NATO allies, which consists in dividing states into “good” and “bad.”

As a final remark let me conclude with the following words of the UN Charter: “...to practice tolerance and live together in peace with one another as good neighbors, and to unite our strength to maintain international peace and security, and to employ international machinery for the promotion of the economic and social advancement of all peoples.”

(Aslan Abashidze, Vice-Chair of the UN Committee on Economic, Social and Cultural Rights)

# Current Challenges of Multilateralism in the Field of Human Rights

Hector Constant Rosales  
Venezuela

## I. Summary

Since 1945, in the post-World War II period, the need arose to redefine the scaffolding that would support new multilateral international organizations in the field of human rights.

From then until the present, multilateralism in the field of human rights has evolved with the proliferation of international structures that have emerged in the regional framework at the same time and in parallel to the universal human rights system of the United Nations, with the promise of giving effect to the precepts of the United Nations Declaration of Human Rights of 10 December 1948.

In this study, we will focus on the current dangers that we believe are looming in the field of human rights multilateralism, particularly in its evolution in the universal human rights system in the context of the changes reported in the so-called global governance, citing clear examples of how actions have been taken in this framework that, far from tending to the promotion and protection of human rights, have generated death and destruction in the name of such rights, as the imposition of unilateral coercive measures by hegemonic countries against the peoples of the South.

In this sense, we will analyze in concrete terms the notions and concepts under discussion that have been coined in recent times to justify the actions of the developed North in the field of global governance, targeting the countries of the Global South and which are intended to be linked to the promotion and protection of human rights in multilateral bodies.

We will also address the negative repercussions of unilateral coercive measures in the enjoyment of human rights, which violate the UN Charter and international



human rights and humanitarian law, and in their essence, deny multilateralism and are opposed to a more just, equitable, reasonable, and inclusive global governance of human rights.

Lastly, we highlight the current vision of the universal human rights system, particularly concerning the work of the United Nations Human Rights Council and its mechanisms and the attempts to reduce this body to a mere instrument of Western interests.

## II. The Re-establishment of Human Rights at the International Level

According to the founding Charter, the United Nations has four purposes: “To maintain international peace and security”; “To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples”; to achieve international cooperation in solving global problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all,” and “To be a center for harmonizing the actions of nations in the attainment of these common ends.”

In its Preamble, the UN Charter described the direct relationship of these purposes to the determination of the peoples of the United Nations “to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind; to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small.”

It is within this framework, at the end of World War II and as a result of the genocide and crimes against humanity committed, that the United Nations Universal Declaration of Human Rights was promulgated on 10 December 1948, an international instrument adopted by the nations of the world to guarantee the promotion and protection of the fundamental rights of individuals.

Since then, multilateralism in the field of human rights has evolved with the proliferation of organizations that have emerged at the national and regional levels parallel to the universal human rights system of the United Nations, with the promise of giving effect to the precepts of the Universal Declaration of Human Rights.

### III. Global Governance and Human Rights

There are many definitions of Global Governance (GG), from the one that understands it as “doing internationally what governments do at home” or “governing without sovereignty relationships that transcend national borders.”

Despite the different approaches of GG, there seems to be general agreement that it implies, at the very least, the existence of institutions, rules, and processes; the interaction of different international actors; and the need to rethink how problems are managed and how authority is exercised.

Based on the idea above of GG, which implies the interaction of international actors to manage situations, there is no doubt that, with the end of the Cold War, Western conceptions advanced in geopolitical and ideological terms, determining how issues related to the new emerging world order were addressed, which had an impact on the vision of human rights.

In this sense, the apparent absence of ideological opponents to the West meant that the liberal narrative on world order began to become dominant and disseminate a particular vision of GG as the most appropriate to deal with a globalized and complex world.

However, we agree that this conception of global governance has implied “the development of enduring methods, mechanisms and institutions—including the use of organized violence—to help maintain an unequal international order based on the primacy of capital, the world market and the geopolitical power of the United States as the main governing forces of world politics.” This has substantially impacted the approach to human rights situations globally, which has gradually resulted in their use as a politicized instrument at the service of Western interests.

That is, with the collapse of the Soviet Union at the end of 1991, the world entered a new phase of globalized neoliberal capitalist governance, some of whose social and economic characteristics had similarities to those that defined the 1920s, for example, the enormous and growing social inequality and polarization.

But how has this been reflected in the multilateral human rights arena? According to public international law, it is clear that the United Nations is the binding regulatory framework for global life.

The Economic and Social Council (ECOSOC) established the Commission on Human Rights to comply with the Universal Declaration of Human Rights precepts.

The work of the Commission on Human Rights was also impacted in the course

of its history by the Cold War, which also suffered “a long period of stagnation and with the distortion of the functioning of the United Nations due to the bipolar confrontation between the superpowers”.

In the context of the significant challenges facing humanity, we agree that contrary to the Western conception, “the current challenge of global governance consists of having a greater collective weight on the destiny of the world through the establishment of a system of regulation of the numerous interactions that exceed the possibility of the action of States.”

#### IV. The 1993 Vienna World Conference on Human Rights

In the early 1990s, the global geopolitical environment entered a dizzying ferment. The end of the Cold War and other events such as the end of apartheid in South Africa in 1992 set the stage for the United Nations to organize the World Conference on Human Rights in Vienna in 1993, the largest multilateral human rights meeting ever held.

The Conference produced the Vienna Declaration and Programme of Action, the most important international human rights document adopted by consensus in recent times, establishing all human rights’ universal, indivisible, interdependent, and interrelated nature.

The Declaration stated that “the promotion and protection of human rights is a matter of priority for the international community, and that the Conference affords a unique opportunity to carry out a comprehensive analysis of the international human rights system and of the machinery for the protection of human rights, to enhance and thus promote a fuller observance of those rights, in a just and balanced manner.”

The Conference also saw the need to consider “the major changes taking place on the international scene and the aspirations of all the peoples for an international order based on the principles enshrined in the UN Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, rule of law, pluralism, development, better standards of living and solidarity.”

The Declaration expressly provided that the promotion and protection of all human rights and fundamental freedoms should be considered a priority objective of

the United Nations, as it is a legitimate concern of the international community.

Despite the efforts to consolidate the international human rights legal framework and the determination of the States embodied in the Vienna Declaration and Programme of Action, there was a depletion of the United Nations architecture that should have complied with the principles of the Universal Declaration and the Vienna Declaration.

## V. The Extinction of the United Nations Commission on Human Rights

We must recognize the work of the Commission on Human Rights throughout its existence, which began with the drafting of the Universal Declaration of Human Rights, adopted by the General Assembly on 10 December 1948.

The Commission on Human Rights also elaborated the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Optional Protocols to the International Covenant on Civil and Political Rights and other important human rights treaties.

This work of legal construction of a large part of the United Nations body of human rights treaties was overshadowed by the growing politicization, selectivity, and double standards in the Commission's actions, with the creation of mechanisms beyond the conventions to examine individual complaints against States, within the framework of ECOSOC Resolution 1503 (XLVIII) of 1970.

Gradually, the Commission became a kind of inquisitorial tribunal dominated by Western hegemonic countries, which undermined the Commission's credibility by promoting Special Procedures mandate holders against specific countries. Likewise, it became increasingly notorious how, for example, countries governed by the bloody dictatorships of South America were supported by Western countries to evade such complaints, which increased the Commission's discredit.

Thus, in the context of the voices demanding the reform of the United Nations, the Commission on Human Rights was defunded to make way for the United Nations Human Rights Council as a subsidiary body of the General Assembly.

The actions of the hegemonic countries turned the Commission on Human Rights into a stage for selectivity and politicization against the countries of the South, decreeing its extinction.

## VI. The United Nations Human Rights Council

### 1. The Creation of the United Nations Human Rights Council

Within the framework of the United Nations reform process, the idea of establishing the Human Rights Council was launched by Kofi Annan in his speech to the Commission on Human Rights in Geneva on 7 April 2005 and reaffirmed in the document he presented at the United Nations Summit on the Millennium Development Goals, held in New York in September 2005.

On 15 March 2006, with 170 votes in favor, four against (United States, Israel, Marshall Islands, and Palau), and three abstentions (Belarus, Islamic Republic of Iran, and Venezuela), the United Nations General Assembly adopted Resolution A/RES/60/251, which created the Human Rights Council as a subsidiary body of the General Assembly.

As a reminder of the causes that caused the collapse of the defunct Commission on Human Rights, General Assembly resolution 60/251 provided in its ninth preambular paragraph “the importance of ensuring universality, objectivity and non-selectivity in the consideration of human rights issues, and the elimination of double standards and politicization”; this was unequivocally reaffirmed in its operative paragraph 4, in which it decided that “the work of the Council shall be guided by the principles of universality, impartiality, objectivity, and non-selectivity, constructive international dialogue and cooperation to advance the promotion and protection of all human rights, that is to say, the promotion and protection of all human rights, including the right to development.” The principles of universality shall guide the work of the Council, impartiality, objectivity, non-selectivity, constructive international dialogue and cooperation, with a view to enhancing the promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development.”

Similarly, Resolution A/RES/60/251 decided in paragraph 16 that “the Council shall review its work and functioning five years after its establishment and report thereon to the General Assembly.”

The aforementioned review process mandated by Resolution A/RES/60/251 culminated in the adoption of General Assembly Resolution A/RES/65/281 on 17 June 2011, by a delicate consensus, which adopted the document entitled “Review of the Work and Functioning of the Human Rights Council,” contained in Human Rights Council Resolution 16/21 adopted on 25 March 2011, also by consensus,

through which the main mechanisms of the Council were adjusted.

Since then, more than 15 years after the creation of the Human Rights Council, this main multilateral body for the promotion and protection of human rights of the United Nations has been under constant pressure from some Western countries that were not satisfied with the results of the aforementioned review process.

The so-called process of efficiency in the work of the Human Rights Council has been put in place, which we categorize as an attempt to carry out modifications to the Council's institution-building package, adopted by consensus through Resolution 5/1 of 18 June 2007.

## 2. The Human Rights Council Efficiency Process

The so-called efficiency process imposed by the interests of some Western countries has made use, among others, of the argument of the scarcity of financial resources in the United Nations, which has forced the rationalization of available resources. The so-called efficiency process has been promoted through the rotating Presidency of the Human Rights Council in specific areas of interest to those who promote it.

In this regard, in conjunction with measures to rationalize the work of the Human Rights Council, steps have been taken in this process to improve, for example, the annual calendar for the voluntary presentation of initiatives, the rationalization of the Council's general debates, and the use of modern technologies.

Behind this apparent focus on technical or purely procedural issues, there are repeated attempts to modify the Council's construction package, with proposals making the Universal Periodic Review (UPR) more effective.

In 2021, the question was raised as to how to improve the recommendations accepted at the UPR, with a view to its fourth cycle starting in 2022. The Like-Minded Group (LMG), led by the delegation of the People's Republic of China, has always come out to shut down these veiled attempts to modify fundamental mechanisms of the Human Rights Council. On this occasion, it stated the following:

“While we note the Council's decision to continue to discuss its financial and time constraints concerning the UPR and listen carefully to all parties, we expect the Bureau and co-facilitators to work in strict accordance with the Institution Building Package (IBP) and the HRC mandate.

As one of the essential mechanisms of the HRC, the UPR is the platform for States to have honest and frank communication on human rights issues. The

UPR should continue to be based on objectivity, transparency, non-selectivity, constructiveness, non-confrontation, and non-politicization, driven by member states and making positive contributions to promoting and protecting human rights.

States should engage in genuine dialogue and cooperation during the UPR process and consider making practical recommendations in line with national conditions and the stage of development of the country in question. This will help the States under review consider the recommendations made more positively. The country under review may share good practices and UPR experience voluntarily, but implementing the accepted recommendations should remain the prerogative of the State concerned.

The current format and layout of the UPR work well and should be maintained. We are not in favor of reducing the length of the UPR meeting due to financial reasons, and the quality of the UPR should not be affected due to funding or interpretation.”

We must be alert to the pretensions of some Western countries promoting the so-called efficiency process in the Human Rights Council to turn this multilateral body for the promotion and protection of human rights of the United Nations into a politicized space at the service of their interests.

## VII. Notions and Concepts Linked to the Promotion and Protection of Human Rights in Multilateral Instances

Within the framework of the challenges of multilateralism in the field of human rights, we focus attention on some notions and concepts promoted by Western countries and their allies in recent times in the Human Rights Council, which are intended to justify the actions of the developed North in this field against the countries of the Global South.

### 1. The Concept of the Responsibility to Protect

A vitally important issue to which we must all pay attention is the prevention of genocide, war crimes, ethnic cleansing, crimes against humanity, and the urgent need to protect the world’s populations against these horrendous crimes, ensuring that they are not repeated or forgotten.

In this regard, the 2005 World Summit coined the concept of “the responsibility to protect,” which expressed unequivocal acceptance by all governments of the collective international responsibility “to protect populations from genocide, war

crimes, ethnic cleansing, and crimes against humanity.” The readiness to take collective action in a timely and decisive manner to that end, through the Security Council, when peaceful means prove inadequate and national authorities are manifestly failing to do so.

Since then, some hegemonic countries have appealed to this concept to justify bloody military interventions such as the one suffered by Libya in March 2011, which led to the overthrow and assassination of Muammar Gaddafi. Today Libya is suffering from an internal conflict generated since then.

There are many concerns about the intentions of these warlike countries that do not seek to draw attention to these crimes. They only seek to promote the concept of the responsibility to protect in the Human Rights Council for unmentionable purposes.

Attempts to impose on the agenda and work of the Human Rights Council the concept of the responsibility to protect, which does not enjoy consensus in the international community, have been rejected, as evidenced by the debates held in recent years in New York.

During the 44th session of the Human Rights Council, at the adoption of Resolution 44/14 entitled “Fifteenth anniversary of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, enshrined in the 2005 World Summit Outcome Document,” the Venezuelan delegation opposed the adoption of this resolution, stating:

“The General Assembly is the appropriate body to continue this discussion, as decided by our Heads of State and Government at the 2005 World Summit and reiterated in General Assembly resolution 63/308 submitted by NAM, in which the General Assembly decided to continue its consideration of the responsibility to protect...”

So far, certain groups and actors have pushed the evaluation and implementation of this controversial concept to justify military interventions in developing countries selectively.”

There is no doubt that the renewed attempts by pro-war countries and their allies to incorporate the concept of the responsibility to protect into the work of the Human Rights Council, given the dangers involved in its application, represent a growing challenge to multilateralism in the field of human rights.

An example of this is the publication of the quarterly document entitled “R2P



Monitor,” dated 1 December 2021, by the NGO “Global Center for the Responsibility to Protect,” in which Venezuela is included in a group of 59 countries in the Global South with “populations at risk of mass atrocities.” In this publication, the NGO places Venezuela under the heading “Current Crisis: Mass Atrocity Crimes Are Occurring, and Urgent Action is Needed.”

This dangerous manipulation of reality is made in the name of the responsibility to protect this NGO at the service of imperial interests. Just ten days before this publication, on 21 November 2021, Venezuela held national elections for the election of governors and mayors, with more than 77 thousand candidates from the government and opposition parties, with more than 300 international observers from all over the world, including more than 100 from the European Union, who testified to the peace, harmony, and transparency of the whole process.

## 2. Prevention of Human Rights Violations

Another concept of growing concern is “the prevention of human rights violations,” promoted by Western countries and their allies in the Human Rights Council, without well-established, clearly defined criteria adopted with the consensus of all UN Member States. Of particular concern is the interest of the hegemonic countries in promoting the preventive approach in the multilateral human rights sphere, which is used in a politicized manner against the countries of the South.

They seek to establish a direct link between the Human Rights Council and the Security Council, which is not a mandate of the Council, a subsidiary body of the General Assembly to which it reports on its work. The aim is to move towards a kind of “securitization” of human rights.

The Venezuelan delegation opposed the adoption of Resolution 45/31 entitled “The contribution of the Human Rights Council to the prevention of human rights violations,” alleging, among other things, that, with this resolution, “it seeks to change unilaterally and without the necessary consensus, critical decisions previously adopted by the General Assembly on the mandate of the High Commissioner, and of the Council itself.) seeks to change unilaterally and without the necessary consensus, critical decisions previously adopted by the General Assembly on the mandate of the High Commissioner, and of the Council itself...Similarly, the Draft Resolution seeks to give the Human Rights Council the mandate to invent new working formats on country-specific issues, different from the formats already established by consensus.”

A direct consequence of the adoption by a vote of the aforementioned Council

Resolution 45/31 was the unilateral convening on 22 November 2021, of an informal meeting by the United Nations High Commissioner for Human Rights to address the human rights situation in Ethiopia, ignoring that her office works closely with the country's Human Rights Commission drafting a joint report whose conclusions and recommendations were welcomed by the Ethiopian government.

At this meeting, the Chinese delegation expressed its concern that this meeting was not authorized by the Human Rights Council, hoping that the Office of the High Commissioner would fully respect the sovereignty of Ethiopia and the will of its government.

The Delegation of the Russian Federation noted its concern that the meeting was an arena where several countries criticized and stigmatized another country, deliberately taking advantage to promote their approaches.

The Delegation of Venezuela stated that General Assembly Resolution 48/141 establishes that the High Commissioner must engage in dialogue with all governments in the exercise of her mandate to ensure respect for all human rights and that it was concerned about the holding of the meeting without the consent of Ethiopia, which has worked closely with her office in the field, and hoped that this meeting convened on the grounds of prevention would not be a bad precedent for relations between the Office and States.

### 3. Democracy and Human Rights

The Vienna Declaration and Programme of Action states, “Democracy, development, and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing concepts. Democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and on their full participation in all aspects of their lives.”

In this context, an international event entitled “Democracy and Human Rights: Common Goals with Diversified Approaches,” sponsored by the People's Republic of China and the Russian Federation was held on 18 November 2021.

In the Concept Note of the event, reference is made to the fact that the UN Charter establishes that the members of the Organization must foster friendly relations based on respect for the sovereignty of States and the principles of equal rights and self-determination of peoples, the basis for the peaceful coexistence of the different legal and political systems that States sovereignly establish, including democracy, which is exercised based on the social, economic, cultural and historical

particularities of each country, resulting in different democratic practices in the community of nations. There is no single model of democracy since “Due to historical and cultural differences; political, economic and social systems and stages of development; the philosophy, policies, and practices of democracy and human rights vary from country to country,” as stated in the Concept Note.

There is growing concern about the approach to the issue of democracy and human rights in the multilateral spheres, under the Western approach and vision, with frequent smear campaigns promoted by some hegemonic countries against the exercise of democracy in the countries of the South. We oppose the attempts of some countries to impose their models of democracy on the peoples of the South, deliberately ignoring their political and historical particularities.

They question the legitimacy of political processes and cast doubt on electoral institutions’ work to not recognize governments elected contrary to their designs, even creating parallel governments to plunder their resources. These are interference strategies to attack the electoral processes in the countries of the South and generate destabilization and coups d’état.

### VIII. The Imposition of Unilateral Coercive Measures and Human Rights

Per General Assembly Resolution 1803 (XVII) (Permanent Sovereignty over Natural Resources) of 14 December 1962, States have full sovereignty over all their wealth, natural resources, and economic activity and exercise this sovereignty freely.

In this regard, the 1993 Vienna World Conference on Human Rights called on States to refrain from adopting unilateral measures contrary to international law and the UN Charter that create obstacles to trade relations between States and impede the full realization of all human rights, and that also seriously threaten the freedom of trade.

Unilateral coercive measures are measures or activities of any kind applied by States, groups of States, or regional organizations, without the authorization of the Security Council or exceeding such authorization, which are not in conformity with the international obligations of the sanctioning party or the illegality of which is not excluded under the law of international responsibility, regardless of the announced purpose or objective. Such measures or activities include, inter alia, economic, financial, political, or other measures directed at the State or applied to another

State or to a person, enterprise, or other non-governmental entity, to induce a change of policy or behavior, to obtain from a State the subordination of the exercise of its sovereign rights, to secure advantages of any kind, or to signal, coerce or punish.

The current increase in the imposition of unilateral coercive measures against developing countries by the United States, the European Union, and some of their allies as an extortive mechanism that seriously affects the economic capacity of the States that are the object of these cruel measures, with which they seek to destabilize democratically constituted governments that do not bow to their imperial designs, in flagrant violation of international human rights law and international humanitarian law, is of grave concern.

The current increase in the use of these illegal measures and the arguments alleged by their perpetrators to justify them was very well explained by the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights of the United Nations, Ms. Alena Douhan, when presenting her report at the 48th regular session of the Human Rights Council, in September 2021, she expressed that “The types, means, motives, purposes, and objectives of unilateral sanctions have expanded to such an extent that they are often seen as a traditional means of international engagement aimed at protecting “common goods,” including international peace and security, national security, the promotion of democracy and the protection of human rights, and as a softer and more publicly acceptable alternative to the use of force, in the absence of Security Council authorization,” recognizing that such measures have no basis in international law.

In this regard, the Special Rapporteur very precisely delimited the adherence to international law concerning the imposition of unilateral sanctions, indicating that “States or regional organizations may adopt unilateral measures only under international legal norms, namely: If they are authorized by the Security Council acting under Chapter VII of the UN Charter in response to a breach of the peace, a threat to the peace or an act of aggression; if they do not violate any international treaty or customary rule of international law; or if their wrongfulness under international law is excluded in the course of countermeasures, in full compliance with the legal rules of international responsibility, including the obligation to ensure that fundamental human rights are not violated. Unilateral sanctions that do not meet the above criteria constitute unilateral coercive measures and are illegal under international law.”

Accordingly, the Special Rapporteur underlines the obligation of States to observe the fundamental principles of international law as reflected in numerous General Assembly resolutions. For example, in its resolution 39/210 of 18 December 1984, the Assembly reaffirmed that developed countries should refrain from threatening to apply or applying to developing countries as a means of political and economic coercive action detrimental to their economic, political, and social development, trade restrictions, blockades, embargoes, and other economic sanctions, as incompatible with the UN Charter.

It is clear that unilateral coercive measures flagrantly undermine multilateralism, seriously affecting the human rights of the peoples their perpetrators claim to protect through their imposition, thus undermining the prospects for a more just, equitable, reasonable, and inclusive global governance of human rights.

In multilateral human rights fora, developing countries maintain a firm position of rejection against the imposition of these cruel coercive measures that constitute crimes against humanity because of the terrible harm they cause, aggravated by the effects of the COVID-19 pandemic. The Non-Aligned Movement (NAM) annually submits to the United Nations General Assembly and the Human Rights Council a resolution on the negative repercussions of unilateral coercive measures on the enjoyment of human rights, which it condemns and demands the immediate cessation of these measures. The resolution was adopted with the countries imposing such measures and their allies voting against it.

## IX. Conclusion

Multilateralism and Global Governance of human rights presuppose the existence of institutions and the interaction of international actors to manage human rights problems.

The challenges facing humanity call for a democratic and equitable international order that promotes respect for human rights and fundamental freedoms on an equal footing, in keeping with the principles and purposes enshrined in the UN Charter of respect for sovereignty, territorial integrity, and non-interference in the internal affairs of States.

In the face of the exacerbated inequality between the developed countries, which tend to impose their hegemonic interests, and the rest of the developing world, there is a call for a multilateral sphere at the service of the well-being of the planet's

inhabitants within the framework of the cooperation that the world needs.

The current multilateral human rights scenario is a center of geopolitical confrontation where hegemonic countries continue to impose unilateral coercive measures against developing countries and promote concepts to consolidate their domination. It is the obligation of the countries of the Global South to understand the imperative need to defend multilateral institutions in the field of human rights so that they do not become instruments of politicization, selectivity, and double standards at the service of Western interests, which caused the extinct Commission on Human Rights to succumb.

The imposition of unilateral coercive measures, in all its forms, is contrary to international human rights law, international humanitarian law, and the principles and purposes of the UN Charter, including the principles of respect for sovereignty and non-interference in the internal affairs of States, as well as the right to self-determination of peoples. Their imposition constitutes crimes against humanity, whose perpetrators must be held accountable for the massive suffering they inflict on the peoples of the targeted countries, violating their most basic human rights, including the right to life, the right to health, and food, including the right to development. They correspond to the arbitrary use of hegemonic countries' economic and financial power, which is a form of economic terrorism lacking any legal or moral support.

We, the peace-loving countries, are fighting against confrontation and the hegemonic designs of some powerful countries in defense of the Universal Declaration of Human Rights principles. Genuine dialogue and cooperation, its fundamental pillars, must prevail in the Human Rights Council through concerted actions to face the planet's challenges since the very subsistence of humanity is in danger.

The protection of human rights is a common cause of the community of nations that demands a council free of selectivity, politicization, and double standards to fulfill its mandate of genuine multilateralism that promotes the values of democracy, friendly relations, and respect among the nations of the world, a challenging but achievable task that is still pending.

(Hector Constant Rosales, Ambassador Permanent Representative of the Bolivarian Republic of Venezuela to the UN Geneva)

## The World Requiring Real Multilateralism

Bouthaina Shaaban  
Syria

I remember with great pleasure attending this forum in 2019 before COVID broke out to the world and changed our ways of talking and communication, I remember that attending that forum was so inspiring and that I came out feeling that the dialogue was so interactive and fruitful with so much added value, and I hoped that China will be very active in convening such forums, and in inviting people from all over the world to discuss such important international issues.

I'm from an age where we lived in a multilateralism system. It was called the Cold War between the Soviet Union and the United States, but after the collapse of the Soviet Union in the early 1990s we lived in a one-polar world, which was proved to be very hegemonic and harsh on other countries and other peoples, because the one-polar system established itself as the real judge of countries, people, democracies, or non-democracies. However, today's world is a multilateral system: China is a rising great power, Russia is a rising power, Iran is a rising power, India is a rising power, and there are many organizations like the SCO and the BRICS. They express international opinions and international feelings. Yet the Western world, or the United States in particular, is trying to cling to a one-polar system and is trying to make all countries believe that we are still living in a one-polar system and that this system is going to continue, and that's it. Perhaps this is the reason why President Biden called for a conference on democracy on the 9th and 10th of December. At this conference, countries were picked and chosen.

Of course, the judge of "which is a democratic country, and which is not a democratic country" is the United States or the West. The problem with this is that Western countries believe that only liberal democracy is a democracy. There is a phrase in the United States in shops that says "one size fits all," but as human beings, we know that one size does not fit all. Each country produces its own political, social,

and cultural systems that reflect its civilization, culture, and history. Therefore, liberal Western democracy can not be the only democracy in the world. Many countries in the world have their own democracy based on their own history and responding to the needs of their own people, but of course, democracies are not acknowledged by the West as democracies, quite the contrary; they are accused of being anti-democratic.

For example, the President of Nicaragua, Daniel Ortega, has just won a landslide victory in his elections, while the United States, of course, does not acknowledge Nicaragua as a democracy, although 74% of the people voted for Daniel Ortega. For people like us living in the Middle East, in countries that have suffered from the intervention of Western powers in our countries for decades, we know that what the West means by democracy, again I say as far as we are concerned, is that the West wants to turn us into their satellite states: states that follow Western orders, that do what the West ask them to do, and that have no say in any affair including their internal affairs. So, this is what they mean by democracy. That's why the list of countries they chose to be democratic are not necessarily the best democratic countries in the world, and the list of countries who were not invited could be the most democratic countries in the world. That's why the need today is for an alternative way of conducting international affairs.

After World War II, the United Nations was established to establish basic rules for international relations, and for relations among all countries of the world. But the problem is that, particularly after the American invasion of Iraq in 2003, the United States has been resorting to unilateral coercive measures against any country that doesn't fit its agenda. My country Syria is subject to unilateral, coercive measures that were not condoned by the United Nations. And the United States imposes these measures not only on Syria, but also on any country that is going to deal or trade with Syria, or to receive Syrians. In this sense, the United States has established for itself an international order, and in fact, lately, they have been speaking about rules-based order, and no one knows what this rules-based order means! Is this a substitute for an International Order? Is this a substitute for the United Nations? What do they mean by rules-based order? Who wrote down these rules? Who acknowledged these rules? Who approved these rules? That is the problem; that is where we are today.

I believe that after feeling that military power is not enough to keep hegemony over the world, particularly after the US had to withdraw from Afghanistan and after it has become very costly for the US to keep all its bases and to keep occupying



countries. Now they are trying to invent a more political or a more cultural tool, in order to keep hegemony over countries. One of these tools, I feel, is this conference that is supposed to be about democracy but is really about a Western club even if there are non-Western countries that are invited. However, it is mostly a Western club that hailes liberal democracy that does not acknowledge or admit any other democracy in the world. This is really unsustainable because the world has so many different cultures and histories. Countries have their own ways of governance which, of course, should be consistent with an international kind of order that applies to all countries that are, although big and small, equal in dignity and integrity. But this is something that has to be discussed, acknowledged, and established by all countries all over the world, and I could see that China, probably, is the one candidate entitled to lead this affair. We are in need of a multilateral system. The world, actually, is living in a multilateral system, but the Western powers are trying to prevent this multilateral system from being rooted in our lives, and this has to happen really.

I also would like to say that what China and Russia are saying and doing about different cultures, differences, non-interference in internal affairs, and equal integrity for people, is exactly what all people all over the world want. I'm sure this is the way forward, and this is the future that we are going to live in, or at least our children are going to live in. I hope we will see it emerging regardless of all the efforts that are trying to obstruct this emergence or delay its birth. Thank you very much!

(Bouthaina Shaaban, Special Advisor to the President of Syria)

# The Vision of a Community with a Shared Future for Mankind Leading the Reform of Global Human Rights Governance

Chen Youwu  
China

The vision of a community with a shared future for mankind provides important guidance on human rights for the development of the international community and the reform of the global governance system. Based on the rich human rights connotation of the concept of a community with a shared future for mankind, global human rights governance should be guided by this concept, raise China's voice on human rights, promote reform of global human rights governance, and advance the sound development of human rights in the world. In view of the current problems in global human rights governance, the vision of a community with a shared future for mankind profoundly explains China's solution to more just, reasonable, and inclusive global human rights governance. In other words, global human rights governance takes sovereign equality as its cornerstone, takes survival and development as its condition, takes education and training as its basis, takes peace and security as its premise, takes joint contribution and shared benefits as its way and takes the construction of the rule of law as its guarantee.

## I. Sovereign Equality: the Cornerstone of Global Human Rights Governance

In terms of the relationship between human rights and sovereignty, sovereign equality is the cornerstone of the reform of global human rights governance. Global human rights governance should, first and foremost, respect the sovereignty of all countries. "Sovereign equality has been the most important criterion governing state-to-state relations for centuries. Sovereign equality means that all countries, big or small, strong or weak, rich or poor, must respect their sovereignty and dignity,

tolerate no interference in their internal affairs, and have the right to independently choose their social system and development path.”<sup>[1]</sup> Sovereign equality is the basic requirement of domestic jurisdiction of human rights and the basic guarantee of international cooperation in the field of human rights. In terms of domestic jurisdiction, human rights are essentially a matter within the sovereignty of a state, and the violation or disrespect of national sovereignty is the primary cause of human rights crisis and non-cooperation in the field of human rights in the international community. Global governance of human rights must respect sovereignty, oppose hegemony, and resolutely prevent or avoid the rise and expansion of such concepts and phenomena as human rights without borders, politicization of human rights, double standards in human rights, zero-sum game, and the inevitable hegemony of a strong country. All countries’ efforts to crack down on crimes and maintain social order by relying on the rule of law should be respected and guaranteed. In terms of international protection and cooperation, on the basis of the principle of sovereign equality, all countries, big or small, are equal, participating in global dialogue and exchanges on human rights as equal partners, and jointly contributing to global human rights governance through win-win cooperation.

However, since the Second World War, Western countries led by the United States have dominated the development process of global human rights governance for a long time. Based on political considerations, they often undermine the principle of sovereign equality under the pretext of human rights issues, resulting in the West and North being stronger than the East and South in the current global human rights governance pattern. Of course, using human rights issues to “westernize,” “divide” and contain China is a long-term strategic goal of the United States, which will not be easily changed or given up. American leaders have repeatedly stated publicly that the purpose of engagement with China is to integrate it into a Western-dominated international community. In particular, in recent years, with the rapid development of China’s economy, technology, and other aspects, the United States has experienced strong panic and anxiety. The United States’ recent use of alleged human rights issues in Xinjiang, Xizang, and Hong Kong makes this point plain. In essence, the human rights fight between China and the United States is a fight between two social systems and two ideologies. Human rights are an essential weapon that the United

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[1] Xi Jinping. (2018). *On Building a Human Community with a Shared Future* (p.416). Central Party Literature Press.

States can use at any time to pressure and infiltrate China. Although the way and intensity of China's human rights fight with Western countries, mainly the United States, will change with the change in the international situation, as long as China remains a socialist country, the United States and other Western countries will not give up using human rights to "westernize," "divide" and contain China.<sup>[1]</sup>

Historically, the sovereign inequality in the current global human rights governance pattern was formed when the international balance of power favored the West, so the West took the lead in global human rights governance. Since the beginning of the 21st century, especially since the 18th CPC National Congress, China's voice in global human rights governance has increased, and developing countries have become more united and made their own contributions to global human rights governance. However, there has been no fundamental change in the pattern of global human rights governance in which the West and North are stronger than the East and South. It is particularly worth pointing out that the United States and other Western countries monopolize the international media and have powerful means of publicity and international communication networks. These communications ignore or disparage the human rights achievements of China and other developing countries, fabricate and spread lies from time to time about China and other developing countries, deceive and mislead the world, and exert a huge negative impact on the development of the world's human rights cause. Despite China's rapid economic and social development, the talents, means, methods, and technology for global publicity are still a shortcoming. Moreover, due to the prejudice, boycott, and blockade of Western media such as those from the United States, it is difficult for China's voice to enter the mainstream of Western society. It also reminds us that the vision of a community with a shared future for mankind in global human rights governance cannot be achieved overnight and should be a long-term historical process.

## II. Survival and Development: the Conditions for Global Human Rights Governance

Regarding the content of human rights, the protection of the rights to life and development is a basic condition for the reform of global human rights

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[1] China Society for Human Rights Studies (Ed.). (2000). *China Human Rights Yearbook* (pp.44-45). Contemporary World Press.

governance. “Poverty eradication remains the greatest global challenge facing the world today. The next 15 years will be a crucial period of development for China and other developing countries. We need to build consensus and work together to overcome difficulties, commit to win-win cooperation, promote the building of a community with a shared future for mankind, and bring more benefits to people of all countries.”<sup>[1]</sup> Since the reform and opening-up, China has taken the rights to life and development as the primary human rights, promoted all-round economic and social development, and basically solved the problem of people’s survival and development. This is China’s basic experience in protecting human rights and an essential contribution to the global human rights cause. To effectively solve the problems of survival and poverty in global human rights governance, it is necessary to respect and protect people’s rights to life and development. Otherwise, all other human rights are out of the question. Survival is the basis of the persistence of human society; it is the respect for and guarantee of life. Development is the eternal theme of human society and an effective means to eradicate poverty. Survival and development are a dialectical unity. Survival is the foundation, while development is the guarantee. Without survival, there is no development. The right to development relies on the right to life, while the right to development guarantees the right to life. Meanwhile, the rights to life and development are also conditions for the realization of other human rights and play a positive role in the realization of other human rights. Inclusiveness has enriched human rights, and diversity has enriched human rights protection. Based on the rights to life and development, all countries should combine the principle of universality of human rights with their national conditions, enrich the connotation of human rights, promote the protection of civil, political, economic, social and cultural rights, and enhance people’s sense of gain and happiness.

### III. Peace and Security: the Premises for Global Human Rights Governance

In terms of the conditions for the realization of human rights, peace and security are the basic premises for the reform of global human rights governance. The peace and security of all countries in today’s world are closely linked. Without genuine peace and security, it is impossible to build a community with a shared

[1] Xi Jinping. (2018). *On Building a Human Community with a Shared Future* (p.267). Central Party Literature Press.

future for mankind, still less to ensure the survival and development of the people to the maximum extent possible. War, conflict, regional turbulence, and terrorism are the main causes of large-scale human rights violations, while peace, security, and stability are the prerequisites for promoting and protecting human rights. Without a peaceful, secure, and stable international and domestic environment, all human rights, including the rights to life and development, cannot be effectively guaranteed. The current regional turmoil, refugee situation, and terrorism in the international community fully illustrate this point. In this regard, only by maintaining peace can war be eliminated. Only by maintaining security can conflicts be stopped. Only by maintaining stability can we prevent instability. Therefore, China “develops itself through maintaining world peace, and promotes world peace through its own development.”<sup>[1]</sup> China is committed to peaceful development. While adhering to its own peaceful development, China is committed to maintaining world peace and common security, actively promoting the common development of all countries, and protecting their common interests and values. To eliminate insecurity and instability that threaten peace, countries must work together to create an enabling environment for a community with a shared future for mankind. Only in this way can the human rights of everyone in the world be better protected.

#### IV. Education and Training: the Basis of Global Human Rights Governance

On the social basis of human rights realization, human rights education and training play an important role in the reform of global human rights governance. The development and improvement of global human rights governance ultimately depend on the global spread and development of human rights awareness and the universal recognition of human rights by the international community. Since 2009, China has formulated four National Human Rights Action Plans, all of which have special chapters on human rights education, encouraging extensive human rights education and training at different levels and in various forms. Since the vision of a community with a shared future for mankind was put forward, China’s human rights education has made great progress, playing a positive role in spreading human rights knowledge, improving human rights skills, shaping human rights attitudes and

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[1] Xi Jinping. (2018). *On Building a Human Community with a Shared Future* (p.108). Central Party Literature Press.

cultivating human rights culture. In particular, it should be pointed out that the key to global human rights governance lies in talents. Participation in global human rights governance also needs “a large number of professionals who are familiar with the policies of the Party and the country, understand China’s national conditions, have a global vision, are proficient in foreign languages, are familiar with international rules and are proficient in international negotiations.”<sup>[1]</sup> Through human rights education and training, it is necessary to further strengthen the team-building of talents for global human rights governance, address the talent bottleneck, and do a good job of talent reserve, so as to provide strong talent support for China’s participation in global human rights governance. It should be pointed out that China has set up 14 national human rights education and training bases, which should innovate their personnel training systems and mechanisms to play a more active role in personnel training for global human rights governance. Meanwhile, when conditions are ripe, the establishment of the first-level subject on human rights can be considered, which will have a more far-reaching impact on human rights education and training and global human rights governance. Therefore, President Xi Jinping proposed that “Chinese researchers on human need to advance with the times, maintain the right orientation, break new ground, and make a greater contribution to cultural diversity and the global cause of human rights.”<sup>[2]</sup>

## V. Joint Contribution and Shared Benefits: the Approaches to Global Human Rights Governance

In terms of the approach to realizing human rights, joint contribution and shared benefits are the basic ways to reform global human rights governance. It is important to enhance dialogue, exchanges, and cooperation in global human rights governance, rather than confrontation, resistance, or non-cooperation. “We should promote innovative development of global governance concepts, actively explore the similarities between the positive approach to life and governance concepts in the Chinese culture and the current era, continue to enrich the vision of building a community with a shared future for mankind, and promote the concept of global governance featuring extensive consultation, joint contribution and shared

[1] Xi Jinping. (2018). *On Building a Human Community with a Shared Future* (p.385). Central Party Literature Press.

[2] *Xi Jinping: The Governance of China Volume 3* (p.289). (2020). Foreign Languages Press.

benefits.”<sup>[1]</sup> In short, in global human rights governance, solidarity should promote cooperation, cooperation should promote development, and development should promote human rights. First, China should strengthen joint contribution and shared benefits with the UN system and support the UN in playing a positive role in global human rights governance. Second, we need to deepen South-South cooperation and shared benefits in global human rights governance. Based on common problems, common development needs and long-term friendly cooperation, South-South human rights exchanges and cooperation have broad prospects for development. Therefore, South-South human rights cooperation and exchanges should be continuously deepened. Finally, China and the international community should enhance joint efforts and shared benefits in global human rights governance. The cause of building a community with a shared future for mankind is the cause of all mankind. It requires the common, extensive and in-depth participation of the international community to work together for the happiness of mankind.

## VI. The Rule of Law: a Guarantee for Global Human Rights Governance

In terms of protecting human rights by law, the rule of law is the basic strategy for global human rights governance reform. In protecting human rights, the rule of law should be given the first place. And the value of the rule of law should give priority to human rights. When human rights and the rule of law prosper, global governance will be successful in every aspect. As the Preamble to the Universal Declaration of Human Rights clearly states: “Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law.” In today’s globalization, the value and the way of protecting human rights under the rule of law are highly integrated. The rule of law and human rights are always discussed together. In his speech at the Geneva Headquarters of the UN in January 2017, President Xi Jinping said, “An ancient Chinese philosopher said, ‘Law is the very foundation of governance.’ Here in Geneva, countries, on the basis of the UN Charter, concluded a number of international conventions and legal documents on political security, trade, development, social issues, human rights, science and technology, health, labor,

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[1] Xi Jinping. (2018). *On Building a Human Community with a Shared Future* (p.261). Central Party Literature Press.



intellectual property, culture and sports. The relevance of law lies in its enforcement. It is thus incumbent on all countries to uphold the authority of the international rule of law, exercise their rights in accordance with law and fulfill their obligations in good faith.”<sup>[1]</sup> In his report to the 19th CPC National Congress in October 2017, President Xi Jinping pointed out that we should “strengthen legal protection for human rights to ensure that the people enjoy extensive rights and freedoms as prescribed by law... to ensure the people’s rights to be informed, to participate, to be heard, and to oversee.”<sup>[2]</sup> He clearly pointed out the great value of strengthening the rule of law related to human rights in building a community with a shared future for mankind. To further promote the historical development of building a community with a shared future for mankind, the vision of a community with a shared future for mankind should be taken as the guide to strengthening the domestic and international mechanisms for guaranteeing the rule of law for human rights, so that the domestic and the international rule of law complement and reinforce each other, and jointly promote the development and progress of human rights in the world.

(Chen Youwu, Distinguished Professor and Doctoral Supervisor at Southeast University)

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[1] Xi Jinping. (2018). *On Building a Human Community with a Shared Future* (p.417). Central Party Literature Press.

[2] *Xi Jinping: The Governance of China Volume 3* (p.29). (2020). Foreign Languages Press.

## What Constitutes Effective Democratic Human Rights

Michael Crook  
UK

I was born in China and grew up there. My parents are British and Canadian. My native language is Chinese, but my thinking is a typical blend of both Chinese and Western cultures. Therefore, I can be considered a fusion of Northern and Southern countries, and my perspective encompasses elements from both.

Generally, when people talk about the West, they refer to Western countries, such as those with Latin-based languages. On the other hand, Southern countries refer to some developing countries or third-world nations. Currently, developed countries make up approximately one-fourth of the world's population. These countries have historically colonized Southern nations and later dominated the global economy. Presently, they tend to assert their authority on human rights issues and promote Western perspectives and cultural biases to other countries. However, we need to trace back to the basics. Every individual, regardless of race, wealth, or status, has fundamental human rights. In China, there is an idiom called “Tian Xia Wei Gong” (天下为公), which means that nature and its resources (air, water, land, etc.) belong to all. It implies that every person should have access to basic rights necessary for sustaining life, including water, oxygen, food, and other essential resources. Therefore, the question arises: Who has the right to decide who can access and consume these resources?

We can see that in the current world, there is indeed an unequal distribution and utilization of natural resources among sovereign nations. Do these countries have the right to enjoy the resources within their territories? Many of these countries' resources are remnants from the colonial era, and some nations acquired land through plunder from indigenous peoples, leading to tragic events such as massacres during the process of territorial occupation.

There is an idiom in Chinese called “Ruo Rou Qiang Shi” (弱肉强食), which

implies that due to our limited abilities and strength, we may face unequal access to and enjoyment of resources. So, who should uphold justice and ensure equality? Currently the earth's humans practically all live in "sovereign states" with laws. Each individual is entitled to basic rights under the constitution, including the right to education, health, sanitation, safety, and more. Does this fundamental human right relate to the strength of the country? I believe, to some extent, it is more closely related to the values and beliefs of the country. For example, Cuba is not very wealthy, but their constitution states in Article 71 that "The State recognizes the right to adequate housing and a safe and healthy home for all people." Article 76 emphasizes that "all people have the right to water." Additionally, Cuba provides significant food supplies and subsidies targeted at citizens, not just residents. They also offer some free basic education. Indeed, different countries prioritize the right to education differently, and we see that some wealthy nations still have a considerable number of homeless people.

Let us take a look at rights and obligations. Rights and obligations are two sides of the same coin. For example, if I have the right to collect taxes, you have the obligation to pay taxes. I have the right to use these taxes appropriately and responsibly, and you have the duty to supervise me, and so on. There's a saying in the United States: If I am not allowed to participate in politics, there will be no taxation without representation. Conversely, in the context of no taxation without representation, we see that taxation is, in fact, a form of public support for the nation's finances, but it has sometimes become a tool for abuse of power.

Let's take a look at the concepts of emotion, reason, and law. Some people tend to focus excessively on the legal process, but I believe that combining the three terms in China provides a more comprehensive perspective. Sometimes, we need to consider not only how fair laws render judgments but also take into account people's aspirations and moral values. The responsibility of the law sometimes requires finding a balance and compromise with human morals and emotions. Occasionally, we see lawyers getting paid to defend cases, but their clients may not always be the most vulnerable individuals; they could be wealthy people or even those who exploit the weak. If we solely emphasize the role of the law or excessively fixate on the legal process, it won't be a holistic approach.

Additionally, I feel that some wealthy countries have remarkably high incarceration rates, with a significant proportion being people of color. I don't believe

that being a person of color necessarily correlates with a higher crime rate. This situation may arise due to imperfect law enforcement, leading to such problems. For instance, if we examine the regions where wars or conflicts occur in Southern countries, many of them are places where developed countries station their armies or engage in warfare. On one hand, elections in Western countries can be costly, which means only wealthy and influential individuals can afford to run for office. These individuals then support their legislative bodies and lawmakers to secure their election. Whether they represent various aspects of the law, they can still utilize various means to influence and interfere with judicial decisions.

Now, let's take another look at rights and obligations; they are complementary, and individuals should exercise their rights responsibly. However, the Universal Declaration of Human Rights states that individuals do not necessarily have to fulfill certain responsibilities to enjoy their rights. China also has a unique concept, which is called collective rights. In this context, the meaning of the term varies among people. In China and other Far Eastern countries, "public" generally refers to the state or community, while in Western countries, it might denote institutions like churches or some impoverished communities. For instance, in Massachusetts, basic rights, including education, existed several hundred years ago. *The Communist Manifesto* also discusses income taxes, 8-hour workdays, and social welfare after World War I, which exemplify practices of allocating rights and responsibilities. We observe that some countries are moving in a positive direction, while others are experiencing a decline. For instance, the UK's NHS is facing a crisis, and issues with education and housing persist. On the other hand, countries like Cuba, Russia, and the Nordic nations have been progressing well.

We have to come to the next topic, which is the relationship between collective rights and individual rights. I believe that sometimes public rights take precedence over individual rights. However, we should not commodify rights, meaning we should not allow all rights to be purchasable with money. For example, at the airport, if you have money, you don't need to wait in line because you are in first class or a VIP. Also, some companies can emit more pollution than others if they can pay for carbon credits. These practices can lead to the privatization or marketization of natural resources.

I believe the issue with sovereign nations is that some countries do experience unequal distribution and enjoyment of resources. Nowadays, we talk about the world

as a global village, and we should strengthen our understanding and practice of non-interference in each other's internal affairs. The United Nations has provided a good example of global governance, but we also know that the UN and its Security Council, established after World War II, have faced interference from certain Western countries, limiting their full potential. The question arises: Should the representation and influence in the UN be determined by the size of a country's population, the size of its delegation, or its national strength? What should be the determining factor? Abraham Lincoln proposed the idea of a "government of the people, by the people, and for the people." It sounds wise and beautiful, but in reality, these three aspects are difficult to combine. Should we focus on the process or the results? I think the most crucial aspect is to always consider everything for the people; that is the true test and practice.

In China, there is a saying, "No matter if it's a black cat or a white cat, as long as it catches mice, it's a good cat." The essence of this saying is not to get caught up in the means or systems, but to test their effectiveness through practical application. We need to examine whether these systems meet people's needs and contribute to building a community with a shared future for mankind.

(Michael Crook, Receiver of the Chinese Government Friendship Award and Chairman of the International Committee for the Promotion of Chinese Industrial Cooperatives)

## A New Democracy: People First and Multilateralism

Moses V. Nagamootoo  
Guyana

At this critical time of crisis due to the COVID-19 pandemic, it is more crucial than ever to put people first and to redefine global human rights governance standards and goals. This South-South Human Rights Forum is therefore very important. In February 2021, UN Secretary-General Antonio Guterres warned that “if the virus is allowed to spread like wildfire in the Global South, it will mutate again and again.” From the latest data and scientific facts, this has since become the truth—a situation that the WHO had foreseen as the world being “on the brink of a catastrophic moral failure.”

Clearly, humanity is at risk. On Saturday last the *New York Times* reported that high and upper-middle-income countries got 74% of COVID shots administered worldwide. Only 0.8% of doses went to low-income countries, the Global South which is mostly outside of Europe and North America. This is not just a moral failure by the Global North that prattles about human rights, but criminal neglect even at this time when the death toll has reached 5.3 million people worldwide. It is an “inconvenient truth” that the rich and powerful Global North has abandoned people in the South, the so-called Third World. This should come as no surprise. Such a callous response is rooted in its genes of self-interest and narrow nationalism.

A quick glance at the tiny Caribbean, the region in which I was born, would be enough to expose the inhumane history of imperialist hegemony. We survived over three centuries of subjugation under its colonial and neo-colonial yoke, under slavery and indentureship. As a part of the Global South, ours has been a history of blood, sweat, tears, neglect, and poverty. On November 30, 2021, when the tiny island Barbados became a Republic, Prince Charles, heir to the British Imperial Throne, apologized for that dark history and the pains that slavery had caused the people of the Caribbean. What would never be erased, however, are the stain of poverty and

utter disregard for human rights, the most elementary being the right to life. The United Nations has stated that poverty is not just about low income or no income, but about hunger and malnutrition, and lack of basic needs such as health care and access to drinking water.

When we observed International Day for the Eradication of Poverty in October, the United Nations estimated that 1.3 billion people live in poverty. The World Bank projected that in 2021 due to the global COVID-19 pandemic, between 143 and 163 million “new poor” would be added, mainly from Asian and African countries. I submit that this ghastly specter of grinding poverty and death today haunts the world as the biggest human rights issue—the right to life. For democracy to have real meaning it must advance the welfare of the people, not a privileged class, race, or sect. Democracy cannot be the fig leaf that hides the ugly geo-political and strategic interests of powers that masquerade as the world policeman. We cannot and must not be locked into prescriptions for human rights that are only political, and pay lip service to the social, economic, gender, and ethnic rights of our peoples, mainly in the Global South. For us, democracy must not be a periodic ritual or an ethnic census in multi-racial societies where, when one-half of the people is in government, the other half is locked out.

I have given the above as context for the need to have a new democracy in our countries that put people first. The old democracy has exploited us, dominated us, divided us, used us, and left us in poverty. We need a new model of our democracy under which the protection and promotion of basic human rights and the rule of law become the goal of good governance. This model must be based on the historical experiences and common values in our multi-ethnic and multi-cultural societies. In this regard, I submit that China is a good example of this new democracy.

China is a South member state with a population of more than 1.4 billion hitherto poor and impoverished people. It has made stupendous progress, having lifted some 100 million of its rural residents out of poverty. The IMF and World Bank have placed China’s GDP growth at 8.5%, and per capita GDP to over USD 10,000. China has shown that our countries can and must find independent paths to development.

His Excellency, President Xi Jinping, has defined this new democracy which puts people first and supports global human rights governance through multilateralism. In his recent address at the United Nations, President Xi related how

China is writing an epic chapter in its development and that of humanity.

He stated: Development and happy lives are the common aspirations of people in all countries. Development is meaningful only when it is for the people's interest and can sustain only when it is motivated by the people. Countries should put their people front and center...

I submit with confidence and conviction that if we are to define a new democracy that puts people first and respects global human rights governance, we should look at the China example.

I conclude with these wise and visionary words from President Xi: We should vigorously advocate peace, development, equity, justice, democracy, and freedom, which are the common values of humanity, and work together to provide the right guiding philosophy for building a better world. Peace and development are our common cause, equity and justice are our common aspiration, and democracy and freedom are our common pursuit.

(Moses V. Nagamootoo, Former Prime Minister of Guyana)



## Reclaiming the Spirit of the Declaration for Better Protection of Human Rights

Todd Howland  
The United Nations

The theme of the forum is “putting people first and global human rights governance,” which is both timely and unfortunate. Timely, as we are seeing the product of marginalizing human rights from economic decision-making and business affairs—growing inequality, civil unrest, and a lack of sustainability. Timely, as we see vaccine inequity driving further inequities at a time when we need global cooperation. Timely, as the UN Secretary-General calls upon us in his common agenda to operationalize a renewed social contract anchored in human rights. Timely, as the UN High Commissioner for Human Rights has said, to recover from the biggest development setback in our lifetime, we need an economy that works for everyone and that is people and planet-centered, and thereby enhances the level of respect for human rights including the rights to health, education, social protection. These human rights should all be treated as useful guardrails for economic policies and business decisions. We have seen that investing in rights, for example, health, education, and social protection, even at times of crisis, produces benefits for the economy and for society.

But for some reason, we still don’t do it. This needs to change.

Unfortunate, as the Universal Declaration of Human Rights from December 10, 1948, indicated that no matter what political or economic system, human rights had to come first. Unfortunate, as the Universal Declaration was designed to build a new world, meaning that it should touch on every aspect of our lives and on every aspect of our society, that government policies, private sector decisions, and even individuals should consider the human rights impact on others of their decisions. Unfortunate, as the idea was to build a new world that would be free from “want and fear.” Today, more and more people are living in “want and fear.” Some attribute this to the Cold

War, but that's not really the case. Even though there was a difference in terms of the East supporting economic, social and cultural rights, and the West political and civil rights, it wasn't the case in the drafting and to a large degree, neither in reality. Hernan Santa Cruz, a Chilean diplomat, was perhaps the most influential in the inclusion of economic, social and cultural rights in the Universal Declaration of Human Rights. This drew support from all delegates and all member states at the time. The delegates to the drafting committee of the Universal Declaration took their work very seriously. They were aware of the context of the Great Depression and the genocide in the Second World War. Hernan Santa Cruz, in his first book, called upon our international community to cooperate or perish. In many ways, this was the spirit behind the Universal Declaration of Human Rights, as he also thought that human rights would create guardrails for society to ensure a people-centered approach to all aspects of society from government policies to business models, which is a world that would cooperate to enhance the level of respect for human rights globally.

It's important to recapture the letter and spirit of the Universal Declaration of Human Rights to work together, to truly create people-centered societies.

There were so many interesting and useful contributions to the Universal Declaration of Human Rights to create that new blueprint for our world. Recently I read an article in *China Human Rights* published in April 2020 entitled "A Commentary on Lo Chung-Shu's Human Rights Philosophy." Lo Chung-Shu was one of the Chinese experts who contributed to the drafting of the Universal Declaration for Human Rights. According to Lo, the correct logic or principle should be that each individual is an end in himself, and all societal institutions are a means to develop each individual as fully as possible, i.e., both the state and society are founded on respect for and protection of the individual rights, which is both the purpose and legitimacy of the state and society. But what happened to this people-centered vision?

First, in Keynesian economics, it was accepted that the government had a role in the economy to produce positive incomes for all. After Keynesian economics became less influential in the world, another idea, one where the government should not interfere in the marketplace, began to take dominance. It took dominance regardless of the preexisting legal obligations to maximize available resources, to invest in things like education, health, and social protection.

Second, human rights were taught mainly at elite universities as part of international law. But in reality, human rights should be taught in every civics class,

in every grammar school.

Third, the current popular understanding or dominant narrative is too limited. Some organizations are wildly successful in capturing the public understanding of human rights, which is incredibly good work to advocate for free political prisoners. Unfortunately, they have a severely limited understanding of what human rights violations are, that they happen somewhere else, and that they don't affect our own lives. Even though these organizations have done a significant amount of work on economic, social and cultural rights, they just haven't penetrated the public perception of what human rights are.

Fourth, influential scholars and jurists began conflating rights with market choices and preferences, in many ways abandoning the origins of rights derived from the social contract where my right to swing my arm ends at your nose. There was an assumption of give-and-take to live in a society that underlines human rights and the Universal Declaration for Human Rights.

So how can we recapture the letter and spirit of the Universal Declaration of Human Rights? The UN High Commissioner for Human Rights established the Surge initiative in 2019 to respond to galloping inequalities, slow-paced implementation of the sustainable development goals, and growing social unrest. The aim of the initiative is to step up filled engagement on economic, social and cultural rights, SDGs and prevention, and strengthen the link between human rights and economics. The outbreak of the COVID-19 pandemic within months of the surge initiative launch lent a compelling urgency to achieving its objectives. Through this work, in the last year, we've contributed to policy discussions in over 90 countries. We have implemented seating change projects in 39 countries, often related to budget analysis and human rights: some are related to tax reform, some to fees and taxes on extractive industries, some to corruption, and others to creating disaggregated data to understand why certain communities have been left behind.

The work is critical, as we can't fight poverty and we can't leave anyone behind without using macroeconomic tools like tax and budget or without making sufficient investment in health, education, social protection or other rights like participation. Concretely, there is a lot of room to put people first. Examples include public procurement, consumer choices, pensions, and investment funds. All should have human rights enhancement as their end.

Why do companies that use plastic wrap that will take 500 years to decompose

and may even contribute to cancer or endangered wildlife pay the same tax on profit as a different company that uses compostable wrap? National, state, and local officials should do a human rights assessment when considering tax reform or passing their budgets, to ensure that it is people-centered.

Human rights are a shared project. If human rights are respected and applied, equitable development and peace are within reach. There will always be different approaches to politics and the economy, but human rights apply across differences, for us to create inclusive, green, and people-centered societies.

(Todd Howland, Chief of the Development, Economic, and Social Rights Branch of the OHCHR)

# The Multilateralism and the Human Rights Discourse

Xiong Wanpeng  
China

It is a consensus for most countries worldwide to advocate and pursue multilateralism. Under the changeable international circumstances with unilateralism and protectionism ready to make trouble, the international system and order have taken a serious blow, and the risks and uncertainties facing the world economy have increased markedly. In the critical period of global development, it is of greater significance to achieve common development with an emphasis on multilateralism, which should be promoted with unity, diversity, and respect for common values. Human rights are universally recognized as a key common value. Access to the human rights discourse of all countries is essential to multilateralism, and the international governance of human rights serves as a driving force.

## I. The Human Rights Discourse: an Important Part of Promoting Multilateralism

The human rights discourse is the carrier of the concepts of human rights, which in turn lay the foundation of the human rights discourse. Voice, the right to express and control public opinion, is a crucial basis and reflection of the human rights discourse. Those who have a voice in their grasp would take the direction of the social opinion. The human rights discourse is an organic combination of human rights concepts and the concept of voice and possesses subjective characteristics and various ways of interpretation from different standpoints.

The features of the human rights discourse can be concluded as three aspects:

### 1. Non-coerciveness

The human rights discourse is non-coercive in most cases. The secular arm is exerted by order and obedience, while the human rights discourse comes into effect by means of spreading and is more acceptable to the public. It normalizes its

modes of thinking and life and its standard of value into the sole legal, reasonable, and justified tools as well as the universal and effective standards to facilitate the recognition of the recipients in a natural way.

## 2. Mildness

The secular arm is a hard power with the character of rigidity giving rise to a sense of distance. On the contrary, the human rights discourse is a soft power with flexibility and mildness, being enough to neutralize the sense of distance and rejection that may be caused by “power” to the greatest extent. The mechanism of exerting the salutary influence of education imperceptibly greatly dispels the negative mentality and hostility that may be brought about by various ideologies.

## 3. Divergent Thinking

The human rights discourse is featured by multi-divergence. Different from the secular arm in the top-bottom mode of operation characterized by “linear spread” mainly affecting the non-daily life of people, the human rights discourse is operated from top to bottom and with an inside-out perspective, “radiating” in every aspect of life. It deeply affects not only the political life but also the daily life of people, in which almost no one can cast off the control of some discourse. The secular arm has a clear boundary with a specific and fixed range of action, while the human rights discourse has no fixed boundary with an unlimited range, affecting each corner of daily life.

## II. Multilateralism: a Principle Followed by the International Community

Since this year, Chinese President Xi Jinping has mentioned multilateralism on many diplomatic occasions. In the keynote speech by President Xi at APEC CEO Summit on November 11, 2021, “true multilateralism” that was re-mentioned drew great attention from the international community. The UN Secretary-General António Guterres stated as well that multilateralism was more necessary than ever before.

Multilateralism refers to how three or more countries make connections, including three prerequisites: First, there must be at least three actors, which is the basic element that distinguishes it from bilateral diplomacy. Second, the interaction among actors shall be driven by cooperation instead of conflict. Multilateralism, highlighting cooperative interaction from individuals to the whole, focuses on

building a multilateral institutional structure from the global to the regional, with the basic features of coordination and cooperation. The differences exist only in scope and limit of cooperation among actors. Third, the cooperation among actors is made on the principle of common value beyond individual interests, reflecting the emphasis on and the observance of the international rules of conduct and regulations by the state actors. Multilateralism is the unity of three levels of logic: tool, system, and value.

In this regard, multilateralism has four features as follows:

### 1. Achieving Win-win Results with Solidarity and Cooperation

Over the past year, the world has undergone profound changes unseen in a century, together with the sweeping COVID-19 pandemic, making people all over the world hold more ardent expectations for peaceful development, stronger demands for equity and justice, and firmer commitments to win-win cooperation. The final purpose of multilateralism lies in unity, cooperation, and win-win results. Differences and problems among countries, hardly avoidable, need to be handled through dialogue and cooperation based on equality and mutual respect. We need to pursue dialogue instead of confrontation, be inclusive rather than exclusive, build a new type of international relations based on mutual respect, equity, justice, and win-win cooperation, and do the best we can to expand the convergence of our interests and achieve the biggest synergy possible.

### 2. Seeking Equality and Harmony in Diversity

Diversity is a basic feature of the world and the charm of human civilization. The essence of multilateralism is the respect for diversity, the persistence of equality, and harmony in diversity. A world of peace and development should embrace civilizations of various forms and must accommodate diverse paths to modernization. With a unique history and culture, each country is required to take the development path suited to the national conditions of its own, and demand equal rights, equal opportunities, and equal rules. We need to advocate peace, development, equity, justice, democracy, and freedom, which are the common values of humanity, and reject the practice of forming small circles or zero-sum games.

### 3. Unifying and Observing the Rules

For the purpose of practicing true multilateralism and building a community with a shared future for mankind, we need to unify the rules of multilateralism that should be followed jointly, to call for a strong UN, and to reform and build a fairer

and more equitable global governance system. Around the globe, the international system with the UN at its core should be the one and only system, the international order based on international law should be the one and only order, and the basic norms governing international relations based on the purposes and principles of the UN Charter should be the one and only set of rules. The international rules shall be jointly made by the 193 member states of the UN, rather than by a single country or a bloc of powers and shall likewise be observed by the 193 member states without any exception. All countries should respect, cherish, and protect the big family UN so that it can play a more active role in promoting the noble cause of peace and development of mankind, and never exploit or abandon it purely by self-interest. International affairs should be dealt with based on consultation and the future of the world should be in the hands of all countries.

#### 4. Upholding Cooperation and Opposing World Hegemony

The world calls for multilateralism, which can hardly be achieved without the cooperation of all countries. We should reject unilateralism and hegemony and should not form small circles or wage ideological confrontation under the guise of multilateralism. The purposes and principles of the UN Charter should be followed and shared benefits should be pursued through extensive consultation and joint contribution in the process of dealing with international affairs. Hegemony, high-handedness, and bullying should not be pursued from the so-called “position of strength,” and the attempts to undermine the international order and trigger confrontation and division under the disguise of “keeping order” should be opposed. We should adhere to the principle of mutually beneficial cooperation, remove the barriers to trade, investment, and technology, and create a future of inclusive and beneficial development.

### III. Enriching the International Human Rights Discourse and Advancing Multilateralism

National prosperity in a real sense requires an organic integration of soft power and hard power. If one country would like to gain unblocked access to the expression of the human rights discourse, it is required to strengthen its soft power and hard power, and also make joint efforts with other countries all over the world. The international community urgently calls for a new concept of global governance to build a more justified and equitable international system and order.



## 1. Proposing the Concept of a Community with a Shared Future for Mankind

In January 2017, Chinese President Xi Jinping delivered a keynote speech “Work Together to Build a Community of Shared Future for Mankind” at the United Nations Office in Geneva, Switzerland, explaining his vision of building a community with a shared future for mankind, which received a warm response from the international community and gained widespread popularity and high praise from various parties. At the 34th Session of the UN Human Rights Council on March 1, 2017, China made a joint statement entitled “Promote and Protect Human Rights and Build a Community with a Shared Future for Mankind” on behalf of 140 countries, popularizing the major concept of a community with a shared future for mankind and its significance for promoting the development of international human rights cause, which strikes a chord. The concepts of sovereign equality, dialogue and consultation, win-win cooperation, exchanges and mutual learning, and green development, which are embodied in a community with a shared future for mankind, have won widespread recognition and support from all sides.

At the 46th Session of the UN Human Rights Council on March 23, 2017, the resolution on “Promoting Win-win Cooperation in Human Rights” submitted by China was passed, which appealed to all countries to insist on multilateralism, make constructive dialogue and cooperation in human rights, strengthen technical assistance and capacity building, promote win-win cooperation and jointly build a community with a shared future for mankind. It also called for international cooperation for containing COVID-19 and providing affordable vaccines for the developing countries.

Tom Zwart, Director of the Netherlands School of Human Rights Research, pointed out that developing countries have more voices, especially the concept of a community with a shared future for mankind proposed by China. He held that it was a sincere and broad vision instead of an attempt to impose the interests or views of one country on others, which was true for the global governance of human rights as well. With consideration of various development conditions, we should highlight respect and equality, rather than make indiscreet remarks or criticisms of other countries’ shortcomings due to arrogance or prejudice.

China’s proposal of building a community with a shared future for mankind provides a clear path for global governance on human rights and China’s answer to

the pressing challenge facing the world today. The United Nations General Assembly on Human Rights has already included this proposal featuring peace, cooperation, dialogue, and exchanges for a shared future in the resolution. The vision has been supported and implemented by more and more countries and will call for long-lasting advocates by all sectors of society, with emphasis on multilateralism, dialogue and cooperation in the field of human rights for win-win results.

## 2. Strengthening International Governance on Human Rights

It is a fact that the concepts of human rights and the means of realizing human rights vary with different civilizations. From the perspective of building a harmonious world, such differences can serve as an impetus for the development of human rights, for although countries with different cultural backgrounds have different understandings of human rights and different ways of realizing them, their ideas and practices have their own merits with wisdom in their own cultural backgrounds. In this regard, if we can realize mutual respect and exchanges, we will enhance mutual understanding and reduce conflicts on the issue of human rights; if we can draw on each other's merits, we will certainly raise the level of human rights together and promote the all-round development of international human rights.

Since the reform and opening-up, especially in recent years, China has taken a more active part in UN activities in the field of human rights, fully presenting the practices China has made in respecting and safeguarding human rights on the international stage and developed into an important member in the international human rights cooperation. China has supported the purposes and principles of the UN Charter on the promotion and protection of human rights, actively participated in the establishment of the UN Human Rights Council, and attached great importance to technical cooperation on human rights with the Office of the United Nations High Commissioner for Human Rights, contributing a lot to the improvement of the international human rights protection mechanism. China actively fulfills its international human rights obligations, values the key role of international instruments on human rights in promoting and protecting human rights, and makes active involvement in formulating international human rights instruments and relevant rules. It has joined such international covenants of human rights as the International Covenant on Economic, Social and Cultural Rights, and actively set the stage for the ratification of the International Covenant on Civil and Political Rights. China has actively carried out multilateral dialogues on human rights, advocated

equal international cooperation on human rights, and made dialogues and exchanges on human rights with nearly 20 countries on the basis of equality and mutual respect. By strengthening international exchanges and cooperation on human rights, China has enhanced mutual understanding and trust with the international community, promoting the sound development of the international human rights cause.

### 3. China to Play a Greater Role in the Human Rights Discourse

As required by China's peaceful development at the very moment when the concept of a community with a shared future for mankind is praised by the international human rights discourse system, constructing China's international voice on human rights issues is the requirement for answering the concerns of the international community and showcasing the development of China's human rights cause, and an essential basis for the revival of China's international voice.

On March 14, 2004, the Second Session of the Tenth National People's Congress adopted the amendment to the Constitution, which for the first time included the concept of "human rights" and clearly stipulated that the state respects and safeguards human rights. It's an important milestone in the development of human rights in China. Meanwhile, China has made positive international exchanges and cooperation in human rights, released a white paper on the situation and the cause of China's human rights each year, and struck a powerful counter-blow to the United States touting itself as a world human rights defender and undermining China's human rights. All of these efforts have turned the tables and made China have more say in the world in the field of human rights.

In the 21st century, to have more say in the world cannot be separated from the art of language in spreading human rights and telling China's stories to the world in a proper manner and following the international paradigm. General Secretary Xi Jinping attaches great importance to the construction of a discourse system and has repeatedly stressed "telling China's stories to the world in a proper manner." It is never to give a one-way pitch, but to put yourself in other people's shoes based on the understanding of both ourselves and our adversaries, and to tell stories about China's human rights situation with a paradigm similar to the international community. In international exchanges on human rights, to make all parties put prejudice aside and exchange views calmly to reach a consensus is the only way for China to gain more say around the globe. To this end, historical and current events can be sorted out to trace common situations, issues, and challenges, and seek a

common emotional basis, so as to facilitate equal exchanges in human rights.

The construction of an international voice is a hot issue, and a major topic in the great historical rise of China. In this regard, we're required to devote ourselves to the abstraction, definition, and interpretation of China's discourse, advancing it in the direction of popularization, internationalization, and systematization. Meanwhile, we need to spread China's discourse more widely and accurately, broaden its connotation and extension, and tell China's stories to the world in a better and more proper manner. It's necessary to conduct multidimensional and in-depth research, strengthen the capacity building for international communication, and present the right narrative of Chinese human rights development in international discourse. We will tell China's stories to the world and make China's voice heard and the Chinese characteristics perceived. We should strengthen the soft power of culture and strive to create the human rights discourse of socialism with Chinese characteristics that reflects the great era and shows China's material achievements and cultural charm, so that China can play a greater role in the human rights discourse. We should continue to promote the building of a community with a shared future for mankind and contribute Chinese wisdom, plan, and strength to solving major issues of mankind and building a better world.

(Xiong Wanpeng, Secretary of the Party Committee and President of China Overseas Holdings Group Co., Ltd.)

## Multilateralism and Human Rights

Xu Xianming  
China

It is an absolute pleasure to attend the 2021 South-South Human Rights Forum and share some of my thoughts. I will cover this topic in three parts.

To begin with, let me walk you through four important events that took place in the year 2021 and explain why the year marks a milestone for the Chinese human rights cause.

The first event is the 100th anniversary of the founding of the Communist Party of China. I fully agree with the statement of Minister Huang Kunming in his opening speech. The history of the Communist Party of China in the past hundred years is inextricably tied to the history of the Chinese people's struggle for human rights. We shall not forget that it is through the unremitting efforts of the CPC and the Chinese people to call for, fight for, protect and develop human rights that we manage to pioneer a human rights development path with Chinese characteristics. The Resolution of the Sixth Plenary Session of the 19th CPC Central Committee specifically includes the CPC's dedication to respect and protect human rights.

The second important event in the history of the Chinese human rights cause would be the publication of *Xi Jinping on Respecting and Protecting Human Rights* which marks the systematization of President Xi's theory of human rights. The significance of the book can be addressed from three aspects. Firstly, it reflects the latest human rights theories that combine the Marxist theory of human rights, the actual conditions of contemporary China, and traditional Chinese culture. Secondly, it is an important part of Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era and Xi Jinping Thought on the Rule of Law. Thirdly, it constitutes a fundamental theoretical basis and guidelines for actions for the future promotion and development of the Chinese human rights cause.

The third historical event would be the announcement of China's 14th Five-Year

Plan which contains dedicated action plans for the advancement of the human rights cause in an all-round way. A distinct feature of the Chinese human rights cause, it is included in the State's future development blueprints and enjoys state-level strategic planning and supporting policies.

Lastly, this year sees the implementation of the fourth Human Rights Action Plan of China (2021-2025).

With the commencement of the aforementioned four important events, the Chinese human rights cause has entered a new phase of high-quality development.

In the second part of my speech, I would like to come back to the theme of "putting people first and global human rights governance." Although there are many circumstances that would require global human rights governance, we shall not forget that the human rights cause of a country shall first rely on the protection of its own constitution and laws. In other words, the fundamental and primary way to realize human rights lies with the application of national laws. However, there are three kinds of human rights that require international cooperation for their realization.

As mentioned by the Chairperson of the Congo (Brazzaville) Human Rights Committee, the right to peace is a basic human right. I fully agree with this view. When the UN Charter and the Universal Declaration of Human Rights were adopted in the 1940s, the concept of the right to peace had yet to appear. Although with different functions, I trust that the Human Rights Committee (HRC), the Security Council (UNSC), and the Economic and Social Council (ECOSOC) of the United Nations must adopt the same stance in terms of maintaining peace. The UN Security Council directly undertakes peacekeeping matters, the ECOSOC maintains peace through development whilst the HRC maintains peace through designing and upholding notions and systems to respect and protect human rights. Therefore, the right to peace as a human right, a right of a nation, a collective right, and a common right for mankind, must be protected by the collective efforts of the entire human society. No country may deny such responsibility. I would regard the UN Charter as the 1.0 version of human rights governance, a version that lays a foundation for the creation of the rights to peace concept whose realization requires multinational cooperation.

Another human right that requires international cooperation is the right to development, which is widely recognized as one of the 3rd generation rights. Its creation can be traced back to the 1970s when it was first stated by Judge Keba

M'Baye, Chief Justice of the Supreme Court of Senegal, at a speech delivered in front of the Commission on Human Rights in Strasburg. The right to development was initially described as a collective right, a right enjoyed by nations. As mentioned by many speakers, the Global South as developing countries share a common historical feature. One important reason that they are currently underdeveloped, is that they were once invaded, pillaged, and colonized by other countries. Among former colonies, those countries that have gained higher development status shall have the obligation to help the developing ones. The right to development should be a right of a nation and a common right of developing countries. Since the concept was first set tone, for a long time the international society couldn't find an effective way to realize it. In the 1990s, when the world saw the transformation of the World Trade Organization (WTO) from the General Agreement on Tariffs and Trade (GATTA), the international society had then found the most reliable path of common development.

It is December 8, 2021 today, 3 days from the 20-year anniversary of China's WTO membership. The moment of China's accession to WTO following the bang of the gavel on December 11, 2001 has been ingrained in my memory. The world has witnessed groundbreaking development in China since China became a WTO member. In 2001, the GDP of the United States exceeded 10 trillion US Dollars, whilst China's GDP of that year merely amounted to 1.3 trillion US Dollars, approximately 1/8 of the US GDP. 20 years later, China's GDP has grown to 15 trillion US Dollars, accounting for 74% of the US GDP. China's explosive growth over the past 20 years equivalent the total material wealth the country created in a span of 160 years since the First Opium War. WTO provides the most reliable path to realizing the right to development. However, certain developed countries, resenting the fact that developing country members of WTO are realizing their rights to development, are contriving to impair the organization. We have seen WTO's appellate body being blocked by certain countries, showing acute contradictions between developed and developing countries on the realization of the right to development. As the achievement of China and many other countries has told us, the effective realization of the right to development requires global cooperation.

The COVID-19 wreak havoc has made the world awaken to the fact that the realization of our common right to health, which represents the third kind of human rights, relies on international cooperation and multilateralism. China has pledged

to the world for carbon peaking by 2030 and carbon neutrality by 2060. Is climate change related to the COVID-19 pandemic? Some scientists believe there is a direct link. The right to environment and the right to health are interdependent. Given that CO<sub>2</sub> emissions are circulating in the atmosphere, no country is immune to global warming. The United Nations has launched the UN Framework Convention on Climate Change and the subsequent Kyoto Protocol and Paris Agreement, in order to generate global cooperation to tackle climate change. Multilateralism and global cooperation are requisites for the realization of our common right to health and environment. The right to peace, development, and health are three core rights that require global governance.

The third part of my speech talks about the principles that we need to stick to in upholding multilateralism. We should take a strong stance against unilateralism, hegemony, and side-choosing. During today's opening ceremony, many speakers mentioned the recent "Summit for Democracy" hosted by the United States. A reflection of the hegemonic influence of the United States and a classic example of side-choosing and antagonism, it runs counter to world trends. No country in the world may dominate the discussions about democracy or give the sole correct interpretation of human rights. No country is entitled to claim a monopoly over the truth. Therefore, we must stick to our stance against unilateralism, side-choosing, and hegemony.

I would like to speak for the adherence to the following principles of multilateralism.

First, be open-minded and inclusive. Living together in the global village, human rights is not a cause of any single country, but one that is collectively developed by the whole world. There is no single standard for human rights set by a single country.

Second, we should stick to a set of common rules based on international law. The concept of "rules-based international order" raised by the United States contains pitfalls. As an advisor to the President of Hungary challenged, whose rules are referred to here? There would be no fairness or justice if a set of rules unilaterally set by a country were to be applied to the whole world and the entire human society. Should we adopt a set of rules as the world's common rules of human rights, we would choose to follow the rules of international law contained in the Universal Declaration of Human Rights. Therefore, human rights governance shall be based on



international law. In the meantime, the applicable rules within the international law's framework shall be adopted as the universal standard of human rights.

Third, we shall adhere to international cooperation, joint governance, and sharing the fruits of human rights development. The fruits of development belong to not a single country or nation but the entire human society. The unique feature of the inclusiveness of human rights should be highlighted.

Fourth, we shall move with the times. As the human rights cause advances, our multilateral cooperation practice and our interpretation of multilateralism shall evolve and undergo continuous updates from version 1.0, 2.0 to 3.0 and more, towards an even brighter future.

(Xu Xianming, Deputy Head of the China Society for Human Rights Studies and Vice Chairman of the National People's Congress Supervisory and Judicial Affairs Committee)

## Human Rights in Developing Countries

Muratbek Imanaliyev  
Kyrgyzstan

In today's world, new geopolitical rifts keep emerging, global political polarization and economic center shift arise, and new global and regional labor and financial markets take shape. In my view, this process involves planning for the future development of international relations based on subjective likes and dislikes. The emergence, deepening, and spread of international turmoil in the past two and three decades are caused by an objective root cause: humans have been beset with crises in worldview, philosophy, economy, society, religion, and other fields, which are the basis of civilization for the survival of humans as a biological species. These are inseparable from human subjective factors. For example, when people re-examine the current system of international relations, they tend to repeat the mistakes of a past historical period and take the emphasis on confrontation and the presupposition of "imaginary enemies" as the starting point for assessing the future development of international relations, which is definitely a concern. The reasons for this negative trend include the reshaping of the international geopolitical pattern, the shift of the world's economic, financial, and investment centers and geopolitical and geo-economic levers from West to East, the significantly expanded coverage of "South-South Cooperation," and the slow flow of economic "blood" from North to South.

Today, humans are in depression. Though there are occasional glimmers of positive hope, the psychological pressure arising from the COVID-19 pandemic prevails. This pandemic not only strikes the world as a whole, but also afflicts every country. Unfortunately, it has two deadly features: unpredictable scale and unpredictable duration.

The human response to COVID-19 is staggering: Instead of devoting their energies to fighting against the COVID-19 pandemic, a common hazard and injury to all countries, they are busy fighting each other and seeking their own interests at

the expense of others, which is the greatest tragedy of the world during the pandemic. However, it is not surprising that humans behave this way. There are countless similar examples. In the most recent case, in terms of international counter-terrorism, are those countries facing the threat of terrorism united in fighting it? No, they are not. Even worse, they are trying to use their terrorist enemies against other countries.

The irresponsibility, selfishness, and shamelessness of politicians in some countries have reached incredible levels in the face of the challenges posed by COVID-19 to all human beings. They only think about their own interests. Moreover, they want to use the new enemy of the pandemic to defeat their former rivals and even want to seize the opportunity to rob others of their interests. In a sense, moral standards differ from person to person. As David Hume said, “The basis of human cohabitation in society is not moral principles or social functions of the state, but rationality.”<sup>[1]</sup> Rationality is equivalent to selfishness and shamelessness in the context of COVID-19. However, in my opinion, if selfishness and shamelessness are completely accepted and even acquiesced by the moral and ethical system under the universal standard of human existence, it is incompatible with the objective requirements of universal love and solidarity in the world.

Considering the challenges and threats that the events in Afghanistan pose to Eurasia, we will find that all the positive constructions of Eurasia are being undermined.

All of these issues are most directly related to human rights issues. If a country is at a disadvantage and selfishness and shamelessness are the absolute principles of protecting its own interests, human rights will no longer be regarded as international political norms when specific individuals or groups are faced with human rights issues. Therefore, those who directly violate human rights are blameless because they are needed to “feed” the enemy or pin down the enemy. Instead, those who strive to comply with human rights rules are perceived as competitors and sanctioned or punished.

Unfortunately, in the 70-80 years since the adoption of the Universal Declaration of Human Rights, human rights have been and are still the barriers that divide human society. Ideology, religion, economy, and other factors are the core elements to judge the “legitimacy of human rights” of a country. In many cases, Western countries are interested in not the essence of human rights issues, but whether the geopolitical and

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[1] Ridley, M. (2017). *The Evolution of Everything* (p.27).

geo-economic measures taken by these countries have taken them out of the control of the “defenders of human rights” and made the defenders their competitors in the military, economic and other aspects. Containment has already begun, as evidenced by the establishment of rules in the ecological field. Isn’t it anti-democratic to force other countries to practice “democracy” through violations of sovereignty such as “color revolution”? Should a country that professes to be a benchmark of democracy be allowed to do whatever it wants with regard to human rights and even violate democratic laws and rules?

At the First Summit on Human Rights for Developing Countries, President Xi Jinping pointed out that human rights are universal values that have their own expression in every country. This view is comprehensive and has been reflected in the outcome document of the 2005 Global Summit. The UN General Assembly resolution that approved the document on September 16, 2005, also stated that “We reaffirm that democracy is a universal value based on the free will of the people, and determined by their own political, economic, social, and cultural systems.”

In the international law system, the right to development is most directly related to human rights. The problem is that, on one hand, developing countries are committed to upholding human rights and developed countries support this aspiration; but on the other hand, these countries have different objectives and tasks, and these differences lie not in the principles and standards of human rights, but in their political and humanitarian dimensions.

The Humanitarian Affairs and Emergency Relief Coordinator Mark Lowcock said, “One in every 45 people on the planet are in need of food, shelter, education, health care, and other services.” Developed countries should make efforts in these areas.

Poverty alleviation is an invariable measure of human rights, and no one denies that it is the most important factor in building human rights. In this sense, China’s achievements are also remarkable in social development and human rights protection.

In 2019, the South-South Human Rights Forum was held in Beijing. 300 participants from 80 countries and international organizations exchanged views on important issues of modern human rights protection, including “building a community with a shared future for mankind and global human rights governance.” The forum also addressed the issue of human rights in the Global South.

The concept of “building a community with a shared future for mankind” is

the most important philosophical direction in contemporary China's foreign policy. It is also the basis of the deepest responsibility of China for the destiny of mankind. Within this framework, China proposes to share this responsibility equally and fairly with other countries. One of the most important principles of the concept of "a community with a shared future for mankind" is the principle of "harmony in diversity" in ancient China. This means that countries around the world with different political systems and economic development foundations should and can cooperate with each other.

The concept of "a community with a shared future for mankind" calls for equality and the same rights, responsibilities, and obligations of all people, regardless of nationality, race, or religious belief. The concept of "a community with a shared future for mankind" originated in China, but it belongs to the world.

(Muratbek Imanaliyev, Former Foreign Minister of Kyrgyzstan and Kyrgyz Ambassador to China)

## Multilateralism for Promoting Global Human Rights Governance

Isabel Saint Malo  
The Republic of Panama

Today more than ever we must turn to global governance and multilateral bodies to address global problems. Yet, the multilateral system faces challenges and threats as many attack its institutions and mechanisms.

There is no way forward to the many threats faced than collective action and renewed commitment to multilateral bodies, particularly the United Nations, as the central organization for peace-building and peace-keeping. This is particularly important for those of us who believe in the values of justice, human rights, and development. The call to defend those institutions which provide us with the best hope of realizing our collective promises and values enshrined in the UN Charter, is as present as ever.

We believe that multilateralism has underpinned peace, security, and prosperity across the world since the UN foundation. Today, the UN remains more than ever an indispensable actor in facing contemporary threats from pandemics, like the deadly COVID-19 that we have faced and are still facing, to climate change and the fight against poverty. As COVID-19 continues to place a threat to people's right to life and health and is an increasing challenge with important setbacks on recent advancements. The world has seen great progress, but it is still faced with significant development challenges. Poverty still plagues hundreds of millions and income inequality continues to increase. To address these challenges, world leaders unanimously adopted the UN 2030 Agenda for Sustainable Development in 2015. With its 17 Sustainable Development Goals, 169 targets, and 232 individual indicators, the UN 2030 Agenda for Sustainable Development is ambitious in scope and covers nearly all aspects of development.

But simply put, it aims to ensure a more sustainable and resilient future, where

no one is left behind. With the concept of 'leaving no one behind' at its heart, the UN 2030 Agenda for Sustainable Development places strong emphasis on inclusive development. Recognizing that past development gains did not always reach the poor and most vulnerable, and that certain population groups remain at a large disadvantage; inclusive development is integrated throughout the 17 Goals. This is our roadmap, a very clear roadmap. The discussion of human rights governance poses challenges for many countries developed or underdeveloped, and China is no exception. While many countries around the world are celebrated for their high respect for human rights, many still have steps to be taken to advance. That is where human rights governance is of great value. It provides feedback, measurement, and insights, allowing countries to evaluate that feedback, learn from it, and take concrete steps to improve. To address the subject of human rights in this Forum, one must take note of China's own position of putting the people's rights to subsistence and development first. In this regard, China's advances are undeniable. China's Human Development Index (HDI) rose dramatically from 0.501 to 0.761 between 1990 and 2019, putting the country in the high human development category, according to the 2020 Human Development Report (HDR). This HDI value positions the country at 85 out of 189 countries. Since the HDI was introduced in 1990, China has been the only country in the world that has moved from the low development group to the high development category, making the country's development progress over the last three decades remarkable. China's 2019 HDI of 0.761 is above the average of 0.753 for countries in the high human development group and above the average of 0.747 for countries in East Asia and the Pacific. According to the report, China's life expectancy at birth has increased from 69 years in 1990 to 76.9 years in 2019. Its expected years of schooling have increased from 8.8 years to 14. Beyond the right to development, China has expressed that it recognizes that human rights for all is a shared aspiration of humanity. The government further expresses pride in efforts to participate in international rights instruments, including participation in the rounds of Universal Periodic Review and serving as a member of the Human Rights Commission.

I take note as well of China's expression of commitment to conduct constructive dialogue and cooperation on human rights issues and agree that there is always time for improvement.

At the core of human rights governance, we find the Universal Declaration of

Human Rights, proclaimed in 1948, setting common standards. The Office of the High Commissioner is the leading UN entity on human rights and as such represents the world's commitments to the protection of the full range of human rights and freedoms as defined by the Declaration. In this framework, I urge the prompt facilitation of a visit to China by the United Nations High Commissioner.

As part of China's impressive advances in human rights development, I believe it is time for China to take a step further, invite the High Commissioner and engage in a cooperative dialogue. I encourage this Forum to incorporate into the discussions, that while the rights to subsistence and development are primary basic human rights, the human rights governance provides a framework that goes beyond that. My message stems from my personal belief in China's genuine interest in cooperation and commitment to dialogue and collaboration in bilateral and multilateral efforts. I had the privilege of establishing diplomatic relations between my country Panama and the People's Republic of China. This effort gave me the opportunity to interact with high-level officials, President Xi Jinping, Foreign Minister Wang Yi, and others. It is from this experience that I strongly believe that China is ready to move a step further in human rights global governance and embrace its commitment to dialogue and further advances in this sphere.

Congratulations to China on the interest of receiving heart-felt recommendations. It is through cooperation that inclusive development of human rights advances. This Forum undoubtedly provides a framework for enhanced cooperation and fruitful exchanges.

(Isabel Saint Malo, Former Vice President and Foreign Minister of Panama)



# Global Human Rights Governance Requiring Real Multilateralism

Namizata Sangare  
Cote d'Ivoire

For the purposes of this paper, multilateralism is defined here as an international rule-making model participated by parties to solve global and common problems in a multilateral way. It not only ensures the legitimacy of decision-making but also promotes unity among states.

Specifically, the United Nations system, as the main venue for multilateral negotiations, should take peacekeeping measures to avoid conflicts and promote crisis resolution. Therefore, the United Nations Human Rights Council adopted a resolution proposed by China on March 16, 2021, which calls for constructive and pragmatic dialogue and cooperation among states and other stakeholders in the field of human rights.

Global governance refers to a set of regulatory mechanisms that can be observed in international exchanges, although it is neither created by an official organization nor specified in formal legal provisions.

As the world is becoming more and more connected, countries often have different understandings of the problems and opportunities that males and females in their ethnic groups face. We note that all countries are increasingly interdependent and that people need more global policies and institutions that are fair and appropriate to local conditions.

However, such global governance and multilateralism cannot fully ensure an agreement on issues such as the protection of LGBTI (Lesbian, Gay, Bisexual, Trans, and Intersex) people in the context of international cooperation. Despite the efforts of the United Nations to establish a related system, this situation has undoubtedly hindered the establishment of public policies in the cultural field.

Therefore, for the research on the multilateralism and global governance of

human rights, on one hand, the National Human Rights Council of Cote d'Ivoire needs to put forward a framework for international cooperation together with the network of national human rights institutions; on the other hand, it needs to identify the challenges of human rights in multilateralism and global governance.

### I. The International Cooperation Framework Proposed by the National Human Rights Council Together with the Network of National Human Rights Institutions

The National Human Rights Council of Cote d'Ivoire plans to engage in constructive dialogue and cooperation with national human rights institutions based on equality and mutual respect, within the framework of international cooperation with the Global Alliance of National Human Rights Institutions (GANHRI), the Network of African National Human Rights Institutions (RINADH), the Francophone Association of National Human Rights Commissions (AFCNDH) and the Network of National Human Rights Institutions of the West African Economic and Monetary Union (RINDH-UEMOA). In addition, the National Human Rights Council hopes to strengthen the technical assistance and capacity building of national human rights institutions in human rights. In this regard, the AFCNDH has organized seminars for exchanges among human rights institutions of French-speaking countries to promote mutually beneficial cooperation and build a community with a shared future for mankind.

The RINADH has organized several webinars on protecting the human rights of vulnerable and marginalized populations during and after the COVID-19 pandemic. The National Human Rights Council of Cote d'Ivoire has also participated in these webinars to better share experiences and effective initiatives.

### II. Challenges of Human Rights in Multilateralism and Global Governance

Multilateralism is not an idealistic vision, but a practical need. In this age of globalization, few countries are immune to crises. The displacement of people, the spread of conflict, crime waves, pandemics or terrorism, and other economic effects can spill over into other countries. In 2021, the human rights issues in Africa presented complex and subtle features: the lockdown measures in response to COVID-19 failed to meet restrictive human rights standards; the lack of equitable

access to vaccines against COVID-19 undermined the right to health of Africans.

No country or region can meet the major challenges of the 21st century alone. Effective, sound, and sustained multilateralism should be used to seek global solutions to the interconnected and diverse challenges of the 21st century.

It can be said that the separation of the United Nations is an important challenge since the United Nations focuses on three issues: peace and security, development, and human rights. Since many of the issues addressed by the United Nations are interrelated, the participation of entities within its system is indispensable. Acts that threaten the security of transactions, such as terrorism or organized crimes, influence the main work of the United Nations in terms of public policies.

Moreover, public policies are only valuable after they are implemented. This applies to the United Nations Secretariat and its member states. Priority should be given to encouraging the proposal and implementation of resolutions by member states, as well as establishing effective systems for monitoring the implementation process.

There is a lack of trust between countries, between countries and the United Nations, and even between the government and the people. It is commonly believed that leaders and institutions are not up to the challenge of change. Even within the United Nations and among its departments, branches, foundations, and programs, distrust is sprouting. Also, people do not trust the UN's local executive agencies.

Last, decision-making and policy discussions in the multilateral framework are often far from where they should be implemented.

### III. Potential Program to Optimize the Effectiveness of Multilateralism and Global Human Rights Governance

The need for multilateralism is stronger than ever. Sometimes great powers tend to adopt unilateralism, which may exacerbate rather than improve the peace and security situation and impede efforts to achieve sustainable development and promote human rights. Some of the major crises that are taking place are the result of unilateral actions taken by some countries. A renewed commitment by member states to act within the structures and rules of multilateralism can better protect the global order and avoid the chaos caused by individual countries acting on their own.

Strengthening the multilateral system is not just a matter at the national level. The factor of people must also be taken into account. Strengthening the positive

dialogue between local residents and civil society and enhancing the legitimacy of the system is a “people-oriented” measure. It helps inspire and sustain collective action for the benefit of people to solve complex, interacting, and changing transnational problems.

Strengthening cooperation with regional and subregional organizations can also strengthen the legitimacy, be a mouthpiece for faint voices, use relevant regional and local knowledge, provide direct support to and strengthen the capacity of “first movers,” share resources and expenses, and stabilize the situation in times of crisis. Stronger partnerships with local groups, civil society, and private enterprises are also essential, because these groups may play a unique role in assessing the local needs and impact of the United Nations’ actions. Moreover, because of such local partnerships, the multilateral system can better understand relevant issues, strengthen the local capacity for execution, improve cohesion, and better assess the impact of its policies. The United Nations must involve affected populations in the design and implementation of business activities to meet the real needs of the relevant beneficiaries. In this respect, it is useful to strengthen the partnership.

Youth should be seen as potential partners in the maintenance of peace, human rights, and sustainable development; hence they should get involved. The implementation of Security Council Resolution 2242 on women, peace, and security and Security Council Resolution 2250 on youth, peace, and security can, to a large extent, remove all obstacles and enable the effective participation of all stakeholders.

#### IV. Conclusion

The difficulty with multilateralism and global human rights governance lies in the implementation. In other words, it is the duty of all concerned to establish, consolidate, and maintain peace. This is particularly urgent for the most vulnerable group in society and countries with the least resilience. Additionally, it is a challenge for the whole international community, since we are all affected by cross-regional risks.

(Namizata Sangare, President of the National Human Rights Council of Cote d’Ivoire)

# Global Human Rights Governance: China As a Practitioner of Multilateralism

Luo Yanhua  
China

Human rights are an important part of global governance. Multilateralism is an important approach to global human rights governance. Since China resumed its lawful seat in the United Nations 50 years ago, it has advocated and practiced multilateralism in the field of international human rights, actively participated in and driven multilateral cooperation in the field of international human rights, and made important contributions to multilateral cooperation on international human rights.

## I. About Global Human Rights Governance

The concept of global governance, put forward in the 1990s, refers to democratic consultation and cooperation conducted among governments, international organizations, and citizens to maximize common interests, the core content of which is to improve and develop a set of new international political and economic orders for safeguarding security, peace, development, welfare, equality and human rights of all mankind, including global rules and institutions for dealing with international political and economic issues.<sup>[1]</sup>

Global governance comprises five main elements, namely, the value, the regulation, the subjects, the objects, and the effectiveness of global governance. Among them, the value of global governance is the ideal goal to be achieved by the advocates of global governance on a global scale. The regulation of global governance includes all transnational principles, norms, standards, policies, agreements, and procedures used to regulate international relations and order. The subjects of global governance refer to the organizational bodies that develop

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[1] Yu Keping. *An Introduction to Global Governance* (p.26). Retrieved from [http://www.pishu.com.cn/skwx\\_ps/databasedetail?SiteID=14&contentId=3274428&contentType=literature&type=&subLibID=](http://www.pishu.com.cn/skwx_ps/databasedetail?SiteID=14&contentId=3274428&contentType=literature&type=&subLibID=)

and implement global regulations. There are three main categories of subjects: (1) Governments, government departments, and sub-national government authorities; (2) Formal international organizations, such as the United Nations, the World Bank, the World Trade Organization, and the International Monetary Fund; and (3) Informal global civil society organizations. The objects of global governance include transnational issues that have affected or will affect all of humanity. These problems can hardly be solved by individual countries but must rely on the joint efforts of the international community. The effectiveness of global governance refers to the assessment of the performance of global governance. The performance of global governance is epitomized by the effectiveness of international regulation. Two factors affect the performance of international regulation: the institutional arrangements of international regulation itself, and the social and other environmental conditions under which these institutional arrangements are achieved.

The value of global governance, specifically in the area of human rights, is the ideal goal that human rights advocates seek to achieve on a global scale. To put it simply, it is to realize the common standards outlined in the Universal Declaration of Human Rights. Unfortunately, these standards “have not yet been fully realized anywhere in the world.”<sup>[1]</sup> The regulation of global human rights governance mainly contains the principles, norms, standards, policies, agreements, procedures, etc. in the field of international human rights, the core of which is the International Bill of Human Rights. The main contents of the International Bill of Human Rights include the international human rights law system and other important international human rights instruments, as well as the important principles and institutional arrangements for international human rights protection. The subjects of global human rights governance refer to the organizations and institutions that formulate and implement global human rights governance regulations, mainly including three major categories of international organizations, sovereign states, and human rights NGOs. The objects of global human rights governance need to be distinguished according to their specific contents because human rights are not only the objects of global governance but also the objects of domestic governance. Issues such as genocide, massacres of civilians, disease transmission, hunger and poverty, and injustice in the international community clearly fall under the objects of global governance, and issues such as

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[1] Glenton, MA. (2016). *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (p.4). Liu Yisheng (Trans.). China University of Political Science and Law Press.

human rights compliance in countries around the world and the monitoring and review of human rights situations in each country also belong to the scope of global governance. The effectiveness of global human rights governance refers to the assessment of the performance of global human rights governance, which is mainly reflected in the assessment of the effectiveness of international regulation in the field of human rights, specifically manifested in the assessment of the implementation of core human rights conventions by the UN human rights treaty bodies, the review reports of the Universal Periodic Review (UPR) mechanism of the UN Human Rights Council (UNHRC), and the annual summary reports of the United Nations Office of the High Commissioner for Human Rights (OHCHR).

## II. About Multilateralism

President Xi Jinping pointed out that multilateralism cannot be achieved without the United Nations, international law, and cooperation among countries, and that the world needs true multilateralism.<sup>[1]</sup>

Multilateralism refers to international governance with the participation of the majority of countries. The essence of multilateralism is reaching consensus through consultation.<sup>[2]</sup> In international relations, the multilateral process in which countries reach consensus through dialogue and consultation has given birth to the multilateral concept that advocates a multilateral approach to solving international problems and developing international cooperation. The United Nations, the most universal, representative, and authoritative international organization in the world today, is the symbol of multilateralism and the core of the multilateral mechanism. The United Nations provides the best place for multilateralism to be practiced. Safeguarding the status and authority of the UN and supporting its work is the basis and prerequisite for adhering to multilateralism.

There are different approaches to solving global issues through global governance, such as multilateralism, bilateralism, and unilateralism. Considering the nature of international relations, bilateralism and unilateralism are the foreign policy tools usually adopted by nation-states, while unilateralism is the preferred mode of action for hegemonic states. Given the current challenges facing the international

[1] Wang Yi. (2021 July 9). *Deeply Implementing Xi Jinping Thought on Diplomacy and Holding High the Torch of True Multilateralism*. *Study Times*.

[2] Li Xiaoyan. (2021). Rethinking of Multilateralism and Reconstruction of the World Order. *Northeast Asia Forum*, 6.

community, multilateralism is an essential diplomatic option for international actors. The United Nations, the World Bank, the International Monetary Fund, and the World Trade Organization form the core of multilateralism. Multilateralism itself is an integrated approach that promotes partnerships among countries, regional institutions, and international organizations to address commonly faced global issues.<sup>[1]</sup> Looking ahead, multilateralism is the inevitable way to strengthen global governance.

### III. China as a Practitioner of Multilateralism in Global Human Rights Governance

Since its establishment, the United Nations has been underpinned by three pillars, namely security, development, and human rights. These three pillars are interlinked and inseparable. The former UN Secretary-General Annan elaborated on the relationship among them as follows: The human family will not enjoy security without development, will not enjoy development without security, and will not enjoy either without respect for human rights. Since the People's Republic of China resumed its lawful seat in the United Nations, it has actively participated in the UN's multilateral international cooperation in the three pillars, providing firm support for the UN's cause of security, development, and human rights.

In the field of human rights, one of the three pillars of the United Nations, China has actively advocated and practiced multilateral international cooperation. On November 1, 1991, the Chinese government issued its first white paper, *Human Rights in China*. The White Paper expressed China's position on international human rights cooperation to the international community for the first time: "China recognizes and respects the purposes and principles of the UN Charter for the protection and promotion of human rights, appreciates and supports the UN's efforts to promote human rights and fundamental freedoms universally, and actively participates in the UN's activities in the field of human rights," and "China advocates strengthening international cooperation in the field of human rights based on mutual understanding and seeking common ground while reserving differences."

After resuming its legal seat in the United Nations in 1971, China sent delegations to participate in the sessions of the General Assembly and the

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[1] He Zhigao. (2020). Reshaping Global Governance: The Path to Inclusive Multilateralism. *Expanding Horizons*, 6.



Economic and Social Council (ECOSOC) of the United Nations, and actively participated in the deliberations on human rights issues. After participating in the sessions of the Commission on Human Rights as an observer for three consecutive years, China stood for election to the UN Commission on Human Rights in 1981 and was elected as a full member of the Commission in 1982. Since then, China has actively participated in the activities of the UN Commission on Human Rights as a member until the Commission was replaced by the UNHRC in 2006. China played an active role in the consultation and final voting process for the establishment of the UNHRC. After the establishment of the UNHRC, China continued to play an important role in it and has been elected to the UNHRC with high votes five times. Since 2009, China has gone through the Universal Periodic Review of the UNHRC three times and successfully obtained the endorsement. China has maintained constructive contacts with the OHCHR, received eight visits from the High Commissioner for Human Rights, and invited OHCHR officials for exchange visits. Since 1994, China has invited ten visits by eight UN representatives and groups: the United Nations Special Rapporteur on Freedom of Religion or Belief, the United Nations Working Group on Arbitrary Detention, the United Nations Special Rapporteur on the Right to Education, the United Nations Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the United Nations Special Rapporteur on the Right to Food, the United Nations Working Group on the issue of discrimination against women in law and in practice, the United Nations Independent Expert on the effects of foreign debt and other related international financial obligations of states on the full enjoyment of all human rights, particularly economic, social and cultural rights, and the United Nations Special Rapporteur on Extreme Poverty and Human Rights. To date, China has acceded to 26 international human rights treaties, including six core UN human rights treaties such as the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, and the International Convention on the Elimination of All Forms of Racial Discrimination. For the treaties it has acceded to, China has conscientiously fulfilled its treaty obligations, accepted the reviews of human rights treaty bodies on time, sincerely accepted constructive comments from all parties, continuously improved its work on human rights protection, and was once praised by the UN Committee on Economic, Social and Cultural Rights as a “model of compliance

and review.” According to the statistics provided in the white paper *Seeking Happiness for People: 70 Years of Progress on Human Rights in China*, as of March 2019, China had submitted compliance reports to various treaty bodies 27 times, for a total of 43 issues, and had received review 26 times. A number of experts recommended by China have served on multilateral human rights organizations or special commissions such as the UN Committee on Economic, Social and Cultural Rights, the UN Committee against Torture, the UN Committee on the Elimination of Racial Discrimination, the UN Committee on the Elimination of Discrimination against Women, and the UN Committee on the Rights of Persons with Disabilities.

In addition, China has made outstanding contributions to practicing multilateralism and facilitating international multilateral cooperation on human rights in the international human rights field, mainly in the following ways.

#### 1. China’s Contributions to Setting International Human Rights Rules and Mechanisms

Since 1981, China has sent representatives to participate in the successive sessions of the Group of Governmental Experts of the United Nations Commission on Human Rights drafting the Declaration on the Right to Development, until its adoption by the General Assembly in 1986. China has also sent representatives to participate in the drafting of international legal instruments on human rights multiple times and has participated in the working groups that drafted several conventions. After China made a major strategic adjustment on human rights issues in 1991, it began to be more actively involved in international human rights activities, exerting a growing influence on the international human rights field, and it has made important contributions to the development of international human rights standards. In June 1993, Chinese representatives attended the World Conference on Human Rights in Vienna and participated in the discussion, drafting, and formulation of the Vienna Declaration and Programme of Action, putting forward many constructive opinions and making an important contribution to the formulation and adoption of the Vienna Declaration and Programme of Action. In September 1995, China successfully hosted the United Nations Fourth World Conference on Women and made outstanding contributions to the formulation and adoption of the Beijing Declaration and Platform for Action. Since 2006, China has supported the UNHRC in establishing special mechanisms on thematic issues such as safe drinking water, cultural rights, and the rights of persons with disabilities; it has advocated the convening of special

sessions on food security and the international financial crisis, and actively promoted the improvement of international human rights mechanisms. At the end of 2009, the Chinese government sent a delegation to participate in the first meeting of the Working Group on the elaboration of an optional protocol to the Convention on the Rights of the Child on a communication procedure and participated extensively in the discussions on various issues. China sent a delegation to the 2009 session of the Ad Hoc Committee on Counter-Terrorism of the General Assembly and continued to participate in the negotiations on the elaboration of a comprehensive convention on international terrorism. To further improve the existing international legal framework on counter-terrorism, China endorsed the formulation of a new comprehensive international convention on counter-terrorism and the initiative to convene a high-level conference on counter-terrorism under the auspices of the United Nations at an appropriate time, so as to provide policy guidance for international legal cooperation on counter-terrorism. China was also the first country to participate in the UN Climate Change Conference and has participated in and effectively promoted the international climate negotiations throughout, making an important contribution to the final adoption of the Paris Agreement on Climate Change and taking the lead in proposing the goal of carbon neutrality in September 2020. China has also actively promoted the formulation and implementation of the UN 2030 Agenda for Sustainable Development.

## 2. The Concepts Advocated by China as an Important Part of the International Discourse System on Human Rights

In recent years, with China's growing international influence, some important concepts advocated by China have been incorporated into the international discourse system on human rights, among which the most emblematic of multilateralism is the concept of "promoting win-win cooperation in the field of human rights."

### (1) The Concept of "Building a Community with a Shared Future for Mankind" Advocated by China as an Integral Part of the International Discourse System on Human Rights

On February 10, 2017, the 55th session of the UN Commission for Social Development adopted by consensus the resolution on "Social Dimensions of the New Partnership for Africa's Development," in which the concept of "building a community with a shared future for mankind" was included for the first time in a UN resolution. On March 1, at the 34th session of the Human Rights Council,

China, on behalf of 140 countries, issued a joint statement entitled “Promoting and Protecting Human Rights and Building a Community with a Shared Future for Mankind,” further explaining the concept of building a community with a shared future for mankind and its significance in pushing forward the development of the international human rights cause, which has aroused widespread resonance in the international community. Among the many resolutions adopted by the UNHRC at its 34th session on March 23, two, namely the resolution on “realization in all countries of economic, social and cultural rights” and the resolution on “the right to food,” were explicitly included in the wording of “building a community with a shared future for mankind.” In particular, the resolution on the “question of the realization in all countries of economic, social and cultural rights” states that “we spare no effort to promote democracy and strengthen the rule of law, and to achieve peace, development as well as respect for all internationally recognized human rights and fundamental freedoms, including the right to development; we are convinced that broad and sustained efforts are needed to build a community with a shared future for mankind.” The resolution on “the right to food” states that “we are determined to take new steps towards realizing the commitments of the international community and strive to make significant progress towards the realization of the right to food through strengthened international cooperation and solidarity and perseverance in efforts to build a community with a shared future for mankind.” This is the first time that the concept of building a community with a shared future for mankind has been included in a resolution of the UNHRC and has become a part of the international human rights discourse.

(2) The Concept of “Developing and Promoting Human Rights” Put Forward by China Introduced into the International Discourse System on Human Rights

On June 22, 2017, the UNHRC adopted a resolution entitled “The Contribution of Development to the Enjoyment of All Human Rights,” which was proposed by China. The resolution reflects the demands and voices of developing countries and has been supported and embraced by a large number of developing countries, receiving joint signatures by more than 70 countries. This is the first time in the history of the Human Rights Council that a resolution on development has been adopted. The resolution clearly states that it is the common aspiration of the international community to build a community with a shared future for mankind, affirms the significant contribution of development to the enjoyment of all human

rights, and calls on all countries to realize people-centered development, to find the impetus for development among the people, to rely on the people to promote development, and to make development benefit the people. The resolution calls on all countries to strengthen international cooperation and make every effort to push forward sustainable development, especially the implementation of the UN 2030 Agenda for Sustainable Development, and to facilitate the full enjoyment of human rights. The resolution welcomes all countries to further advance development initiatives, promote partnerships and achieve win-win cooperation and common development. On July 12, 2019, the resolution on “the contribution of development to the enjoyment of all human rights” submitted by China was again adopted by the UNHRC. This is the second time that China has introduced this important resolution, and it has received broad support from the members of the Human Rights Council. The resolution reaffirms that development makes a significant contribution to the enjoyment of all human rights and that realizing people’s aspirations for a better life is a priority task for all countries. It calls on all countries to achieve people-centered development, to find the impetus for development among the people, to rely on the people to promote development, and to make development benefit the people. It also calls on all countries to push forward sustainable development and strengthen international cooperation on development and poverty eradication. China calls on all parties to join China in supporting multilateralism, demonstrating a spirit of cooperation, and translating their commitment to supporting the development and promoting human rights into practical action.<sup>[1]</sup>

### (3) The Concept of “Promoting Mutually Beneficial Cooperation in the Field of Human Rights” as a Part of the International Discourse on Human Rights

On March 23, 2018, the 37th session of the UNHRC adopted a resolution on “promoting mutually beneficial cooperation in the field of human rights” proposed by China. The resolution calls on all countries to work together to build a new type of international relations characterized by mutual respect, fairness and justice, and win-win cooperation, and to build a community with a shared future for mankind, emphasizing that all countries should adhere to multilateralism, strengthen dialogue and cooperation in the field of human rights, and achieve mutually beneficial cooperation. Ambassador Yu Jianhua, Permanent Representative of China to

[1] *UN Human Rights Council Again Adopts China’s Resolution on “Contribution of Development to the Enjoyment of All Human Rights.”* (2019, July 12). *China News*. Retrieved from <http://www.chinanews.com/gn/2019/07-12/8893302.shtml>.

the United Nations Office at Geneva and other international organizations in Switzerland, pointed out in this regard at the Human Rights Council that we are in an era of globalization, in which cooperation is the essence of this era and win-win cooperation is the call of this era; to achieve the noble goal of human rights for all, it is necessary for all countries to firmly establish the concept of win-win cooperation, to carry out dialogue and cooperation in the field of human rights, and to jointly promote and protect human rights; win-win cooperation is the original intention of the United Nations. He also pointed out that the UN Charter, the Universal Declaration of Human Rights, the Vienna Declaration and Programme of Action, and a series of resolutions of the General Assembly and the Human Rights Council all strongly call for and advocate cooperation and dialogue; promoting mutually beneficial cooperation in the field of human rights will vigorously promote the development of the international human rights cause and the building of a community with a shared future for mankind. On June 22, 2020, the UNHRC again adopted the resolution on “promoting mutually beneficial cooperation in the field of human rights” submitted by China. This is the second time that China has proposed this important initiative, following the adoption of the resolution on “promoting mutually beneficial cooperation in the field of human rights” by the Human Rights Council in 2018. The resolution advocates adherence to multilateralism, calls for building a new type of international relations featuring mutual respect, fairness and justice, and win-win cooperation, and building a community with a shared future for mankind. It stresses that all countries should engage in sincere dialogue and cooperation in the field of human rights, share good practices and experience in promoting and protecting human rights, and strengthen technical assistance and capacity building in human rights to achieve win-win cooperation.<sup>[1]</sup>

### 3. China Building a High-end Platform for Developing Countries to Conduct Exchanges and Cooperation in the Human Rights Field

During December 7-8, 2017, the State Council Information Office and the Ministry of Foreign Affairs of the People’s Republic of China co-hosted the first “South-South Human Rights Forum” in Beijing, which was attended by more than 300 officials and scholars from more than 70 countries and international organizations. The Forum was unprecedented in its scale and high standard.

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[1] *UN Human Rights Council Again Adopts China’s Resolution on “Promoting Mutually Beneficial Cooperation in the Field of Human Rights.” Xinhuanet.* Retrieved from [http://www.xinhuanet.com/2020-06/23/c\\_1126147408.htm](http://www.xinhuanet.com/2020-06/23/c_1126147408.htm).

Chinese President Xi Jinping sent a congratulatory letter to the Forum and pointed out that the development of global human rights worldwide cannot be achieved without the joint efforts of developing countries. He hoped that the international community would respect and reflect the will of the people in developing countries in the spirit of justice, fairness, openness and inclusiveness, and help people in developing countries enjoy human rights more fully and to achieve common prosperity and development for mankind. Under the theme of “Building a Community with a Shared Future for Mankind: New Opportunities for South-South Human Rights Development,” the Forum was divided into six sub-forums: “Building a Community with a Shared Future for Mankind and Advancing Global Human Rights Governance,” “Inclusive Development and the Realization of South-South Human Rights,” “Guarantee of the Right to Education in Countries under South-South Cooperation,” “Poverty Reduction and Guarantee of the Right to Food in Countries under South-South Cooperation,” “Guarantee of the Right to Health in Countries under South-South Cooperation,” and “China and South-South Cooperation: Its Important Role in Advancing the World Human Rights Cause.” The participants had in-depth discussions and exchanges on related topics and reached many consensuses, which eventually led to the Beijing Declaration that epitomizes these consensuses. The South-South Human Rights Forum hosted by China is a new platform for exchanges and cooperation among developing countries in the field of human rights. This not only is a beneficial trial in expanding the areas for South-South cooperation, but also bears great significance for encouraging the participation of developing countries in global human rights governance and increasing the voice of developing countries in the international human rights field. On December 11, 2019, the “2019 South-South Human Rights Forum” opened in Beijing. Co-hosted by the State Council Information Office and the Ministry of Foreign Affairs of the People’s Republic of China, the Forum was themed “Diversity of Civilizations and Development of the World Human Rights Cause.” More than 300 participants from more than 80 countries, regions, and international organizations attended the forum. In addition to the main forum, the forum also featured four sub-forums on the following topics: “Choice of Path of Human Rights Development under the Background of the Diversity of Civilization,” “Building a Community with a Shared Future for Mankind and Global Human Rights Governance,” “From the Perspective of the Right to Development: ‘Belt and

Road’ Promoting the UN 2030 Agenda for Sustainable Development,” and “Practice and Experience of Human Rights Protection in the Countries of the Global South.” The convening of the 2019 and 2021 South-South Human Rights Forums marks the institutionalization of this high-end platform built by China for exchanges and cooperation among developing countries in the field of human rights.

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# Global Human Rights Governance: China's Proposals and Contributions

Zhang Aining  
China

The essence of international human rights governance is how the international community formulates an international system to guide and regulate the behavior of sovereign states in the field of human rights. As a permanent member of the UN Security Council, China has actively participated in global human rights governance, constantly summarized and refined its own experience in human rights practice, and contributed Chinese wisdom and solutions to the development and progress of human rights in the world.

## I. People-centered Concept of Human Rights

The “people-centered” approach is the most prominent feature of the human rights thinking of Socialism with Chinese Characteristics for a New Era. In 2016, in his congratulatory letter to the International Symposium to Commemorate the 30th Anniversary of the Declaration on the Right to Development, which was held in Beijing and attended by more than 150 representatives from more than 40 countries, regions and international organizations, President Xi Jinping pointed out that “Over the years, China has adhered to a people-centered development approach, taking the improvement of the people’s well-being, the assurance of the people’s position as masters of the country and the promotion of their all-round development as the starting point and goal of development, effectively protecting the people’s development rights and interests and blazing a path of human rights development with Chinese characteristics.”<sup>[1]</sup> In 2017, Xi Jinping reiterated in his congratulatory

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[1] Xi Jinping. (2021, February 27). *Congratulatory Letter from President Xi Jinping to the International Symposium on the 30th Anniversary of the Declaration on the Right to Development*. *Xinhuanet*. Retrieved from [http://www.xinhuanet.com/politics/2016-12/04/c\\_1120048817.htm](http://www.xinhuanet.com/politics/2016-12/04/c_1120048817.htm).

letter to the first South-South Human Rights Forum that “Adhering to a people-centered development philosophy, the Communist Party of China and the Chinese government have always placed the interests of the people above all else, taken the people’s aspiration for a better life as their goal, and continuously improved the level of respecting and protecting the basic rights of the Chinese people.”<sup>[1]</sup> At the High-level Segment of the 46th Session of the United Nations Human Rights Council in 2021, Foreign Minister Wang Yi elaborated on the people-centered concept of human rights in this way: “The people are what human rights are all about. The people’s interests are where the human rights cause starts and ends. Increasing the people’s sense of fulfillment, happiness and security is the fundamental pursuit of human rights as well as the ultimate goal of national governance.” The people-centered philosophy means that “the people should be the real masters of their country and that they should take part in national governance and political consultation. It also means that the wealth gap should be narrowed and that all-round development of the people should be promoted.”

We should put people and life first. The right to life is the carrier of all other human rights. Ensuring the safety of life and good health is the beginning of respecting human rights. In the face of the grave threat posed by COVID-19 to the lives and health of people around the world, Xi Jinping said at the general debate of the 75th Session of the United Nations General Assembly that “Facing the virus, we should put people and life first. We should mobilize all resources to make a science-based and targeted response. No case should be missed and no patient should be left untreated. The spread of the virus must be contained.”<sup>[2]</sup>

A happy life for the people is the greatest human right and has always been a cherished dream of mankind. At the CPC in Dialogue with World Political Parties High-level Meeting in 2017, President Xi said that all the CPC does is to seek happiness for the Chinese people, rejuvenation for the Chinese nation, and peace and development for mankind.<sup>[3]</sup> On December 10, 2018, in his congratulatory letter to the Symposium Commemorating the 70th Anniversary of the Universal Declaration of Human Rights, Xi Jinping creatively proposed that “People’s happy life is the

[1] *In a Congratulatory Letter to the Opening of the First South-South Human Rights Forum, Xi Jinping Stressed Promoting Human Rights Through Cooperation and Development and Improving the Level of Human Rights Protection.* *People.com.cn*. Retrieved from <http://jhsjk.people.cn/article/29693345>.

[2] *Xi Jinping’s Speech at the General Debate of the 75th Session of the United Nations General Assembly.* *People.com.cn*. Retrieved from <http://jhsjk.people.cn/article/31871327>.

[3] *Xi Jinping: The Governance of China Volume 3* (p.436). (2020). Foreign Languages Press.

greatest human right.”<sup>[1]</sup> Happy life of the people is not only the overall goal of a country’s human rights cause but also a yardstick to measure a country’s human rights situation. It is indeed the greatest human right.

## II. The Rights to Life and Development as the Primary and Basic Human Rights

The right to development is an inalienable human right. In February 1984, at the 40th Session of the United Nations Commission on Human Rights, the Chinese representative said that he hoped that a declaration on the right to development could be issued at an early date. The right to development was an inalienable human right, which should be emphasized in the declaration. The representative of China believed that the right to development was a natural extension of the right to self-determination, which was a necessary prerequisite for the right to development. Without economic development, a country’s political independence could not be consolidated. Similarly, a state and its people could not enjoy any right to economic, social and cultural development if its right to self-determination was denied. The right to development was not only the right of individuals but also that of states and nations. The Chinese representative’s claim was later written into the Declaration on the Right to Development adopted by the United Nations in 1986.

The right to life and development is the prerequisite for the realization of other human rights. In 1991, the Chinese government issued its first white paper on human rights, stating that “Without the right to life, all other human rights would be out of the question.” In 1993, the Chinese representative stated in his speech at the World Conference on Human Rights in Vienna that “For developing countries, respecting and protecting human rights means, above all, ensuring that the people there fully realize their rights to life and development. The argument that human rights are the prerequisite for development is groundless. When poverty and deprivation are widespread, people still lack food and clothing, and their basic necessities are not guaranteed. Under such conditions, priority should be given to economic development. Otherwise, human rights cannot have the ground to be discussed at all.”<sup>[2]</sup> During his visit to the United States in 1997, Comrade Jiang Zemin gave a speech to the six

[1] Li Qun. *People’s Happy Life is the Greatest Human Right*. *Gmw.cn*. Retrieved from <https://m.gmw.cn/baijia/2021-08/13/35078642.html>.

[2] China Society of International Law. (1996). *Chinese Annual Journal of International Law (1994)* (p.387). China Translation and Publishing Corporation.

groups including the Sino-American Friendship Association, pointing out that China was a developing country with more than 1.2 billion population, which determined that the rights to life and development were the most basic and important human rights in China. He said the same at the University of Cambridge during his visit to the United Kingdom in 1999. Without first solving the problem of food and clothing, all other rights will not be realized.<sup>[1]</sup> In 2019, the Chinese government reiterated in its white paper *Seeking Happiness for People: 70 Years of Progress on Human Rights in China* that “Poverty is the biggest obstacle to the realization of human rights. Without the production and supply of goods and materials, the realization of all other human rights is very difficult or impossible. Effective protection of the right to life and continuous improvement of the quality of life are the premise and basis for the enjoyment and development of other human rights.”

### III. Promoting Human Rights Through Development and Advancing All Types of Human Rights in an Integrated Manner

We should promote human rights through development. Promoting human rights through development is a “development-based human rights approach” that China has explored. It is based on the basic fact that China is the largest developing country in the world and is committed to solving the global theme of “development” and China’s top priority. This has not only rewritten the stereotype of “human rights-based development,” in which human rights come before development, but also “broadened the path for developing countries to achieve modernization.” In June 2017, the 35th Session of the UN Human Rights Council adopted the resolution “contribution of development to the enjoyment of all human rights” submitted by China, introducing the concept of “development for human rights” into the international human rights system for the first time.<sup>[2]</sup> In July 2021, at its 47th session, the Human Rights Council once again adopted the resolution “contribution of development to the enjoyment of all human rights” submitted by China, reaffirming the important contribution of development to the enjoyment of all human rights.<sup>[3]</sup> This is the third time that the

[1] *Selected Works of Jiang Zemin Volume 3* (pp.52-53). (2006). People’s Publishing House. Literature Research Office of the CPC Central Committee (Ed.). *Selected Literature since the 15th National Congress of the Communist Party of China Volume 1* (pp.55-57). (2011). Central Literature Publishing House.

[2] United Nations Human Rights Council. (2017, June 22). *The Contribution of Development to the Enjoyment of All Human Rights*. A/HRC/RES/35/21.

[3] United Nations Human Rights Council. (2017, June 22). *The Contribution of Development to the Enjoyment of All Human Rights*. A/HRC/47/L.24.

Human Rights Council has adopted a resolution on the contribution of development to the enjoyment of all human rights submitted by China.<sup>[1]</sup>

We should promote all types of human rights as a whole. The realization of human rights is a gradual process, and the responsibility of the state lies in expanding the scope of application and enjoyment of human rights. On July 1, 2021, when celebrating the 100th anniversary of the founding of the Communist Party of China, Xi Jinping declared to the world that China had achieved a historic solution to absolute poverty by building a moderately prosperous society in all respects.<sup>[2]</sup> The building of a moderately prosperous society in all respects in China, which accounts for nearly one-fifth of the world's population, has provided important inspiration and a huge incentive to the human rights cause of other countries.<sup>[3]</sup> The building of a moderately prosperous society in all respects has consolidated the foundation for human rights and laid a new starting point for China's human rights development and progress. China has entered a new stage of promoting all types of human rights in an all-round way.<sup>[4]</sup> In 2019, the State Council Information Office issued a white paper entitled *Seeking Happiness for People: 70 Years of Progress on Human Rights in China*, stating that "Overall progress in all rights is a major principle of realization of human rights. All human rights are interdependent and inalienable. China coordinates the planning and promotion of all rights and endeavors to achieve a balanced development of economic, social and cultural rights and civil and political rights." At the High-level Segment of the 46th Session of the United Nations Human Rights Council in 2021, Foreign Minister Wang Yi elaborated on China's proposition of promoting all types of human rights in a holistic and systematic manner. He said, "Human rights are an all-encompassing concept. They include civil and political rights as well as economic, social and cultural rights. Among them, the rights to subsistence and development are the basic human rights of paramount importance. We should take coordinated, integrated and multi-pronged steps to advance all aspects of human rights in all dimensions and fields throughout the whole process."

[1] *The Right to Life and Development Should Be the Primary and Basic Human Rights*. *Gmw.cn*. Retrieved from <https://m.gmw.cn/baijia/2021-07/14/34992472.html>.

[2] Xi Jinping. *Speech at the Conference Celebrating the 100th Anniversary of the Founding of the Communist Party of China*. *Xinhuanet*. Retrieved from [http://www.xinhuanet.com/2021-07/15/c\\_1127658385.htm](http://www.xinhuanet.com/2021-07/15/c_1127658385.htm).

[3] *Creating the Miracle of Respecting and Protecting Human Rights*. (2021, August 14). *People's Daily*.

[4] *Creating the Miracle of Respecting and Protecting Human Rights*. (2021, August 14). *People's Daily*.

#### IV. Human Rights as the Organic Unity of Individual Human Rights and Collective Human Rights

The Universal Declaration of Human Rights stresses the interdependence between the individual and the collective: “Everyone has duties to the community in which alone the free and full development of his personality is possible.”<sup>[1]</sup> In 1993, at the World Conference on Human Rights, the Chinese delegate stated China’s position that “human rights are a complete concept that includes both individual and collective rights.”<sup>[2]</sup>

The logic behind the emphasis on collective human rights is that individuals, others, and the community are a community with a shared future based on the social solidarity between people. Human rights are essentially individual rights, but they are respected, guaranteed, and realized in the community. The significance of collective human rights lies in that it provides double protection for individual human rights. On one hand, individual human rights should be respected and guaranteed by the collective they belong to. On the other hand, the collective itself provides each of its members with a protective shield against other external forces that may threaten individual human rights. Collective human rights are especially important for developing countries as well as small and weak countries. Especially in the era of capital globalization, collective human rights are the legal basis for developing countries to defend their economic sovereignty and enjoy the right to development. In short, individual and collective human rights are mutually reinforcing. There can be no collective development without individual development. At the same time, it is only in the community that individuals can achieve all-round development. Only when individual and collective rights are unified can human rights be maximized.<sup>[3]</sup>

#### V. The Principle of Universality of Human Rights Should be Combined with National Realities

When we talk about the universality of human rights, we are actually talking

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[1] China Society of International Law. (1996). *Chinese Annual Journal of International Law (1994)* (p.387). China Translation and Publishing Corporation.

[2] China Society of International Law. (1996). *Chinese Annual Journal of International Law (1994)* (p.387). China Translation and Publishing Corporation.

[3] State Council Information Office. (2019 September 22). White Paper on *Seeking Happiness for People: 70 Years of Progress on Human Rights in China*. Retrieved from <http://www.scio.gov.cn/zfbps/ndhf/39911/Document/1665100/1665100.htm>.

about the universality of human rights subjects<sup>[1]</sup>, rather than the universality of human rights standards, human rights protection models, and human rights systems of certain countries or regions. Examining human rights from the perspective of humanity, personality, and human dignity, human rights transcend the differences of civilization, race, and innate and acquired individual differences among people, and are universally enjoyed by the world's people. However, human beings are not abstract. Real people have different understandings of human rights and enjoy different rights and freedoms in different degrees and ways due to their different social environments and historical development stages. In this sense, human rights are special and relative.<sup>[2]</sup>

In 1993, during his meeting with US President Bill Clinton, Comrade Jiang Zemin pointed out that “Democracy, freedom and human rights are all relative. Each country has its own interpretation and understanding. In the final analysis, a country always has to make laws according to its level of development, historical background, and cultural traditions.”<sup>[3]</sup> In his speech at the 1993 World Conference on Human Rights in Vienna, the Chinese representative said “The concept of human rights is a product of historical development, closely related to certain social, political, and economic conditions and the specific history, culture, and philosophy of a country. There are different human rights requirements in different historical periods. Countries at different stages of development or with different historical traditions and cultural backgrounds may differ in their understanding and practice of human rights. Human rights standards and models of any particular country should not be absolutized or be required to be followed by all countries in the world.”<sup>[4]</sup> In 1994, Qian Qichen expounded China's human rights propositions at the 49th Session of the UN General Assembly, saying, “The principle of universality of human rights must be combined with the specific realities of each country.”<sup>[5]</sup> In 2021, when Foreign Minister Wang Yi expounded China's propositions at the High-level Segment of the 46th Session of the United Nations Human Rights Council, he pointed out that “The UN Charter and the Universal Declaration of Human Rights have set out lofty

[1] Xu Xianming. (2020). On the Path of Human Rights of China. *Human Rights Studies*, 1, 6.

[2] Zhang Aining. (2006). *Monograph on International Human Rights Law* (pp.28-29). Law Press of China.

[3] *Selected Works of Jiang Zemin Volume 1* (p.341). (2006). People's Publishing House.

[4] China Society of International Law. (1996). *Chinese Annual Journal of International Law* (1994) (p.386). China Translation and Publishing Corporation.

[5] Chen Wenbin, & Wu Guoyou (Eds.). (2013). *An Overview of Special Events of the Communist Party of China: From the First National Congress to the 18th National Congress Volume 3* (p.278). Hongqi Press.

ideals and basic principles for advancing human rights. They should be observed and delivered by all countries. On the other hand, countries differ from each other in history, culture, social system, and level of economic and social development. Therefore, they must promote and protect human rights in light of their national realities and the needs of their people.”

## VI. Promoting the Formation of a More Just, Equitable and Inclusive Global Human Rights Governance System

While striving to advance its own human rights cause, China has always attached importance to guiding the reform of the international human rights governance system. In 2018, in a congratulatory letter to the Symposium Commemorating the 70th Anniversary of the Universal Declaration of Human Rights, Xi Jinping said that “The Chinese people are ready to work with people of other countries to uphold the common human values of peace, development, equity, justice, democracy, and freedom, safeguard human dignity and rights, promote more just, reasonable and inclusive global human rights governance, and jointly build a community with a shared future for mankind and create a better future for the world.”<sup>[1]</sup>

### 1. International Human Rights Governance Should Follow the Five Principles of Peaceful Coexistence and Oppose Interference in Other Countries’ Internal Affairs under the Pretext of Human Rights

The Five Principles of Peaceful Coexistence embody the essence of international relations and have become the basic norms governing international relations and the basic principles of international law.

Non-interference in each other’s internal affairs is the core of the Five Principles of Peaceful Coexistence. In terms of international human rights governance, all countries should conduct dialogue on the basis of equality and mutual respect and seek common ground while shelving differences. Only in this way can it be conducive to the maintenance and improvement of human rights in the world. The imposition of one human rights standard in disregard of other countries’ national conditions and the interference in other countries’ internal affairs under the pretext of human rights may lead to political instability

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[1] *Xi Jinping Sends a Letter to Commemorate the 70th Anniversary of the Universal Declaration of Human Rights, Stressing Adherence to the Path of Human Rights Development Suited to China’s National Conditions and Promoting All-round Human Development.* Gov.cn. Retrieved from [http://www.gov.cn/xinwen/2018-12/10/content\\_5347429.htm](http://www.gov.cn/xinwen/2018-12/10/content_5347429.htm).



and social unrest in other countries. The people of that country may lose the enjoyment of human rights and basic freedoms for the majority of individuals.<sup>[1]</sup> In 1993, the Chinese representative said in a speech at the World Conference on Human Rights in Vienna that “Any country, big or small, strong or weak, rich or poor, has the right to independently choose its own political system, development path and values, and other countries have no right to interfere. Attacking other countries groundlessly and imposing human rights standards of one country or region on other countries or regions is a violation of other countries’ sovereignty and interference in other countries’ internal affairs, which may lead to political instability and social unrest in other countries. The assertion, and actions arising from it, that human rights know no boundaries and that the principle of non-interference in internal affairs does not apply to human rights is essentially an expression of power politics.”<sup>[2]</sup> In 1995, Comrade Jiang Zemin pointed out in his speech at the UN special meeting commemorating the 50th anniversary of the founding of the United Nations that “Some countries often, under the pretext of democracy, freedom and human rights, infringe upon other countries’ sovereignty, interfere in their internal affairs and undermine their unity and national unity. This is a major cause of unrest in today’s world.”<sup>[3]</sup> In an interview with French newspaper *Le Figaro* in 1999, Jiang Zemin said, “The Chinese government and people do not approve of arbitrary interference in the internal affairs of a country under the pretext of a humanitarian crisis, still more oppose the so-called ‘humanitarian intervention’ by force without authorization from the UN Security Council. To solve the current problems facing the international community, including regional conflicts, we should still abide by the purposes and principles of the UN Charter and other recognized norms of international relations, respect each other’s sovereignty and territorial integrity, and uphold non-interference in each other’s internal affairs and the peaceful settlement of international disputes. These principles are not obsolete, and in the present circumstances, they should not be weakened, but more earnestly upheld.”<sup>[4]</sup> The State Council Information Office pointed out in the white paper

[1] *Selected Important Documents since the 14th National Congress of the Communist Party of China Volume 1* (pp.763-764). (2011). Central Literature Publishing House.

[2] China Society of International Law. (1996). *Chinese Annual Journal of International Law (1994)* (pp.387-388). China Translation and Publishing Corporation.

[3] *Selected Works of Jiang Zemin Volume 1* (p.479). (2006). People’s Publishing House.

[4] *Selected Works of Jiang Zemin Volume 2* (p.55). (2006). People’s Publishing House.

entitled *Seeking Happiness for People: 70 Years of Progress on Human Rights in China* that the Five Principles of Peaceful Coexistence have made historic contributions to the establishment of a more just and equitable international political and economic order and a new type of international relations, and provided important guidelines for international human rights governance.<sup>[1]</sup>

## 2. International Human Rights Governance Requiring International Dialogue and Cooperation on Human Rights

Diversity is a basic feature of world civilization. The concept of human rights originated from the West, but simply regarding the Western concept of human rights as the concept of human rights for the world means to demonstrate, explain and promote a kind of rights that should belong to all mankind with a thinking mode representing the tradition of a single civilization, and to measure and judge the history and reality of all countries and nations with Western standards. Whether a country respects and protects human rights is judged by whether it follows the Western standard of human rights. There is no doubt that doing so tends to intensify rather than eliminate existing political divisions and economic and cultural conflicts, and endangers the healthy development of human rights.<sup>[2]</sup> On many diplomatic occasions, Chinese leaders have called for constructive dialogue and consultation on human rights on the basis of mutual respect, openness, inclusiveness, and mutual learning, so as to enhance mutual understanding of human rights and promote democracy in international relations.

In 1997, Comrade Jiang Zemin said in a speech during his visit to the United States, “Countries with different views on human rights should engage in dialogue rather than confrontation.”<sup>[3]</sup> In his speech at the General Debate of the 64th Session of the UN General Assembly in 2009, Hu Jintao pointed out that “All countries are equal regardless of size, strength, and wealth. We should recognize the differences in cultural traditions, social systems, and values among countries, and respect the right of all countries to independently choose their development

[1] State Council Information Office. (2019 September 22). White Paper on *Seeking Happiness for People: 70 Years of Progress on Human Rights in China*. Retrieved from <http://www.scio.gov.cn/zfbps/ndhf/39911/Document/1665100/1665100.htm>.

[2] Xia Yong. (2001). *Origin of the Concept of Human Rights* (p.252). China University of Political Science and Law Press.

[3] *Selected Works of Jiang Zemin Volume 2* (p.53). (2006). People’s Publishing House. *Selected Important Documents since the 15th National Congress of the Communist Party of China Volume 1* (pp.55-57). Central Literature Publishing House.

paths. We should actively promote and protect human rights, strengthen dialogue, and put an end to estrangement. We should advocate the spirit of openness and inclusiveness so that different civilizations and development models can draw on each other's strengths through competition and comparison and achieve common development by seeking common ground while shelving differences."<sup>[1]</sup> In 2021, Foreign Minister Wang Yi expounded China's position at the High-level Segment of the 46th Session of the United Nations Human Rights Council, saying that "Protecting and promoting human rights is a common cause for us all. Global human rights governance should be advanced through consultation among all countries. And the benefits of human rights progress should be shared by people of all countries. Human rights are not a monopoly by a small number of countries, still less should they be used as a tool to pressure other countries and meddle in their internal affairs. All countries should abide by the purposes and principles of the UN Charter, carry out human rights exchange and cooperation on the basis of equality and mutual respect, and jointly promote the sound development of the international human rights cause."

## VII. A Community with a Shared Future for Mankind: a New Pattern of Human Rights in the World

On March 23, 2013, Xi Jinping first proposed the concept of a community with a shared future for mankind in a speech at the Moscow Institute of International Relations. He said, "It is a world where countries are linked with and dependent on one another at a level never seen before. Mankind, by living in the same global village in the same era where history and reality meet, has increasingly emerged as a community of shared future in which everyone has in himself a little bit of others."<sup>[2]</sup> In his speech at the United Nations in 2017, Xi Jinping said that in the face of the world's questions of "What has happened to the world and how should we respond?" "China's proposition is to build a community of shared future for humankind and achieve shared and mutually-beneficial development."<sup>[3]</sup>

The vision of a community with a shared future for mankind provides a new

[1] *Selected Important Documents since the 17th National Congress of the Communist Party of China Volume 2* (p.218). (2009). Central Literature Publishing House.

[2] *Xi Jinping: The Governance of China Volume 1* (2nd ed) (p.272). (2020). Foreign Languages Press.

[3] *Xi Jinping: The Governance of China Volume 1* (2nd ed) (p.539). (2020). Foreign Languages Press.

way of thinking and a platform for international human rights governance. Although the traditional international human rights protection mechanism is also the common rule of the international community, countries work on their own when it comes to implementation. The obligation of a state to protect human rights is limited to the observance and guarantee of the rights established by international human rights law “in its territory and within the areas under its jurisdiction.” However, in an era of global connectivity, many of the human rights challenges facing countries are global issues concerning human survival and development, often transcending national boundaries. The concept of a community with a shared future for mankind is a major ideological contribution China has made to the world in response to crises and challenges in international human rights governance in the context of profound changes unseen in a century.

The vision of a community with a shared future for mankind has gone beyond the narrow view of human rights. The vision of a community with a shared future for mankind not only embodies the core human rights values of peace, development, equity, justice, democracy, and freedom but also embodies the harmony between people and the environment, between people, and between countries. To sum up, it means that human society, in the form of countries, becomes a big human family through extensive consultation, joint contribution, and joint governance.<sup>[1]</sup> Finally, in the international human rights governance system featured by “harmony without uniformity,” “all nations in the world share weal and woe, and different peoples unite as one, appreciating the beauty of each other.”<sup>[2]</sup> This shows that international human rights governance under a community with a shared future for mankind pays more attention to the comprehensive, common, inclusive, sustainable and cooperative development of human rights.<sup>[3]</sup> In 2017, the concept of a community with a shared future for mankind was incorporated into the resolution of the UN Human Rights Council at its 34th session.<sup>[4]</sup> In 2018, the 37th session of the UN Human Rights Council adopted a resolution on “promoting win-win cooperation in the field

[1] Zhang Yan. (2019). Reform Logic and Proof of Constitutional Amendment. *Journal of Zhejiang University (Humanities and Social Sciences Edition)*, 6, 98.

[2] *China's Human Rights Philosophy Resonates Widely (Hotspot Dialogue)*. *People.com.cn*. Retrieved from <http://world.people.com.cn/n1/2021/0731/c1002-32176651.html>.

[3] Lu Guangjin. (2021). Human Rights in the Historical Perspective: China's Path and Contribution. *Red Flag Manuscripts (Hongqi Wengao)*, 1, 17.

[4] *Report of the Human Rights Council* (p.211). (2017). A/72/53.

of human rights” proposed by China, and “building a community with a shared future for mankind” was included for the first time in a UN Human Rights Council resolutions.<sup>[1]</sup>

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[1] *Report of the Human Rights Council* (p.41). (2018). A/73/53.

## The Main Differences Between China and the West in Human Rights Concepts

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China

I would like to share my understanding of the main differences between China and the West in human rights concepts. It is mainly reflected in five aspects:

The human rights defined by the United Nations mainly include political and civil rights, as well as economic, social and cultural rights. It is a relatively complete system and these rights are sometimes referred to as the first-generation human rights and the second-generation human rights. However, the West often stresses political and civil rights but neglects economic, social and cultural rights in foreign relations. The US doesn't consider the latter three rights as human rights. In this regard, the US is particularly backward and even many European countries can't stand it. If we adopt the human rights standards established by the UN rather than the narrow human rights standards set by the US, the human rights problems of the US should be the most serious in western countries. For example, tens of millions of people in over 300 million Americans haven't been covered by health insurance, which is against the social rights of the people. In my opinion, the death of hundreds of thousands of civilians and the displacement of tens of millions of people during the wars in Afghanistan and Iraq violate the rights to life and development on a large scale.

The West prefers to discuss human rights from a legal perspective, holding that human rights issues are merely those acceptable to the courts. For example, western countries fail to realize equal pay to men and women for equal work, yet they don't think it is a violation of human rights because it is not against their existing laws. Generally speaking, no matter it is reasonable or not, a legal approach to human rights could only be effective in countries with relatively complete legal systems and sufficient lawyers. It could hardly work in developing countries with weaker legal

systems. Judging from China's experience in promoting human rights, it is often more important to promote human rights through political methods. The most typical example is the eradication of poverty. The US doesn't consider it as an issue of human rights and the European human rights community still disputes it. However, China defines it as not only a human right but also a core human right politically and protects it in practical actions. Therefore, China takes the lead in eradicating poverty and may continue to lead the world on the issue.

The West considers human rights as the rights of individuals and even denies the existence of collective rights. Chinese people think the opinion absurd. Attention is paid to the whole and the relationship between the whole and the individual in Chinese philosophy. If there are individual rights, there must be collective rights. It demonstrates the law of dialectics and the unity of opposites, so both of them are indispensable. The West also attaches great importance to collective rights, but they are reluctant to talk about it in public under the influence of neoliberalism. For example, the West imposed thousands of unequal treaties on China in the decades after 1840. Many of these treaties covered the collective rights of western citizens in China, like extraterritoriality.

Apartheid implemented in the US for more than a century was for protecting the collective rights and individual privileges of white Americans in all aspects. The right of nations to self-determination is, even more, a collective right. The emphasis of the West on individual rights for human rights can be justified to a certain extent because they worry that collective rights would be abused and eventually become the excuse for harming individual rights. Such a concern is somewhat reasonable but defective, because the abuse of individual rights would also harm collective rights. For example, when a Danish illustrator smeared the Islamic prophet Muhammad several years ago, most Islamic believers thought that his freedom of speech as an individual harmed the right to religious freedom of one billion Muslims, yet Denmark and most Western countries regarded it as freedom of speech. I think an ideal human rights protection system should take into account both freedom and responsibility, and both individual and collective rights. In this regard, the Chinese philosophy to seek a balance between the individual and the collective could have a greater impact on the future evolution of human rights concepts.

China holds that each country should have the right to choose the proper order of priority that suits its national reality in the protection of human rights. No country

could realize all human rights at the same time. Experience has proven that the efforts of China to put the people first, eradicate poverty, and promote modernization, which consider them as the core human rights, become a great success. The improper order of priority often fails to work well. Under the guidance of the West, many developing countries have tried to overwhelm everything by political rights, yet the result is disappointing. For a poor country, Western-style democracy would result in chaos like the situation in Haiti where hunger led to riots and then anarchy under the so-called democratically elected government. Even in relatively developed countries, such as the former Soviet Union and the former Yugoslavia, the consequence of overwhelming political rights could be disastrous. The lessons are worthy of our careful consideration.

It is true for specific human rights issues. For a developing country, the limited resources determine that it should weigh up the pros and cons to determine the priority of resource use. For example, when a government has USD 30 million, the money can be used to build roads, improve the quality of drinking water, or improve the living conditions of prison inmates, because the purpose of all these choices is to improve human rights. A country should make the most suitable arrangements according to their national conditions. Especially for developing countries, the development of the country should be prioritized. In this regard, they don't need to consider the irresponsible remarks of the West.

As for the priority of human rights protection, it should be noted that some human rights are core issues that belong to the common bottom line for all human civilizations to accept. These rights, like the prohibition of torture, the prohibition of slavery, the freedom of thought, and the prohibition of arbitrary arrest, should not be violated at any time and under any circumstances. On these issues, there is no difference between the mainstream views of China and the West. That is why the torture of the US against the prisoners in Guantanamo prison encountered the aversion of the whole world. It broke the common bottom line of human civilization.

For human rights protection, it will be commendable if all countries can sincerely exchange experiences, learn from each other's strengths, and forge ahead hand in hand. Especially when the world is facing challenges brought about by globalization in the 21st century, from global warming to the COVID-19 pandemic,



problems should be solved through cooperation among different countries. The per capita resources consumption by Western countries is about 10 to 20 times that of developing countries. However, according to the human rights concept of the West so far, they should enjoy all that they deserve. Because they follow the so-called “theory of natural rights,” they have “the right to pursue happiness” conferred by “the creator.” When others hope to enjoy the same rights and use corresponding resources, they would pick a fight and even resort to containment. Western democratic systems are only responsible to some voters in their own country but not to the people of other countries. How can such a self-centered Western concept of human rights and democracy solve today’s global problems?

Western countries consume scores of times more resources than developing countries, yet they still face many human rights problems. There is no way to justify it. There are so many migrant workers from the third world in Europe and the US, but why is there no country in Europe and the US participating in the Migrant Workers Convention of the UN? Why can’t the West take the lead in changing its lifestyle of wasting resources so that the people of the world can enjoy more environmental rights? Why hasn’t the US joined the International Covenant on Economic, Social and Cultural Rights and the Convention on the Rights of the Child of the UN? Why haven’t Europe and the US realized equal pay to men and women for equal work so far?

Finally, I think of the relationship between the recent embarrassed withdrawal of troops of the US from Afghanistan and human rights. After spending USD 2.3 trillion in Afghanistan, the US caused great suffering for the people there. In sharp contrast, China has spent about USD 250 billion in the past ten years, that is, about one-tenth of the US spending on the war in Afghanistan, to successfully lift nearly 100 million poverty-stricken population of its nation out of poverty, making great historical achievements in eliminating absolute poverty.

I am wondering why the US couldn’t spend the USD 2.3 trillion on the elimination of poverty within the country where there are tens of millions of poverty-stricken people under the standards of the UN and more than 500,000 homeless people. We can even put forward a theoretical hypothesis that the extreme poverty in the world could be eliminated with the USD 2.3 trillion under the China model. However, the US model has inflicted the tragedies of countless innocent civilian

deaths and displacement on the people of Afghanistan, who are now poorer than 20 years ago. It is a serious violation of human rights in Afghanistan by the US. Nevertheless, the political system of the US has long been kidnapped by its military-industrial interest groups, which would bring disasters to not only the American people but also the whole world. How can such a country be qualified to discuss human rights with us?

(Zhang Weiwei, Director of the China Institute at Fudan University)

# The Impact of West's Weaponizing of Human Rights on Global Human Rights Governance System

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## I. Research Background

The protection of human rights is of great significance to mankind and is an eternal cause. But today, Western countries led by the United States are playing the human rights card all over the world. For their own geopolitical interests, they use human rights as an excuse to target and undermine the interests and human rights of other countries, especially developing countries, thus making the international environment even more volatile, uncertain, and complicated. From this perspective, the US-led Western countries have deviated from the goal of human rights to seek to protect the rights and interests and common development of all mankind. Instead, they use human rights as a weapon to oppress and contain the development of developing countries. At the same time, some developing countries, caught between imperialism and hegemony, have been relentlessly pursuing national progress, safeguarding the interests of their people with resolution, and exploring new paths to human rights governance. They have contributed valuable experience to global human rights governance. However, the existing global human rights governance system features Western centrism, meaning that the US-led Western countries have the dominant discourse power in the field of human rights. This forms the foundation for the West to weaponize human rights. The weaponization of human rights by US-led Western countries is a common barrier for developing countries to participate in the construction of the global human rights system. Under such background, it has become imperative to reconstruct an open and inclusive discourse system of global human rights governance by further exposing and criticizing the West's strategy of weaponizing human rights and seeking ways to break the Western-centric human rights governance system.

## II. Historical Origin of the Weaponizing of Human Rights by the US-led Western Countries

The current international human rights governance system is caught in a dilemma and deviation featuring Western centralism and universalism of human rights.<sup>[1]</sup> This is clearly reflected in the fact that the US-led Western countries have an absolute advantage in the international public opinion field in terms of human rights discourse, while developing countries, including China, are struggling to achieve equal status in human rights discourse. The effectiveness of human rights governance by developing countries is usually undervalued and unrecognized in the international community. Therefore, it is not only difficult to create a favorable international environment for human rights governance, but also likely to cause the “Matthew effect” in human rights governance among developing and developed countries. What is particularly alarming is that as the US has gradually grown into and occupied the position of the overlord of the world since World War II, over the decades, the US-led Western countries have turned human rights into the best weapon to protect their geopolitical interests and suppress the development of other countries in the world. Historically, this is inextricably related to the origin of modern theories of human rights, and the establishment of the modern human rights governance system.

The concept of modern human rights came into being when European countries launched the bourgeois revolution. The Enlightenment philosophers like Locke and Rousseau were the first to put forward concepts of human rights such as “natural rights of man,” “freedom and equality,” which then were spread to countries across Europe.<sup>[2]</sup> However, since the modern human rights theory was founded to guide the political revolution of the bourgeoisie and overturn the feudal hierarchy, it had laid emphasis on the freedom and political rights of individuals. After being used as a guide by Britain, France, the US, and other countries to accomplish their revolutions, such human rights theory was incorporated into new bourgeois states’ political and legal systems,<sup>[3]</sup> for example, the British Bill of Rights in 1689, the US Declaration of Independence in 1776, and the French Declaration of the Rights of Man and of the Citizen in 1789. Modern human rights theory was institutionalized in the US

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[1] Li Bojun. (2007). International Protection of Human Rights: Achievements, Dilemmas and Prospects—A Multidimensional Perspective of Law, Politics and Ethics. *Wuhan University International Law Review*, 6(1), 49-92.

[2] Xia Yong. (2001). *The Origin of Human Rights Idea*. China University of Political Science and Law Press.

[3] Li Yunlong. (1998). *Introduction to Human Rights Issues*. Sichuan People’s Publishing House.

and European countries, used by traditional colonial powers as the foundation of safeguarding the legitimacy of state power, and then became an integral part of the international political system.

Until the beginning of the 20th century, the Western theory of human rights remained the main guiding ideology of human rights practices around the world (mainly in the US and Europe). However, with the victory of the World Anti-Fascist War, many colonial and semi-colonial countries set off a wave of fighting for national independence and political rights of the people, which initiated the process of modernization, and provided realistic conditions and ideological support for hundreds of millions of people to strive for human rights protection. This led to practical exploration and accumulation of practices and theories in human rights protection and governance, and to a new era for the international cause of human rights. At the same time, emerging developing countries, with different political systems, histories, and cultures from the bourgeois states, started to pursue human rights under a different historical background. Unlike the Western developed countries, these countries naturally adopted different concepts and paths of human rights, which, however, caused vigilance and resistance from the US and European countries. After hundreds of years of development, the notion of human rights has become part of the political culture of the US and European countries and formed a fundamental basis for them to lead the international order and consolidate their post-war hegemony. These countries simply cannot tolerate developing countries participating in and exploring the human rights cause. This means that the US and European countries will inevitably take human rights issues as an excuse to attack developing countries.

In fact, as early as 1941, then US President Franklin D. Roosevelt highlighted the four freedoms of human rights in his State of the Union Address for the Lend-Lease Program, which was the legislation for aiding nations that stood against Nazi aggression.<sup>[1]</sup> This was evident proof that the US had already incorporated human rights into its foreign policy.<sup>[2]</sup> Since then, the issue of human rights has played an increasingly prominent role in US foreign policy. In 1977, Carter formally proposed the human rights-centered foreign policy when he took office as President of the United States. It was a critical time for the US both at home and abroad.

[1] Huang Annian. (1989). *The United States in the 20th Century* (pp.177-178.). Hebei People's Publishing House.

[2] Feng Zhuoran, & Gu Chunde (Eds.). (1992). *Collected Essays on Human Rights* (p.342). Capital Normal University Press.

Internationally, the third-world countries were rising, while the US had just lost the Vietnam War and also had to deal with great pressure from the Soviet Union. Domestically, the Watergate scandal had aggravated the contradiction between the public and the US government. Under such circumstances, the US desperately called for a new weapon to regain control of the world and created an image of justice in the eyes of the public both at home and abroad. President Carter stated in a speech: “There can be no nobler nor more ambitious task for America to undertake... than to help shape a just and peaceful world that is truly humane.” This turns out to be the beginning of the weaponization of human rights.

To realize the so-called “just and peaceful world that is truly humane,” during his tenure in office, President Carter met and received a number of dissidents from the Soviet Union, openly supported the so-called “human rights movements” launched by these dissidents, and publicly criticized socialist countries like the Soviet Union and North Korea on human rights issues. Moreover, before leaving office, he made human rights a principle of US foreign policy. Afterward, the Reagan administration and the subsequent administrations continued to facilitate and deepen the human rights-centered foreign policy.<sup>[1]</sup> From this policy, it can be seen that the US has basically used human rights as a weapon to consolidate and strengthen its hegemony. In particular, the close connection between the modern notion of human rights and the bourgeois political system provided the legitimacy support for the US to weaponize human rights, while colonial exploitation and postwar accumulation provided the strength for the US to use the weapon.

### III. Characteristics of the Weaponizing of Human Rights by the US-led Western Countries

The US government has been using human rights as a strategic weapon to safeguard its geopolitical interests, which has the following characteristics:

(1) The US puts the construction of human rights discourse at its core. The US government gained international support with public opinion warfare, laying the foundation for later “social revolution” or military intervention. That is, the so-called human rights foreign policy and human rights aid are used as camouflage to launch a “peaceful social revolution.”

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[1] Feng Zhuoran, & Gu Chunde (Eds.). (1992). *Collected Essays on Human Rights* (p.342). Capital Normal University Press.

(2) The US adopts double standards when it comes to human rights, based on whether it is in the interest of the US-led Western countries, and based on relevant countries' attitudes toward the US at the time.<sup>[1]</sup> For example, while the US-led Western countries are calling to “stop China from violating the human rights of Muslims,” they have waged multiple wars on Syria, and also supported Saudi Arabia's offensive operations in Yemen, as if the Muslim population of Syria and Yemen was not Muslims. This just reflects the political nature of the US manipulating human rights as a weapon.

(3) The US brings human rights to many areas of international affairs and attempts to link all international issues with human rights. In the early years, the US refused to recognize the concepts of “the right to development” and “environmental rights” proposed by developing countries. However, when the climate issue became an important global issue, the US government, without fulfilling its international obligations, accused developing countries with large populations of violating environmental rights.<sup>[2][3]</sup> This is a good example of how human rights make a weapon in the eyes of the US.

(4) The US government selectively accepts the regulations of the international human rights system, and selectively joins or withdraws from international conventions and organizations. In December 1980, the United Nations General Assembly adopted the Declaration on the Granting of Independence to Colonial Countries and Peoples, which clearly put forward the principles of “right of peoples to self-determination” and “non-interference in the internal affairs of all states.” Otherwise, it would be a violation of fundamental human rights and the UN Charter. However, the US government has repeatedly interfered in the internal affairs of other countries, using “human rights without borders” as its excuse.<sup>[4]</sup> On December 16, 1966, the UN General Assembly adopted two international covenants of human rights in its Resolution 2200 A (XXI): the International Covenant on Economic,

[1] Zhou Jinbang. (1992). An Analysis on the US Foreign Policy of Human Rights. In Feng Zhuoran, & Gu Chunde (Eds.). (1992). *Collected Essays on Human Rights* (p.342). Capital Normal University Press.

[2] *Europe and US Accused China of Obstructing UN Agenda on Climate Change*. (2012, May 28). *People's Daily*.

[3] *Foreign Ministry Spokesperson Wang Wenbin's Regular Press Conference on November 2, 2021*. (2021, November 2). *Ministry of Foreign Affairs of the People's Republic of China*. Retrieved from <https://www.fmprc.gov.cn/ce/ceus/chn/fyrth/t1918451.htm>.

[4] *Cuban Ambassador to China: US Embargo Against Cuba Has No Basis in International Law and Cuba Firmly Opposes US Interference in Other Countries' Internal Affairs*. (2021, March 26). CRI Online. Retrieved from <https://www.163.com/dy/article/G6283HSO051497H3.html>.

Social and Cultural Rights, and the International Covenant on Civil and Political Rights, which emphasize the prohibition against propaganda for war and against acts of racial discrimination. The US government refuses to join these covenants. In 2018, the Trump administration was dissatisfied with the UN Human Rights Council's criticism of its actions that violated human rights and irresponsibly announced its withdrawal from the organization.<sup>[1]</sup> This shows that the US lacks respect for international human rights organizations and conventions and evades its obligations in international human rights governance. The US government just ignores these organizations or conventions unless doing otherwise is in its own interest.

(5) The US government uses human rights to oppress other countries with the intention to exacerbate turmoil in a country or even cause regional conflicts. For large developing countries such as China and Russia, or other countries with a stance of firm opposition to the US, the US-led Western countries promote the notion of human rights under the Western value system and discredit the achievements of other countries, trying to present them negatively as “violators of human rights” or “threats to the world.” For example, the US government slanders China's efforts and achievements in ethnic governance, accusing China of “violating the human rights of ethnic minorities,” and presents Russia as a feudal state with a “violent” and “authoritarian” political system. For small- and medium-sized developing countries, on one hand, the US-led Western countries use “human rights assistance” as an opportunity to infiltrate these countries to cultivate pro-US forces, politically and socially, and to guide and interfere in these countries' political and social development to benefit the US. On the other hand, the forces that are not pro-US or are playing a positive part in facilitating the country's progress and development, have been closely watched and suppressed for a long time. US scholar Laurence Shoup clearly stated that human rights movements were ultimately aiming to encourage dissidents in socialist countries. Historically, the US launched “color revolutions” in Central Asia in the name of supporting human rights movements, resulting in the dissolution of the Soviet Union and the change of governments and political systems in many countries in Central Asia. According to the former US Secretary of State George P. Shultz, human rights played a major role in destroying the communist states.

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[1] *US Announces Withdrawal from UN Human Rights Council* (2018, June 20). *Xinhuanet*. Retrieved from [http://www.xinhuanet.com/world/2018-06/20/c\\_1123009194.html](http://www.xinhuanet.com/world/2018-06/20/c_1123009194.html).



In addition, the US government has been fostering pro-US political and religious forces in the Middle East, Central Asia, South America, and Africa. It initiated a series of revolutions, such as the Jasmine Revolution in Tunisia, the Arab Spring, and the military coup in Bolivia. It also started regional wars, including those in the Persian Gulf, Afghanistan, and Syrian Wars. On the whole, the weaponizing of human rights facilitated by the US government is characterized by deception, the pursuit of self-interests, double standards, and confrontation. The impact of this weapon is not limited to the field of human rights and concerns the existence and development of countries around the world.

#### IV. Conclusion

For more than 40 years, successive US administrations have established a position of strength in the international community by openly promoting Western-centric human rights, interfered in the internal affairs of other countries, especially developing countries through its “human rights-centered foreign policy” and “human rights assistance programs,” and used human rights as a weapon to build an international environment that is volatile and hostile. This is a zero-sum game with only disruption but no winners. For the United States itself, the use of human rights as a weapon has intensified the contradictions within the country and the alliance of Western countries. The US government is facing an enormous test in terms of authority and justice. For the world as a whole, the United States has become a threat to the cause of global human rights. It not only hinders the diversified development of the global human rights governance system but also deviates from the direction of global human rights development and seriously undermines global peace and stability.

(Zheng Liang, Associate Dean of the School of Journalism and Communication at Jinan University)

## Value of the Marrakesh Treaty in Safeguarding Human Rights: International Concept and Chinese Practice

Zheng Ning  
China

As the world's first copyright treaty with human rights at its core, the Marrakesh Treaty was adopted on June 27, 2013, at a diplomatic conference organized by the World Intellectual Property Organization (WIPO) in Marrakesh, the Kingdom of Morocco, and entered into force on September 30, 2016. In 2020, China amended the Copyright Law to meet the requirements of the treaty. On October 23, 2021, the 31st session of the Standing Committee of the 13th National People's Congress ratified the treaty. The ratification of the Marrakesh Treaty is another major achievement in the cause of safeguarding human rights and copyright in China.

In terms of its purpose, the Marrakesh Treaty is closely related to human rights, mainly the rights of persons who are visually impaired or print disabled. The WIPO-administered copyright treaties other than the Marrakesh Treaty lay emphasis on providing new rights for rights holders and enhancing copyright protection. However, the Marrakesh Treaty sets obligations for contracting parties, requiring them to introduce limitations or exceptions to the rights of copyright holders, with the fundamental purpose of protecting the basic human rights of persons who are visually impaired or print disabled. In the treaty's preamble, it comes straight to the point that the treaty was adopted based on the Universal Declaration of Human Rights and the United Nations Convention on the Rights of Persons with Disabilities. This paper analyzes the background of the Marrakesh Treaty and its value in safeguarding human rights and expounds on China's ratification and implementation of the treaty.

## I. Influence of the Universal Declaration of Human Rights on the Marrakesh Treaty

The Second World War brought immeasurable suffering to people all over the world, and with such lessons paid for with blood, people and governments have realized the importance of safeguarding basic human rights. The Universal Declaration of Human Rights was adopted by the UN General Assembly resolution 217 A (III) on December 10, 1948. As the first international document addressing human rights, the Universal Declaration of Human Rights has had a profound impact on human rights practices around the world.

The Declaration's provisions on equality and freedom of information provided the basis for the Marrakesh Treaty.

### 1. Equality

Equality is one of the basic values of the rule of law. It is not only a principle of law, but also a basic human right. The notion has had a very long history in both the East and the West. Confucius, the representative of Confucianism said "those who preside over states or family domains do not worry that they will have too few people, they worry that distribution of goods may be uneven," stating the importance of equality; moreover, Legalists (Fajia) believed that "all should be treated equally regardless of social status," and that all people are equal in the eyes of the law. The ancient Greek philosopher Aristotle presented distributive justice and corrective justice. John Rawls, an American political philosopher, proposed two principles of justice: the first is the principle of equal liberty, namely, each citizen is to have an equal right to basic liberties; and the second is the principle of equality, addressing social and economic equality. Equality is the guarantee of liberties. Without equality that safeguards liberties, there will be severe social injustice, thus affecting social stability.

The Declaration embodies the principle of equality in many aspects:

First, all people are entitled to equal rights and liberties. Article 1 states that all human beings are born free and equal in dignity and rights. Article 2 further emphasizes that everyone is entitled to all the rights and freedoms, without distinction of any kind, such as race, color, sex, birth or other status. Equality is embodied in the civil and political rights as well as economic, social and cultural rights that are stipulated in the Declaration.

Second, all people are entitled to equal protection by the law. This requires

that the legislature must make laws and executive branches enforce laws based on the principle of equality, without any discrimination. As provided for in Article 7, everyone is equal before the law and entitled to equal protection of the law without any discrimination.

Third, reasonable diversity is recognized. Equality is not egalitarianism. It instead recognizes that it is reasonable to have differences. Substantive equality is mainly achieved by implementing specific measures on a case-by-case basis. According to Article 25, people have “the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.” Therefore, security for persons with disabilities is a requirement of equality.

## 2. Freedom of Information

Freedom of information is an integral part of the right of freedom of expression, aiming to ensure citizens’ right to access information regarding public affairs. According to Article 19 of the Declaration, all people are entitled to the right “to seek, receive and impart information and ideas through any media and regardless of frontiers.” The key to freedom of information is to ensure that everyone has unimpeded access to receive and obtain information. Therefore, the preamble of the Marrakesh Treaty also places special emphasis on freedom of information for persons with print disabilities.

The Marrakesh Treaty fully embodies the principles of the Universal Declaration of Human Rights and facilitates equal access to information for people who are virtually impaired or print disabled, which provides a means of integrating them into the digital society. According to the report of the World Health Organization in 2011, about 285 million people in the world suffer from visual impairment, and 90% of them live in low-income countries. To facilitate access to books for these visually impaired people, the published books should be made available in formats such as Braille, audiobooks, or large print. However, the reality is that less than 5% are made available in formats accessible to the visually impaired, which means it is difficult for them to have equal access to reading materials. The Marrakesh Treaty allows the exchange of special accessible-format books across borders. It allows users of works, such as publishers, to make available accessible format copies without paying a license fee to the rights holder or paying a small license fee. This way, it largely reduces the cost of reproduction, creation, distribution, and making available

accessible-format works, presenting best practices regarding the principle of equality and freedom of information in the Universal Declaration of Human Rights.

## II. Influence of the Convention on the Rights of Persons with Disabilities on the Marrakesh Treaty

According to the World Health Organization, more than one billion people in the world live with disabilities, and 80% of them live in developing countries. People with disabilities face many challenges and discrimination in participating in society and enjoy a lower quality of life. With the purpose of promoting, protecting and ensuring the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and promoting respect for their inherent dignity, the United Nations General Assembly adopted the Convention on the Rights of Persons with Disabilities on December 13, 2006, which opened for signature on March 30, 2007, and entered into force on May 3, 2008. It is the first comprehensive human rights convention adopted by the UN in the 21st century. China was one of the first batch of countries to sign the convention. The Standing Committee of the National People's Congress ratified the convention in June 2008 and issued an amended version of the Law of the People's Republic of China on Protection of Disabled Persons in October. The revised law stipulates that the government and society shall organize and support the compilation, writing, and publication of braille books, audio materials for the blind, and other reading materials for other disabled persons. They shall set aside reading rooms furnished with braille books and audio materials in public libraries for blind persons according to their actual needs, offer TV programs in sign language and radio programs specially designed for disabled persons, and provide subtitles or narrations for more TV programs and movies.

The Convention on the Rights of Persons with Disabilities provides important guidelines for the Marrakesh Treaty in terms of general principles and specific rights.

### 1. General Principles

A set of general principles concerning rights that persons with disabilities should enjoy are stated in Article 3 of the Convention on the Rights of Persons with Disabilities, including but not limited to non-discrimination, full and effective participation and inclusion in society, equality of opportunity, and accessibility. This echoes the preamble of the Marrakesh Treaty.

Non-discrimination means treating persons with disabilities as humanity and

earnestly safeguarding their inherent dignity. The convention adopts the WHO's social model of disability, recognizing that disability is a universal social experience for all human beings rather than a problem facing a certain population and that everyone is likely to experience some form of disability. In countries with life expectancies over 70 years, individuals spend on average about eight years living with disabilities. Therefore, non-discrimination against persons with disabilities is actually an upholding of the human rights of all. As defined in Article 2 of the convention, "discrimination on the basis of disability" means any distinction, exclusion, or restriction on the basis of disability; it includes all forms of discrimination, including denial of reasonable accommodation.

Full and effective participation and inclusion in society is also a requirement based on the non-discrimination principle. Articles 19 and 26 covers two aspects: First, contracting parties have the obligation to facilitate full inclusion and participation of persons with disabilities in society. Contracting parties shall enable persons with disabilities to attain and maintain maximum independence, full physical, mental, social, and vocational ability, and full inclusion and participation in all aspects of life. Second, contracting parties shall support the inclusion and participation of persons with disabilities in the community. Contracting parties shall recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, facilitate full inclusion and participation in the community, and prevent isolation or segregation from the community.

Equality of opportunity embodies the principle of equality, stressing that all persons with disabilities are entitled to equal opportunities in education, employment, and information access.

Accessibility also reflects the above principle. According to Article 9 of the convention, accessibility means providing persons with disabilities with access: to the physical environment, transportation, information and communications, and other facilities and services open or provided to the public.

## 2. Freedom of Expression and Opinion, and Access to Information

Due to the limited means of obtaining information and expressing opinions, persons with disabilities are likely to be "silent" in real life. In this case, freedom of expression and opinion, and access to information are crucial. Article 21 of the convention specifies the right, which is legally based on Article 19 of the International Covenant on Civil and Political Rights adopted by the United Nations.

First, the convention emphasizes that contracting parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion. Persons with disabilities are entitled to all forms of communication of their choice, which includes languages, subtitles, Braille, tactile communication, large print, accessible multimedia as well as written, audio, plain-language, human-reader, and augmentative and alternative modes, means, and formats of communication, including accessible information and communication technology.

Second, the contracting parties are required to provide information intended for the general public to persons with disabilities in accessible formats and technologies appropriate to different kinds of disabilities in a timely manner and without additional cost.

Third, the contracting parties should urge private entities to provide services to the general public, including through the Internet, to provide information and services in accessible and usable formats for persons with disabilities.

Fourth, the contracting parties should encourage the mass media, including providers of information through the Internet, to provide information in accessible formats for persons with disabilities, such as screen-reading programs or pages in large print.

### 3. Right to Education

Education is the basic way to shape personality, which is not only of great significance to the existence, development, and self-realization of any individual, but also related to national development and social progress. Article 13 of the UN's International Covenant on Economic, Social and Cultural Rights stipulates the right to education. According to Article 24 of the Convention on the Rights of Persons with Disabilities, the contracting parties shall ensure the right of persons with disabilities to education based on equal opportunity.

First, the contracting parties should provide reasonable accommodation of the individual's needs and enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. For example, the contracting parties should facilitate the learning of Braille, augmentative and alternative modes, means, and formats of communication, and orientation and mobility skills.

Second, the contracting parties should ensure that the education of persons,

and in particular children, who are blind, deaf, or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments that maximize academic and social development.

Reading is an important way to acquire knowledge and receive education. The Marrakesh Treaty therefore stresses “the need to maintain a balance between the effective protection of the rights of authors and the larger public interest,” in particular the balance among education, research, and access to information, and to facilitate effective and timely access to works for persons who are visually impaired or print disabled.

#### 4. Cultural Rights

Cultural rights are spiritual rights. According to Article 15 of the International Covenant on Economic, Social and Cultural Rights, cultural rights include the right to take part in cultural life; the right to enjoy the benefits of scientific progress and its applications; and the right to benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author. Due to physical inconvenience and inadequate social public services, persons with disabilities can enjoy only limited cultural rights. Thus, Article 30 of the Convention on the Rights of Persons with Disabilities stipulates the right of persons with disabilities to take part in cultural life, recreation, leisure and sport. The contracting parties shall take all appropriate measures to ensure that persons with disabilities enjoy access to cultural materials in accessible formats; and that laws protecting intellectual property rights do not constitute an unreasonable or discriminatory barrier to access of persons with disabilities to cultural materials, etc.

The Marrakesh Treaty stresses the importance of copyright protection in motivating and rewarding literary and artistic creations, and that of promoting opportunities for persons with print disabilities to participate in cultural life and enjoy the benefits of artistic production and scientific progress.

To sum up, the Convention on the Rights of Persons with Disabilities has a comprehensive and far-reaching influence on the Marrakesh Treaty. The Marrakesh Treaty also demonstrates the principle of human rights protection in copyright law and addresses the issue regarding the priority of the legal interests of various stakeholders. Generally speaking, the rights to education, freedom of expression, and access to information are necessary for human existence and development and



are of greater value than copyright. Therefore, when there is a conflict of rights, the former triumphs over the latter. The implementation of the treaty has achieved remarkable results. Currently, there are 635,000 titles in accessible formats available through the book service of the Accessible Books Consortium (ABC) for visually impaired read

### III. The Marrakesh Treaty and the Safeguarding of Human Rights in Developing Countries

The right to development is an important human right for developing countries. With relative economic and cultural backwardness, developing countries are likely to face limited literary or artistic creations. Thus, these countries have to import works from more developed countries to meet the spiritual and cultural needs of their people. However, copyright laws in most developed countries do not allow accessible formats for visually impaired persons from other countries; meanwhile, developing countries have certain limitations regarding their technological capabilities. For these reasons, there is a limited number of accessible-format works available to visually impaired people in developing countries. Under such a background, the World Blind Union (WBU) and many developing countries called for an international treaty to protect the rights of persons with visual disabilities, allowing developing countries to make or obtain accessible-format works from developed countries. Since 2009, to conclude such a treaty had become a long-standing topic in the discussions of the WIPO's Standing Committee on Copyright and Related Rights (SCCR). Due to the substantial differences in the interests of developed and developing countries, it took five years to go through the process of negotiation, and the treaty was finally adopted with the efforts of all parties.

As stipulated in Article 5 of the Marrakesh Treaty, contracting parties shall provide that if an accessible format copy is made under a limitation or exception or pursuant to operation of law, that accessible format copy may be distributed or made available by an authorized entity to a beneficiary person or an authorized entity in another contracting party. This enables developing countries to obtain accessible format copies from developed countries for free or at a lower price, helping address the shortage of published works in developing countries. It is a successful practice for developing countries regarding their participation in the global human rights system.

#### IV. Ratification and Implementation of the Marrakesh Treaty: a Practice of Building a Community with a Shared Future for Mankind

As of October 2021, the Marrakesh Treaty has had 81 contracting parties. The ratification and implementation of the Marrakesh Treaty show that China honors its commitments to the world, fulfills its obligations under international human rights treaties, promotes the improvement of the global human rights governance system, and commits itself to building a community with a shared future for mankind.

China plays a leading role in building a community with a shared future for mankind. In January 2017, President Xi Jinping delivered a keynote speech at the UN headquarters in Geneva, systematically expounding the concept of “building a community with a shared future for mankind.” At the 34th session of the UN Human Rights Council in 2017, the concept of “a community with a shared future for mankind” was incorporated into the international human rights discourse system. During the meeting, 140 countries delivered a joint statement on “Promote and Protect Human Rights, Build a Community of Shared Future for Mankind.” In this statement, “a community with a shared future for mankind” is built based on a set of concepts including “sovereign equality, dialogue and consultations, win-win cooperation, exchanges and mutual learning, and sustainable development,” which are used to facilitate the development of human rights practices around the world.

The adoption of the Marrakesh Treaty follows multiple rounds of negotiations between developing and developed countries, reflecting the concepts of equality in the decision-making process, dialogue and consultations, and win-win cooperation among countries involved. It aims at promoting cultural communications through limitations to copyrights and facilitates mutual learning of human civilizations and the progress of human society. By implementing the Marrakesh Treaty, China is able to conduct better exchanges and dialogues with other countries regarding human rights and demonstrate Chinese characteristics, Chinese spirits, and Chinese wisdom under a common discourse system.

The Chinese government and all sectors of society made great efforts to facilitate the ratification of the Marrakesh Treaty. The National Copyright Administration of the People’s Republic of China, together with the WIPO Office in China, China Association of the Blind, and other organizations, conducted many seminars and researches and collected opinions from many visually impaired people. In 2011, the China Braille Library was established in Beijing, with a collection of

18,269 titles. As of 2019, China has established 1,174 public reading rooms with braille books and audiobooks. The “Ever Shining Project” of the Communication University of China has launched 312 high-quality accessible movies for visually impaired persons in three years, benefiting nearly two million people. These practices all demonstrate China’s determination and progress in safeguarding human rights.

In 2020, China amended the Copyright Law. As stipulated in Item 12 of Article 24, “providing published works in an accessible format perceivable for persons with print disabilities” is a case of the reasonable use of published works. This removes the obstacle on a legal basis for China to ratify the Marrakesh Treaty. Next, China will adopt more steps based on the treaty. Specifically, it will formulate supporting legislation and implementation plans, and clarify the scope of published works, beneficiaries and implementers, forms of utilization, and limitations on the reuse of works. In addition, the country will also build and improve facilities for persons with print disabilities. Assessment of the implementation will also be conducted on a regular basis, which will be included in the white papers on human rights and the national human rights action plans of China. These will be publicized widely for the world to witness China’s efforts and contributions.

(Zheng Ning, Associate Professor, Supervisor of Masters of Law, and Director of Law Department of School of Cultural Industries Management at Communication University of China)





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Part Four :

The Role of Developing Countries  
in Global Human Rights  
Governance

## Setting Foot on the New Journey —New Xinjiang in the Eyes of Overseas Students

Alexandra Pozhidaeva  
Russia

On June 21, 2021, before the Celebration of the 100th Anniversary of the Founding of the CPC, we students at Peking University were honored to receive a letter in reply from President Xi Jinping. As one of the students who wrote the letter to President Xi, I was deeply moved by the content of the letter that had made an indelible impression on me. I'm convinced that the "Knowledge Action Program" jointly organized by Peking University and the governments of Xinjiang at all levels in response to President Xi's earnest expectations for all of us, and more importantly, embodies the spirit advocated by President Xi in itself, i.e., building a community with a shared future for mankind, as the call of our times. We are all reunited in Xinjiang, a beautiful place at the call of President Xi, as an inseparable whole.

During the 6-day visit and survey, we witnessed the rapid economic and social development of Xinjiang. This paper aims to analyze the status quo and future development of Xinjiang's economic and social development with actual cases.

### I. Xinjiang Having Kept Pace with the Times and Taken on a New Look of Gradual Economic and Social Development

In accordance with the Statistical Bulletin of Xinjiang Uygur Autonomous Region on National Economic and Social Development 2020, even with the pandemic spreading around the world in 2020, Xinjiang's GDP reached 1.379758 trillion yuan, with an increase of 3.4% compared to last year.

In recent years, Xinjiang has taken infrastructure connectivity as a priority in the construction of its core areas and made every effort to promote the "Five-sphere Integrated Plan" of connecting highway, railway, aviation, communications, and pipe networks with a focus on "connectivity inside Xinjiang and fast access to Xinjiang."

To start with, traffic is now moving more freely along the highways in Xinjiang, with 118 two-way international transport routes to neighboring countries, ranking first in China. Second, the railway network has been gradually improved. The Karamay-Tacheng Railway has been put into operation, connecting 14 places in Xinjiang. Thirdly, Xinjiang develops transnational trade. In the 13th Five-Year Plan period, the accumulative total foreign investment in actual use in Xinjiang is USD 1.345 billion, and the accumulative total foreign direct investment is USD 4.63 billion, from more than 50 countries and regions.

## II. Xinjiang Vigorously Promoting Education and Medical Services

We met a villager, a middle-aged Uygur woman, in Saiksan Village in Hotan City, who used to live in a poor family with children and the elderly to fend for and suffered from diabetes and hypertension. She was susceptible to the pandemic, so it was difficult for her to see a doctor and take a prescription.

However, these difficulties have been solved in the new era. She said, “In the past, we had to go to the hospital in the city, and it took a day or two to go back and forth, with worries about the children and the elderly at home. Now the village has a health clinic and drugstore. It is more convenient to see a doctor, and the expense for medicine can be applied for reimbursement.”

As she said, and as we have seen, Saiksan Village has taken on an entirely new look today. All villagers can enjoy 95% medical insurance, and community hospitals and general practitioners provide visiting services to the villagers, enabling them to get access to, afford, and receive good care for their diseases, thus ensuring the maximum protection of the people’s lives and health rights and interests.

## III. Xinjiang Having Gradually Developed Competitive Industries

Given the special geographical location and unique natural environment, the local government is also cultivating advantageous industries with Xinjiang characteristics to help local people increase their income and get rich. Relying on advantageous resources, it is promoting three competitive industries, namely the farming industry, tourist industry, and cotton industry. Currently, Xinjiang makes a big push to ensure “six priorities” and “stability in six areas” for steady economic momentum, providing more employment opportunities for the local people and making unprecedented contributions to Xinjiang’s economic and social development.

We take the old city of Kashgar as an example. It is located in the center of Eurasia, where various ethnic groups migrate and live. The only difficulty is that since Kashgar lies in the earthquake-intensity area with old and unsolidified buildings, an earthquake would result in serious consequences. Therefore, the old city carried out the “Exclusive Design for Every Household” plan in 2010, solving the security problems for the citizens while retaining the original style of the old city, and also increasing the work opportunities. We met a local young girl at the age of 21 on the streets of the ancient city who graduated from college and is working in a clothing company. In the future, she wants to open a clothing store in the old city to design and promote modern Uyghur clothing. As of now, there are 3,600 shops in the old city of Kashgar which was upgraded to a 5A scenic spot in 2015. In the past half year, the total import and export value of foreign trade in Kashgar has reached 14.2 billion yuan, with an increase of 248% compared with last year. The visitors to the old city today will know that “You haven’t been to Xinjiang until you’ve been to Kashgar.” Kashgar has gradually become a new name card of Xinjiang’s tourism, bringing many opportunities to the local people.

Tourism in Xinjiang has overcome many difficulties, such as long travel routes for tourists, competitive pressures from tourism in Xizang and Inner Mongolia, economic constraints, and harsh weather conditions. Despite this, Xinjiang keeps forging ahead by developing new tourism modes with local characteristics, such as “red tourism,” folk culture tourism, health tourism, as well as self-driving tourism, research and study tourism, border tourism, low-altitude tourism, and other tourism modes. In addition, on May 27, 2021, the 25th Meeting of the Standing Committee of the 13th National People’s Congress of Xinjiang Uygur Autonomous Region adopted the Regulations on Tourism Promotion of Xinjiang Uygur Autonomous Region, proposed the vigorous implementation of the strategy of “vitalizing Xinjiang through tourism,” and promoted the transformation of Xinjiang from a large tourism resource area to a strong tourism economy area. A series of key plans have been made for the development of tourism in Xinjiang.

The Desert Populus Euphratica Ecological Zone in Hotan has become one of the hottest tourist destinations in Xinjiang. The boundless desert which used to be uninhabited with a harsh climate has been transformed by the Xinjiang government into a beautiful tourist area. Now the Ecological Zone provides tourists with many entertainment services, including such programs as horseback riding, camel riding,



desert surfing, oasis footpath, and barbecue and other delicacies. It not only allows tourists to get close to nature and enjoy the journey safely but also greatly promotes the economic development of Xinjiang while highlighting the ecological protection action.

#### IV. Conclusion

Before coming to Xinjiang, we had many questions and doubts about the great northwest of China. Is Xinjiang safe? What kind of work are Xinjiang people doing? Are Xinjiang people happy? Whether it is the rapid development of medical care, education, and technology in Saiksan Village of Hotan City or the transformation of the old city of Kashgar, every road we passed and every person we met show us the inclusive, developing, and prosperous new Xinjiang.

The global instability and uncertainty are on the rise. Such non-traditional security threats as the global economic downturn, unilateralism and protectionism, network security, serious contagious diseases, and global warming persist. The global governance and international order are impacted. Only by forging ahead hand in hand can we build a harmonious and beautiful home in the future. As an international student living and studying in China, I hope that all of us can combine knowledge with action. As a foreigner, we can practice what President Xi said, to “better tell China’s stories,” and “make China’s voice heard,” showing the world a true, three-dimensional, and comprehensive China.

(Alexandra Pozhidaeva, Master Student Majoring in Journalism and Communication at Peking University)

## Village Savings and Loan Associations (VSLAs) Towards Women Empowerment in Reducing Poverty in the Rural Area of Mutoko, Zimbabwe

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Zimbabwe

Since the expiry of the Government of National Unity in 2013, Zimbabwe has endured a painful period of economic crisis which is characterized by cash shortages, fuel shortages, hyperinflation, and other plethora of problems. This was worsened by the impact of the COVID-19 pandemic, whose impacts disrupted livelihoods. Household savings have been and continue to be depleted as a result of the economic crisis frequently in unforeseen ways, resulting in difficult conditions that impacted everyone. It is important to note that the greatest hit is often felt by the women who have the least power to respond to the shocks, particularly those in rural areas.

Since 2014, different NGOs have been developing Village Savings and Loan Associations (VSLAs) in rural areas of Zimbabwe to address the issue of financial inclusion. To date, VSLA groups have been negatively affected by the economic meltdown and persistent droughts. However, despite these problems, there is growing evidence that VSLAs continue to thrive.

In Zimbabwe, the government and non-governmental organizations (NGOs) are both concerned with eliminating different levels of poverty. According to Beyene and Dinbabo, poverty levels have decreased significantly in most areas of the nation, yet data shows considerable levels of poverty in Mutoko still exist. However, the poor, particularly women in rural areas, face barriers to getting credit facilities because most banking institutions in Zimbabwe require collateral security. However, in order to achieve the Sustainable Development Goals of eliminating hunger and poverty, households' access to credit facilities must be improved so that they may invest in their agricultural and other economic activities as a way of lifting themselves out of abject poverty.

The rural population in Mutoko province continues to live in poverty and high-risk conditions. People strive to find methods to improve their position within their means, saving between themselves and with the help of various NGOs and the government that come to help them. Community initiatives have been converted into improved programs that offer hope to rural households under the support.

To improve the well-being of rural households, given the high level of poverty in most rural areas and the difficulties in obtaining credit from official financial institutions, Dawuni et al. recommend diversifying household income sources, particularly increasing income from non-farm activities, and increasing employment. This can be aided through the formation of VSLAs. Proponents of the VSLA claim that it should be used as a tool for economic and social empowerment.

### I. Literature Review on the Role of VSLAs

VSLAs are a type of microfinance that may be defined as an organized group of 10 to 30 members that pool their own savings in regular meetings, utilize their own savings as loans, and work to maintain transparent and payback processes. Loans are normally repaid with interest over a period of one to three months. Members may opt to divide out all or part of the financial assets in accordance with one's savings on a date of their choosing. After each member has received their money, the group might then begin a fresh cycle of saving and lending.

According to Musinguzi, VSLAs generally work in poor rural regions where traditional services are unavailable, making it more pro-poor than other financial services. However, it is also true that some impoverished individuals choose not to join or are excluded from these organizations. Although civil society groups or different NGOs promoting savings and loan organizations may advocate for increased participation of the poorest and disabled, it must be underlined that some people might be unwilling to join a savings and loan association.

The VSLA initiative works in impoverished rural areas in developing nations to form groups that save and then lend to one another. According to a study conducted by Dawuni et al. in three different African countries (Ghana, Malawi, and Uganda), the promotion of VSLA groups increases individual members' self-esteem and contributes to the development of social capital within communities, particularly women, who account for roughly 70% of members. According to Maganya, it supports members in moving away from low-status and low-income engagements,

assists in poverty alleviation, and enhances the welfare of members, particularly women, who make up the majority of VSLA groups. It also allows members to have more food since they may expand their farms with the money they save together.

Furthermore, the value of VSLA program participation is demonstrated by the numerous times women participants have given their success stories about the benefits they have gotten from it. Women have always recognized growth in their savings, which allows them to buy whatever inputs they require to invest in other economic pursuits. It is important to note that the VSLA model has thrived on grown into its current condition over time. This is because the members have access to financial services, and they are able to upscale economic operations, speeding growth and strengthening local capability. This service is primarily aimed at low-income rural households and the ability to take out a loan is based on written down rules and policies of the group.

Microfinance is certainly not a new idea in Zimbabwe, as it has long been standard practice for people to save or borrow money from individuals or groups in the context of wanting to engage in business. VSLA, on the other hand, is a new informal financial service that provides savings, insurance, and loans in rural areas that are outside the reach of traditional institutions. Mbiro and Ndlovu recognized that informal financial institutions complement the official financial system by supplying the lower end of the market and that they should be given the attention they deserve. Furthermore, the great majority of the world's poor reside in rural areas of developing countries and only have limited access to financial services.

According to Brannen, establishing a VSLA has become a more prevalent practice aimed at improving the local financial crisis. In areas where associations have been established, the number of meals consumed per day and household spending as evaluated by the United States Agency for International Development (USAID) Poverty Assessment Tool have been shown to be positive and significant in different studies.

According to Mbiro and Ndlovu, membership in a VSLA group contributes to an increase in household productive and non-productive assets as well as some improvement in housing quality for the majority of participants in the rural area of Zimbabwe. Their research findings demonstrated that program participation resulted in an increase in the number of Income-Generating Activities (IGAs) as well as their stability.

Mwansakilwa, who studied VSLA in Malawi, came to the conclusion that involvement in the program aided in the improvement of members' lives and the alleviation of poverty. This is because VSLA groups are expected to play a significant role in extending financial services to rural areas of developing nations, where official financial services are often limited. In Ghana, Innovations for Poverty Action (IPA) collaborated with academics and CARE to assess the impact of community savings on small farm households. In most cases, the advancement of the groups resulted in increased financial inclusion, home business results, and women empowerment.

## II. Conceptual Framework

VSLAs are motivated by the extreme lack of loan facilities in rural areas. Munkaila et al. argued that in erratic economic conditions where savings are continuously eroded, VSLAs are expected to develop risk-mitigation strategies that can alter the development equation in marginalized communities. In addition, they are aimed at providing members with the means to cope with economic meltdown, build capital, and recreate social dynamics that support genuine self-reliance.

## III. Methodology

The paper used a mixed methods approach by combining the quantitative and qualitative designs. The data was analyzed using Statistical Package for the Social Sciences (SPSS) and the sample size was 70 women from different VSLA groups. A structured questionnaire on a mobile device was the main tool for quantitative data collection. Participatory analysis was employed to incorporate cluster facilitators, VSLA members, and other key informants into the data collection, interpretation, and meaning-making processes through a series of key informant interviews and focus group discussions. This provided priceless qualitative data, which was then paired with data from the quantitative component. The study was conducted in the rural area of Mutoko province.

## IV. Factors Contributing to the Success of VSLAs

Respondents claimed that in light of the ever-increasing prices of goods and services, VSLA groups contribute money and quickly buy assets such as indigenous chickens, goats, and groceries. These assets will then be used as the basis for trade and loans. Due to bad debts, some VSLA groups have devised ways of protecting

their savings by requesting a tangible asset as collateral security. A group member can offer a goat or chicken as collateral security if he/she needs a loan.

Respondents indicated that since foreign currency is a scarce commodity, particularly in rural communities, VSLA members are making various innovations in trying to protect their hard-earned savings from an erratic economic environment. To preserve the value of their savings, respondents revealed that funds that were loaned out to members were either equated to foreign currency value or livestock/asset value upon repayment. VSLA groups are protecting their savings by converting their local currency (RTGS) into United States Dollars (US Dollars) or South African Rands (SA Rands).

The current economic meltdown has forced VSLA members to diversify their Income Generating Activities (IGAs), some of which are seasonal. Some respondents stated that they have increased their sources of income through activities both agricultural and non-agricultural. For example, selling indigenous fruits (mangoes and baobab fruits), selling firewood, brewing and selling beer, selling vegetables, weaving baskets, and casual labor. In addition to contributing money on a monthly basis, some VSLA groups have ventured into small businesses and then share the proceeds after their cycle.

## V. VSLAs and Their Effects on Resilience

Mbiro and Ndlovu asserted that the NGO's key strategy seeks to increase household food security and income. This is in accordance with study findings, which reveal that 63% of VSLA users have access to healthy foods thanks to the monies provided by the program. Furthermore, the findings reflect that 15% of the respondents have a stable income as a result of VSLAs, while 13% can access education for their children and other dependents.

Respondents stated that the VSLAs training that they received from different NGOs enabled them to come up with innovative ideas such as stocking groceries instead of keeping savings in local currency, investing in IGAs, and changing RTGS currency to foreign currency, so that they remain afloat in an erratic economic environment.

Of importance to note is the response of one respondent (cluster facilitator) who was quoted saying; "If you are not in a VSLA group you are more vulnerable to poverty." VSLAs have made it possible for women to buy and own livestock such

as goats, cattle, chickens, and sheep which they dispose of in times of shock such as drought and economic meltdown.

According to Munkaila et al., for any VSLA member, assets are the cornerstone of their income and livelihood. This is in line with the findings which show that the majority (87.4%) of the respondents acquired productive and non-productive assets using share-outs. Upon further inquiry, results indicate that the acquired assets such as wheelbarrows, scotch carts, hoes, cattle, goats, chickens, and sheep. A considerable number of responders were able to pay their children's school fees, as well as medical and burial expenditures for their families, while others renovated or built new homes. Overall, VSLA members who have been able to accumulate assets over time through savings and other methods have improved their prospects while also enhancing their resistance to the economic downturn and other shocks.

The amount of money that members save on a monthly basis is somewhat proportional to their household income. While there is solid evidence through their records that most members are sustaining their monthly savings, it has been difficult to quantitatively prove that their household income has increased. This is because the prevailing economic crisis has distorted all the figures and official month-on-month inflation statistics are not reliable. However, qualitative data analysis reveals that household income has increased. Some respondents said that because of VSLAs, they can now manage to pay their children's school fees, while those who could not previously afford three quality meals each day can now.

## VI. VSLAs Towards Women Empowerment

Qualitative research findings show that VSLAs have contributed to significant increases in household income and children's access to education. In focus group discussions, respondents stated that most families can now afford to send their children to school during these difficult times. Gone are the days when schoolchildren used to loiter around the community without going to school because their parents were unable to pay for their fees.

Findings from the respondents reveal that through VSLAs most households can afford to have at least three meals a day, something that other people who are not in VSLAs are failing to do. Hence nutrition has also improved as they are able to eat a balanced diet.

Through their various IGAs, more and more women were now self-reliant and

were no longer relying on asking for money from their husbands. The VSLAs now act as their banks. Women have their own incomes, and have become more independent which resulted in their self-esteem being increased. Furthermore, women have been empowered as some of them have taken up leadership roles such as cluster facilitator, group chairperson, or treasurer. This has significantly reduced anti-social activities such as prostitution because women now believe more in themselves. In addition, cases of domestic violence have reduced. The burden of providing for the family is now being shared between husband and wife.

The community infrastructures such as dams and gardens constructed by the five-year Enhancing Nutrition, Stepping Up Resilience and Enterprise (ENSURE) program have been a source of income for many. Most respondents echoed that they are able to utilize these gardens by producing vegetables for sale in different markets. Also, they said that they have been hedging against hyperinflation through buying of assets. Most respondents revealed that they buy small livestock such as indigenous chickens and goats.

Findings from the research reveal that some VSLA groups have access to a ready market. For example, those who stay close to growth points sell their garden produce to employees of the mining firm. At times they sell the garden produce in foreign currency.

To a greater extent, VSLAs led to more resilience of the women, households, and communities against shocks. Mwansalikwa defined resilience as the ability to anticipate, avoid, plan for, cope with, and adapt to shocks and stresses. The current economic meltdown in Zimbabwe is a good example of both shock and stress.

In the interview, a key informant stated that their membership in VSLAs has enabled them to purchase assets such as bulk goods, goats, calves, poultry, and lambs, which they will sell in times of shock such as economic catastrophe. The concept of acquiring assets enables them to preserve the value of their asset, thereby becoming more resilient to economic shocks.

Some responders from the VSLA groups reported that money from their share-outs allowed them to build latrines that in turn helped communities stay healthy in the face of risk factors like disease outbreaks. To be more robust, certain IGAs have been diversified. Instead of selling vegetables only, they make premixes (a mixture of sorghum, millet, and maize) to sell in their communities in a bid to promote nutrition and a balanced diet.



### VIII. Challenges Faced by VSLAs Groups

The majority of the respondents (55.4%) gave “Other” as challenges they are facing in their VSLA groups. Upon further inquiry, it was identified that hyperinflation and cash shortages were major challenges being faced by the members. Although causality was not tested, VSLA groups appear to be doing better than the controls, in terms of dropouts, failure to contribute, bad debts, and conflict management. This may be attributed to the NGOs’ interventions such as VSLAs’ training, group constitution, and individual self-selection that were done to the beneficiaries.

### VII. Conclusion

According to the research findings, VSLA groups in Mutoko are surviving the economic meltdown in Zimbabwe through various strategies such as buying of assets, preserving savings using foreign currency, and venturing into different businesses.

Various IGAs that include petty trade have been attributed to the success of VSLA in an erratic economic environment. The study noted that VSLA cannot fully function alone without supportive IGAs that continue to feed its cycle.

The economic meltdown has forced VSLA members to diversify their IGAs, some of which are seasonal. Some respondents have increased their sources of income through agricultural and non-agricultural activities.

VSLAs have been a tremendous instrument for helping women in the Mutoko region to get loans, start small companies, and enhance their quality of life to a greater extent. The community infrastructures such as dams and gardens constructed by NGOs have been a source of income for many. Most are able to utilize these gardens by producing vegetables for sale in different markets.

### IX. Recommendations

There is a need to formalize some registration of VSLAs so that the best-performing ones can access formal loans from banks and MFIs and also access big and better markets. Any future programming should target beneficiaries in groups. Groups tend to be sustainable as compared to individual households.

NGOs should create a platform for the interlinking of groups to facilitate the sharing of ideas, news, and markets through platforms such as social media. The study recommends the networking of organizations. For example, GOAL Zimbabwe

& FACT Zimbabwe should carry on from where ENSURE would have left so that there is continuity of the programs that empower women.

As previously stated, the study's goal is to determine the impact of VSLA on women's poverty reduction. Poverty is a multi-dimensional issue that encompasses a variety of concepts and is explored at several levels. As a result, the scope of this research is confined to poverty at the person and family level, with a focus on a few key poverty indicators. Home food, health, children's education, women's involvement in household decision-making, and engagement in community activities are among the indicators examined in the research. Moreover, despite the fact that each of these indicators has a variety of measurements, the research developed its own method of assessing each indicator based on the context of the study region, aim, and data availability. As a consequence, the researcher is aware that using numerous poverty indicators would improve the results and point to the need for more scientific study.

Finally, to provide a clear conclusion on a broad scale, the study suggests that more research be undertaken using a large sample size and a combination of approaches. In addition, there are a number of gaps that will be addressed by future studies in related fields. "What are the consequences of VSLA on the economy of the area or country?" "What are the benefits and drawbacks of working women in VSLAs?" "What are the implications of women's participation in VSLA on their empowerment?" These questions might serve as a suitable beginning point for additional research in this area, as well as for individuals interested in conducting a comprehensive impact evaluation in VSLAs.

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# Common Needs of Developing Countries for Global Human Rights Governance

Chang Jian  
China

Due to the stage of economic development, developing countries have some common needs in human rights protection. These needs are reflected in the remarks and statements made by representatives of developing countries at the sessions of the UN Human Rights Council. They are partly written into the resolutions and declarations adopted by the Human Rights Council. These common needs can be summarized in the following eight aspects.

## I. Giving Priority to the Rights to Subsistence and Development

Developing countries give priority to the rights to subsistence and development. In terms of the right to subsistence, the protection of the right to food and the right to be free from hunger is highlighted by the Ministerial Declaration of the 2008 Meeting of the Ministers for Foreign Affairs of the Group of 77. The Ministers pointed out that “hunger constitutes a violation of human dignity” and called for “urgent measures at the national, regional and international levels for its elimination.” They also reaffirmed the right of everyone to have access to safe and nutritious food consistent with the right to food and the fundamental right of everyone to be free from hunger. The Final Document of the 2016 Summit of Heads of State and Government of the Non-Aligned Movement also underscored that “hunger constitutes a violation of human dignity.” The Heads of State and Government reaffirmed “the right of everyone to have access to safe and nutritious food consistent with the right to food and the fundamental right of everyone to be free from hunger,” and “it is essential for states to promote efforts to eradicate extreme poverty and hunger.”<sup>[1]</sup> China particularly

[1] *17th Summit of Heads of State and Government of the Non-Aligned Movement, Final Document*. (2016, September 17-18). Retrieved from [http://cns.miis.edu/nam/documents/Official\\_Document/XVII-NAM-Summit-Final-Outcome-Document-ENG.pdf](http://cns.miis.edu/nam/documents/Official_Document/XVII-NAM-Summit-Final-Outcome-Document-ENG.pdf).

advocates the protection of the right to food, water, and housing. In terms of the right to food, China pointed out that “food for all is, for mankind, the most fundamental right of survival, which serves as the basis for all other human rights”<sup>[1]</sup> and “the right to food is a basic human right and the protection of the right to food of citizens is the basis for them to enjoy other human rights and fundamental freedoms.”<sup>[2]</sup> In terms of the right to water, the Chinese delegation pointed out that “‘people regard food as their prime want, and water is a top priority.’ It is the essential guarantee for human beings to realize the right to subsistence and the right to development to have stable, safe, and clean drinking water as well as relevant health infrastructure.”<sup>[3]</sup> In terms of the right to housing, the Chinese delegation pointed out that “housing is essential for people’s livelihood and a country’s stable development. It is an important issue facing the economic and social development of China to ensure everyone, especially low- and middle-income families, to have adequate housing while increasing the supply of houses.”<sup>[4]</sup> In response to the COVID-19 pandemic, Ambassador Zhang Jun, Permanent Representative of the People’s Republic of China to the United Nations, spoke on behalf of 75 countries at the General Debate of the Third Committee of the 76th Session of the UN General Assembly on October 1, 2021, pointing out that everyone is entitled to the right of life and health, and the COVID-19 pandemic is a common challenge for the whole world. He noted that vaccines are a powerful weapon against viruses and developing countries need to be prioritized in vaccine distribution.

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[1] *Statement by the Chinese Delegation at the Interactive Dialogue with the Special Rapporteur on the Right to Food and the Special Rapporteur on Adequate Housing at the 28th Session of the Human Rights Council.* (2015, March 9). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyfy/t1244208.htm>.

[2] *Statement by the Chinese Delegation at the Interactive Dialogue with the Special Rapporteur on the Right to Food and the Special Rapporteur on Adequate Housing at the 25th Session of the Human Rights Council.* (2014, March 10). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyfy/t1140253.htm>.

[3] *Statement by China at the Interactive Dialogue with the Special Rapporteur on Safe Drinking Water and the Special Rapporteur on Hazardous Wastes at the 27th Session of the Human Rights Council.* (2014, September 9). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyfy/t1192531.htm>.

[4] *Statement by China at the Interactive Dialogue with the Special Rapporteur on the Right to Food and Special Rapporteur on Adequate Housing at the 25th Session of the Human Rights Council.* (2014, March 10). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyfy/t1140253.htm>.

It's important to promote the equitable distribution of vaccines in developing countries as soon as possible, he said. The envoy called on capable vaccine-producing countries to translate their commitments into actions as soon as possible and to actively provide vaccine support to developing countries in a timely and adequate manner through bilateral and multilateral channels. He urged international financial institutions and other international organizations to provide financial support to developing countries for vaccine procurement and strengthen their production capacity for vaccines to jointly build a global community of health for all.

In terms of the right to development, the Tunis Declaration adopted by African countries in 1992 pointed out that “the right to development is inalienable.” The Bangkok Declaration adopted by Asian Countries in 1993 reaffirmed “the right to development, as established in the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights, which must be realized through international cooperation, respect for fundamental human rights, the establishment of a monitoring mechanism and the creation of essential international conditions for the realization of such right.” It is emphasized in the San José Declaration adopted by the Latin-American and Caribbean countries in 1993 that “the right to development is an inalienable human right,” and that “The international community must take measures as soon as possible for the realization of this right through appropriate mechanisms.” It is stated in the Ministerial Declaration of the 1997 Meeting of the Ministers for Foreign Affairs of the Group of 77 that “the realization of the right to development should be given utmost priority by the United Nations”; the Ministerial Declaration of the 1999 Meeting of the Ministers for Foreign Affairs of the Group of 77 reaffirmed “their commitment to the full realization of the right to development and stressed that this should be accorded the utmost priority by the United Nations in the twenty-first century”; the Ministerial Declaration of the 2002 Meeting of the Ministers for Foreign Affairs of the Group of 77 declared that “the right to development, a basic human right, should be given utmost priority.” It is stressed in the Final Document of the 2016 Summit of Heads of State and Government of the Non-Aligned Movement that the right to development be considered as a universal and inalienable right and an integral part of all universally recognized human rights and fundamental freedoms. The Document also urged the UN human rights machinery to ensure the operationalization of the right to development as a priority, including through the elaboration of a Convention

on the Right to Development by the relevant machinery, and proposed the convening of a United Nations-sponsored High-Level International Conference on the Right to Development.<sup>[1]</sup> The Chinese delegation emphasized that “the right to development is a universal and inalienable right and an integral part of fundamental human rights”;<sup>[2]</sup> “the right to development is the basis for all other human rights”;<sup>[3]</sup> “the right to development should be our top priority”;<sup>[4]</sup> and “the UN human rights organs should set as a priority the promotion of the right to development and make further efforts to effectively realize the right to development throughout the world.”<sup>[5]</sup>

China advocates the priority of the rights to subsistence and development. Progress on human rights in China “has prioritized the people’s rights to subsistence”<sup>[6]</sup>, “takes the promotion and protection of the right to subsistence and the right to development as first principles, and make coordinated efforts to safeguard civil, political, social, and cultural rights as well as the rights of special groups.”<sup>[7]</sup> Meanwhile, China holds that “Realizing the rights to subsistence and development is the top priority for the developing countries in the field of human rights”<sup>[8]</sup> and advocates that the international community “should, with the UN 2030 Agenda for Sustainable Development as a new

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- [1] *17th Summit of Heads of State and Government of the Non-Aligned Movement, Final Document*. (2016, September 17-18). Retrieved from [http://cns.miis.edu/nam/documents/Official\\_Document/XVII-NAM-Summit-Final-Outcome-Documents-ENG.pdf](http://cns.miis.edu/nam/documents/Official_Document/XVII-NAM-Summit-Final-Outcome-Documents-ENG.pdf).
- [2] *Statement by the Chinese Delegation at the General Debate of Agenda Item 8 at the 25th Session of the Human Rights Council*. (2014, March 24). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland*. Retrieved from <http://www.china-un.ch/chn/hyyfy/t1140297.htm>.
- [3] *Statement by Ambassador Wang Min at the Third Committee of the Sixty-sixth Session of the General Assembly on Human Rights (Agenda Item 69 b&c)*. (2011, October 26). *The Permanent Mission of the People’s Republic of China to the UN*. Retrieved from <https://www.fmprc.gov.cn/ce/ceun/eng/chinaandun/socialhr/rqwt/t871084.htm>.
- [4] *Win-Win Cooperation for the Common Cause of Human Rights—Statement by Ambassador Yu Jianhua in the General Debate at the High-level Meeting during the 37th Session of the Human Rights Council*. (2018, March 1). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland*. Retrieved from [https://www.fmprc.gov.cn/ce/cegv/eng/dbtyw/rqrd\\_1/thsm/t1538784.htm](https://www.fmprc.gov.cn/ce/cegv/eng/dbtyw/rqrd_1/thsm/t1538784.htm).
- [5] *Statement by Counsellor Yao Shaojun of the Chinese Mission to the UN at the Dialogue with the Special Rapporteur on the Right to Development at the Third Committee of the 72nd General Assembly*. (2017, October 17). *The Permanent Mission of the People’s Republic of China to the UN*. Retrieved from <https://www.mfa.gov.cn/ce/ceun/eng/hyyfy/t1502545.htm>.
- [6] *National Human Rights Report* (p.6) Submitted by China to UN Human Rights Council. (2008, December 5). A/HRC/WG.6/4/CHN/1.
- [7] *National Human Rights Report* (p.2) Submitted by China to UN Human Rights Council. (2013, August 5). A/HRC/WG.6/17/CHN/1.
- [8] *Statement by Ambassador Wang Min at the General Discussion on Items of Human Rights at the 3rd Committee of 69th General Assembly*. (2014, October 29). *The Permanent Mission of the People’s Republic of China to the UN*. Retrieved from <https://www.fmprc.gov.cn/ce/ceun/eng/gdxw/t1205518.htm>.

starting point, fully respect the aspiration of the developing countries to realize the rights to subsistence and development as a priority.”<sup>[1]</sup>

The calls of developing countries to give priority to the rights to subsistence and development have been reflected to a certain extent in relevant resolutions adopted by the United Nations.

In terms of the right to subsistence, the United Nations adopted a series of resolutions on the right to food, water, housing, and so on, to ensure a basic standard of living. In terms of the right to food, the Human Rights Council adopted without a vote ten resolutions on the right to food and two resolutions on “the negative impact of the worsening world food crisis on the realization of the right to food for all” (No. S-7/1, 12/10). The UN General Assembly has adopted resolutions on “the right to food” almost every year since 2006. In terms of the right to water, the Human Rights Council adopted without a vote one resolution on “human rights and the right to water” and four resolutions on “the right to safe drinking water and sanitation facilities.” The UN General Assembly adopted three resolutions on “the human rights to safe drinking water and sanitation facilities” between 2006 and 2018. In terms of the right to adequate housing, the Human Rights Council adopted six resolutions on “adequate housing as a component of the right to an adequate standard of living.”

In terms of the right to development, the Vienna Declaration and Programme of Action reaffirmed “the right to development, as established in the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights.” It also emphasized that “The international community should promote an effective international cooperation for the realization of the right to development and the elimination of obstacles to development.” As of 2018, the UN Human Rights Council adopted five resolutions on the “right to development” and voted to pass Resolution 31/4 to “commemorate the 30th Anniversary of the adoption of the Declaration on the Right to Development.” The UN General Assembly adopted twelve resolutions on the “right to development” between 2006 and 2018.

## II. Reversing the Trend of Neglecting Economic, Social, and Cultural Rights

For a long time, the international community has demonstrated the tendency

[1] *Statement by Ambassador Liu Jieyi at the Third Committee of the 70th Session of the General Assembly under the Agenda Item on Human Rights.* (2015, October 30). *The Permanent Mission of the People's Republic of China to the UN.* Retrieved from <https://www.fmprc.gov.cn/ce/ceun/eng/lhghyywj/t1310848.htm>.

to unilaterally emphasize civil and political rights while ignoring economic, social and cultural rights. In view of the situation, “the interdependence and indivisibility of economic, social, cultural, civil and political rights, and the need to give equal emphasis to all categories of human rights” are reaffirmed in the Bangkok Declaration. It is stressed in the Tunis Declaration that “the principle of the indivisibility of human rights is sacrosanct. Civil and political rights cannot be dissociated from economic, social and cultural rights. None of these rights takes precedence over the others” and “political freedom when not accompanied by respect for economic, social and cultural rights is precarious.” It is reaffirmed in the Final Document of the 2016 Summit of Heads of State and Government of the Non-Aligned Movement that “all human rights, including the right to development, are universal, inalienable, indivisible, interdependent and interrelated.”<sup>[1]</sup>

As the Chinese delegation pointed out, “With the development of globalization, how to ensure the enjoyment of economic, social and cultural rights and the right to development has become an important challenge facing many developing countries. To ignore these rights is to deny the justified demands of developing countries on human rights issues.”<sup>[2]</sup> They stressed that we should “promote the protection of different kinds of human rights in an equal and balanced manner and attach full attention to economic, social, cultural rights and the right to development”<sup>[3]</sup> and object the tendency to “focus solely on promoting civil and political rights while neglecting or even openly opposing the mentioning of economic, social and cultural rights and the right to development”<sup>[4]</sup>. Besides, the Chinese delegation questioned that “How can the Council reverse the current situation of emphasizing civil and

[1] *17th Summit of Heads of State and Government of the Non-Aligned Movement, Final Document*. (2016, September 17-18). Retrieved from [http://cns.miis.edu/nam/documents/Official\\_Document/XVII-NAM-Summit-Final-Outcome-Documents-ENG.pdf](http://cns.miis.edu/nam/documents/Official_Document/XVII-NAM-Summit-Final-Outcome-Documents-ENG.pdf).

[2] *Statement by Ambassador Zhang Yishan, Head of the Chinese Delegation, at ECOSOC Substantive Session on Human Rights (item 14g)*. (2004, July 22). *The Permanent Mission of the People's Republic of China to the UN*. Retrieved from <https://www.fmprc.gov.cn/ce/ceun/eng/xw/t143781.htm>.

[3] *Joint Statement of Ambassador Ma Zhaoxu at the High-level Symposium Commemorating the 10th Anniversary of the Human Rights Council at the 32nd Session of the Human Rights Council: Promote and Protect Universally Recognized Human Rights through Strengthening Dialogue and Cooperation*. (2016, June 14). *The Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland*. Retrieved from <http://www.china-un.ch/chn/hyfy/t1371850.htm>.

[4] *Statement by Counsellor Yao Shaojun at the Dialogue with the President of the Human Rights Council at the Third Committee of the 69th Session of the General Assembly*. (2014, November 17). *The Permanent Mission of the People's Republic of China to the UN*. Retrieved from <https://www.fmprc.gov.cn/ce/ceun/eng/hyfy/t1213670.htm>.



political rights while overlooking economic, social and cultural rights, in particular the right to development?”<sup>[1]</sup> They also expressed the hope to see the imbalance in the development of the two types of human rights rectified.<sup>[2]</sup>

The calls of developing countries for reversing the tendency of ignoring economic, social and cultural rights are reflected to some extent in human rights documents adopted by the United Nations. The Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights in 1993 affirmed that “All human rights are universal, indivisible and interdependent and interrelated.” Resolution 66/157 adopted without a vote by the 66th UN General Assembly affirmed the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms. The UN Human Rights Council adopted without a vote nine resolutions on “the question of the realization in all countries of economic, social and cultural rights,” calling upon “all States to give full effect to economic, social and cultural rights”<sup>[3]</sup>.

The UN Human Rights Council has also formulated a series of special resolutions on specific economic, social and cultural rights. As of 2018, it had adopted without a vote four resolutions on “the right to work” and nine resolutions on “the right to education.” In terms of cultural rights, it adopted eight resolutions on “promoting the enjoyment of the right to culture by everyone and respecting cultural diversity” and three resolutions on “the right to culture and the protection of cultural heritage.” In terms of the right to health, it adopted ten resolutions on “the right to the enjoyment of the highest attainable standard of physical and mental health for everyone,” covering topics like obtaining access to medicines, strengthening public health capacity, sports and healthy lifestyles, mental health, etc.

### III. Protecting the Rights of Special Groups

Developing countries emphasize equal protection of the rights of special groups, especially the special protection for vulnerable groups such as national, ethnic,

[1] *Statement by Counsellor Yao Shaojun at the Third Committee of the 70th Session of the GA at the Interactive Dialogue with the President of the UN Human Rights Council.* (2015, November 17). *The Permanent Mission of the People's Republic of China to the UN.* Retrieved from <https://www.fmprc.gov.cn/ce/ceun/eng/chinaandun/t1315938.htm>.

[2] *Statement by Counsellor Yao Shaojun at the General Debate on Human Rights of the Third Committee of the 72nd Session of the General Assembly.* (2017, October 30). *The Permanent Mission of the People's Republic of China to the UN.* Retrieved from <https://www.fmprc.gov.cn/ce/ceun/eng/chinaandun/socialhr/3rdcommittee/t1506234.htm>.

[3] *Report of the Human Rights Council* (p.49-50). (2018). A/73/53.

racial, religious, and linguistic minorities, migrant workers, persons with disabilities, indigenous peoples, refugees, displaced persons, and so on. “The importance of guaranteeing the human rights and fundamental freedoms of vulnerable groups such as ethnic, national, racial, religious and linguistic minorities, migrant workers, disabled persons, indigenous peoples, refugees, and displaced persons” is emphasized in the Bangkok Declaration. It is stated in the San José Declaration that “We attach the utmost importance to the observance of the human rights and fundamental freedoms of vulnerable groups and the elimination of all forms of discrimination against them, and to the development of norms which protect those groups not yet covered by relevant instruments” and “We stress that, as the free market system cannot in and of itself guarantee or promote the enjoyment of human rights, States should accept the obligation of establishing and maintaining adequate measures for protecting the vulnerable sectors of their population.” Articles 13 to 20 of the Declaration also specifically address the protection of the rights of children, women, indigenous people, persons with disabilities, migrant workers, elderly persons, people infected with human immunodeficiency virus (HIV), and people with acquired immunodeficiency syndrome (AIDS). “The well-being and the rights of youth, women and girls, indigenous peoples, persons with disabilities, older persons, migrants, refugees and other groups” are highlighted in the Ministerial Declaration of the 2017 Meeting of the Ministers for Foreign Affairs of the Group of 77. In combating all forms of racism and racial discrimination, it is reiterated in the Ministerial Declaration of the 2004 Meeting of the Ministers for Foreign Affairs of the Group of 77 that “all forms of racism, racial discrimination, xenophobia as well as foreign occupation and related intolerance, constitute serious violations of human rights, which should be rejected through all political and legal means. We condemn the misuse of the new communications technologies, including the Internet, for inciting racial hatred and intolerance.” In terms of gender equality, it is emphasized in the Ministerial Declaration of the 2016 Meeting of the Ministers for Foreign Affairs of the Group of 77 that “equality between women and men and respect for all the human rights and fundamental freedoms of all family members are essential to family well-being and to society at large.” It is stressed in the Final Document of the 2016 Summit of Heads of State and Government of the Non-Aligned Movement that “the Heads of State or Government strongly condemned the manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against

migrants and the stereotypes often applied to them, including on the basis of religion or belief.”<sup>[1]</sup> Meanwhile, there are sections focusing on “Advancement of Women” and “Indigenous Peoples.”

The Mission of China to the United Nations pointed out that “the rights and interests of vulnerable groups must be respected. Recent years have witnessed an uptick in cases of discrimination and prejudice based on race, color and gender. UN human rights organs should pay special attention to the rights of vulnerable groups such as women, children and persons with disabilities, and stay committed to combating discrimination, xenophobia and intolerance”<sup>[2]</sup>, “more input is required in the areas of development, poverty reduction, health, women, children, and persons with disabilities”<sup>[3]</sup>, “efforts should be made to advance gender equality, empower women in all aspects, and earnestly strengthen protection of the rights of vulnerable groups including women, minors, the disabled, and elderly persons, to build an inclusive society where no one is left behind.”<sup>[4]</sup> In terms of opposing racism, racial discrimination and xenophobia, the Chinese delegation stressed that “racism tramples on basic values such as equality, freedom and justice, seriously violates human rights and threatens the progress of human civilization and the harmonious development of society” and “China actively supports the efforts of the international community to combat racism, promote dialogue and exchanges among different civilizations and religions, and support the effective implementation of a ‘zero tolerance’ policy

[1] *17th Summit of Heads of State and Government of the Non-Aligned Movement, Final Document*. (2016, September 17-18). Retrieved from [http://cns.miis.edu/nam/documents/Official\\_Document/XVII-NAM-Summit-Final-Outcome-Document-ENG.pdf](http://cns.miis.edu/nam/documents/Official_Document/XVII-NAM-Summit-Final-Outcome-Document-ENG.pdf).

[2] *Statement by Counsellor Yao Shaojun at the General Debate on Human Rights of the Third Committee of the 72nd Session of the General Assembly*. (2017, October 30). *The Permanent Mission of the People’s Republic of China to the UN*. Retrieved from <https://www.fmprc.gov.cn/ce/ceun/chn/zgyllh/shhrq/liandawanwei/t1506228.htm>.

[3] *Win-Win Cooperation for the Common Cause of Human Rights—Statement by Ambassador Yu Jianhua in the General Debate at the High-level Meeting during the 37th Session of the Human Rights Council*. (2018, March 1). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland*. Retrieved from [https://www.fmprc.gov.cn/ce/cegv/eng/dbtyw/rqrd\\_1/thsm/t1538784.htm](https://www.fmprc.gov.cn/ce/cegv/eng/dbtyw/rqrd_1/thsm/t1538784.htm).

[4] *Statement by Ambassador Ma Zhaoxu at the Meeting Jointly Organized by the African Group and Permanent Mission of China on the Realization of Economic, Social and Cultural Rights Through the Implementation of the 2030 Agenda for Sustainable Development*. (2016, September 24). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland*. Retrieved from <http://www.china-un.ch/chn/hyyfy/t1400214.htm>.

against racism at the national and international levels.”<sup>[1]</sup> In terms of the protection of the rights of women and children, the Chinese delegation stressed that “domestic violence is a serious violation of the rights of women and girls to body, health, human dignity and even life, and all countries should resolutely crack down on them.”<sup>[2]</sup> “All countries should come up with better and more-rounded development strategies to fully consider the special needs of women and ensure women’s equal share in the fruits of development. All countries should protect women’s rights and interests, buttress women’s capacity to play their part in society and the economy, and enhance women’s capability in decision-making and management.”<sup>[3]</sup> In terms of the protection of the rights of persons with disabilities, the Chinese delegation pointed out that “eliminating poverty and improving the social status of persons with disabilities is ultimately a matter of development. Only through promoting coordinated economic and social development, improving the income of persons with disabilities, guaranteeing their right to education, and providing them with necessary rehabilitation services can the living and development conditions of persons with disabilities be significantly improved. Similarly, only by improving the social status of persons with disabilities and eliminating discrimination and prejudice can they return to the mainstream of society, fully liberate their bodies and minds, and create a better life.”<sup>[4]</sup> In terms of the protection of the rights of the elderly, the Chinese delegation pointed out that the elderly should fully enjoy the rights to equality, health, receiving care, and participation in social and cultural

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[1] *Statement by the Chinese Delegation at the Symposium on Global Racial Discrimination at the 31st Session of the Human Rights Council.* (2016, March 18). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyfy/t1351683.htm>.

[2] *Statement by the Chinese Delegation at the Symposium on Elimination and Prevention of Domestic Violence against Women and Girls at the 29th Session of the Human Rights Council.* (2015, June 20). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyfy/t1274750.htm>.

[3] *Statement by Ambassador Wang Min, Deputy Permanent Representative to the United Nations, on the Issue of Women in the 3rd Committee of the 70th Session of the General Assembly.* (2015, October 13). *The Permanent Mission of the People’s Republic of China to the UN.* Retrieved from <https://www.fmprc.gov.cn/ce/ceun/chn/lhghywj/t1305689.htm>.

[4] *Statement by the Chinese Delegation During the Dialogue with the Special Rapporteur on the Rights of Persons with Disabilities at the 28th Session of the United Nations Human Rights Council.* (2015, March 10). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyfy/t1245743.htm>.

activities.<sup>[1]</sup>

The calls of developing countries for the equal protection of the rights of special groups have been reflected to a certain extent in documents adopted by the United Nations. It is emphasized in the Vienna Declaration and Programme of Action that “respect for human rights and for fundamental freedoms without distinction of any kind is a fundamental rule of international human rights law. The speedy and comprehensive elimination of all forms of racism and racial discrimination, xenophobia and related intolerance is a priority task for the international community.” Meanwhile, the special protection for women, children, indigenous peoples, persons with disabilities, refugees, migrant workers, and minority groups is elaborated in articles 18 to 24 in Part I and section B entitled “Equality, Dignity and Tolerance” of Part II.

The United Nations has reached a strong consensus on the rights of women. From 2006 to 2018, the UN Human Rights Council adopted without a vote ten resolutions on “eliminating violence against women,” eight resolutions on “eliminating discrimination against women (and girls),” two resolutions on “eliminating female genital mutilation,” and two resolutions on “achieving the equal rights to education by all girls.” During this period, the UN General Assembly adopted without a vote seven resolutions on “intensifying efforts to prevent and eliminate all forms of violence against women and girls” (including two focusing on domestic violence and sexual harassment), seven resolutions on “trafficking women and girls,” three resolutions on “girls,” four resolutions on “strengthening global efforts to eliminate female genital mutilation,” two resolutions on “improving the situation of women in rural areas,” two resolutions on “violence against women migrant workers,” and one resolution on “women and political participation.”

In terms of the rights of persons with disabilities, the United Nations has reached a consensus. From 2006 to 2018, the UN Human Rights Council adopted without a vote eight resolutions on “human rights of persons with disabilities,” covering the persons with disabilities’ participation in political and public life, work and employment, right to education, right to live independently and be included in the community, rights being guaranteed in situations of risk and humanitarian

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[1] *Statement by the Chinese Delegation during the Dialogue with the Independent Expert on the Rights of the elderly and the Special Rapporteur on Contemporary Forms of Slavery at the 27th Session of the United Nations Human Rights Council.* (2014, September 9). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyyfy/t1192525.htm>.

emergencies, equality and non-discrimination, right to judicial protection, and so on. From 2006 to 2018, the United Nations General Assembly adopted without a vote five resolutions on “achieving the Millennium Development Goals for persons with disabilities” and two resolutions on “achieving inclusive development for persons with disabilities.”

In terms of the rights of children, the United Nations has reached a rough consensus with a small number of objections. From 2006 to 2018, the UN Human Rights Council adopted without a vote ten resolutions on “children’s rights,” one resolution on “ending violence against children,” and one resolution on “unaccompanied migrant children and adolescents and human rights issues.” From 2006 and 2018, the UN General Assembly adopted without a vote three resolutions on “protecting children from bullying” and eleven resolutions on “children’s rights.”

There have been more differences in the rights of the elderly in the United Nations. Although the UN General Assembly adopted without a vote ten resolutions on “the follow-up to the Second World Assembly on Ageing” and one resolution on “strengthening measures to promote and protect the human rights and dignity of the elderly” from 2006 to 2018, twelve countries including the US voted against resolution 35/13 on “protecting family: role of the family in supporting the protection and promotion of human rights of older persons” at the UN Human Rights Council while five countries abstained. During the vote of the UN General Assembly on resolution 67/139 on “towards a comprehensive and integral international legal instrument to promote and to protect the rights and dignity of older persons,” merely 54 countries voted for it. Five countries, including the US, voted against it, and 118 countries abstained.

In terms of minority or racial rights, the UN Human Rights Council adopted without a vote four resolutions on “prevention of genocide,” three resolutions on “incompatibility between democracy and racism,” three resolutions on “the rights of persons belonging to national or ethnic, religious and linguistic minorities” and five resolutions on “eliminating racism, racial discrimination, xenophobia and related intolerance” from 2006 to 2018. In the same period, the UN General Assembly adopted thirteen resolutions on “global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action” and twelve resolutions on “the inadmissibility of certain practices

that contribute to fueling contemporary forms of racism, racial discrimination, xenophobia and related intolerance.”

#### IV. Balancing the Enjoyment of Individual Rights and the Commitment of Obligations

In response to the claim of some countries for the absoluteness of individual human rights to exclude the consideration of public interests in the exercise of rights without the condition of individual commitment to public obligations, it is stressed in the Final Document of the 2016 Summit of Heads of State and Government of the Non-Aligned Movement that “The Heads of State and Government expressed concern that defamation of religions is being wrongly justified on the ground of the right to freedom of expression, neglecting the restrictions clearly articulated in the relevant human rights instruments including paragraph 29 of the Universal Declaration of Human Rights, as well as paragraph 3 of Article 19 of the International Covenant on Civil and Political Rights (ICCPR).” It is noted that the freedom of thought, expression and dissemination of ideas and information “should be exercised with responsibility in a way of respecting national dignity and the ideas and sentiment of other countries’ people in accordance with the relevant national legislative framework, and relevant international human rights instruments”<sup>[1]</sup>.

China advocates the balance of rights and obligations as well as personal rights and public interests in international human rights. According to the Chinese delegation, we should “take into overall consideration personal rights and collective rights as well as rights and obligations”<sup>[2]</sup>, “in exercising their freedoms and rights, citizens may not infringe upon the interests of the state, of society or the collective, or upon the lawful freedoms and rights of other citizens”<sup>[3]</sup>. There are no rights without obligations. According to the Universal Declaration of Human Rights, everyone

[1] *17th Summit of Heads of State and Government of the Non-Aligned Movement, Final Document*. (2016, September 17-18). Retrieved from [http://cns.miis.edu/nam/documents/Official\\_Document/XVII-NAM-Summit-Final-Outcome-Document-ENG.pdf](http://cns.miis.edu/nam/documents/Official_Document/XVII-NAM-Summit-Final-Outcome-Document-ENG.pdf).

[2] *Statement by Special Representative Liu Hua at the High-level Meeting of the 31st Session of the UN Human Rights Council*. (2016, March 2). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland*. Retrieved from <http://www.china-un.ch/chn/hyfy/t1347284.htm>.

[3] *Statement by the Chinese Delegation during the Dialogue with the Special Rapporteur on the Rights to Freedom of Expression, Peaceful Assembly and Freedom of Association at the 29th Session of the UN Human Rights Council*. (2015, June 17). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland*. Retrieved from <http://www.china-un.ch/chn/hyfy/t1274107.htm>.



should secure due recognition and respect for the rights and freedoms of others as well as follow moral norms and public order in the exercise of individual rights and freedoms. The Chinese Constitution stipulates that citizens of the People's Republic of China shall enjoy freedom of speech. It also stipulates that when exercising their freedoms and rights of assembly, procession, and demonstration, citizens of the People's Republic of China shall not undermine the interests of the state, society or collectives, or infringe upon the lawful freedoms and rights of other citizens."<sup>[1]</sup>

On October 8, 2021, the 48th session of the Human Rights Council adopted resolution A/HRC/RES/48/7 on “the negative impact of the legacies of colonialism on the enjoyment of human rights” submitted by China. It recognizes that the legacies of colonialism, in all their manifestations, such as economic exploitation, inequality within and among states, systemic racism, violations of indigenous peoples' rights, contemporary forms of slavery, and damage to cultural heritage, have a negative impact on human rights. It stresses the importance of eradicating colonialism and addressing the negative impact of the legacies of colonialism on the enjoyment of human rights.

## V. Advancing Human Rights Through Development and Eradicating Poverty in All Its Forms

It is pointed out in the Ministerial Declaration of the 2009 Meeting of the Ministers for Foreign Affairs of the Group of 77 that “eradication of poverty is the greatest global challenge facing the world today,” and the Ministers reiterated “the importance of developing countries determining their own food security strategies in their efforts to eradicate poverty and hunger.” It is urged in the Final Document of the 2016 Summit of Heads of State and Government of the Non-Aligned Movement that “in the discussion on human rights, adequate attention be given to the issues of poverty, underdevelopment, marginalization, instability and foreign occupation that engender social and economic exclusion and violation of human dignity and human rights, which cannot be divorced from any meaningful discussion relating to human rights.”<sup>[2]</sup>

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[1] *Statement by the Chinese Delegation during the Dialogue with the Special Rapporteurs on Freedom of Peaceful Assembly and Association and Extrajudicial Executions at the 31st Session of the UN Human Rights Council.* (2016, March 9). *The Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyfy/t1347282.htm>.

[2] *17th Summit of Heads of State and Government of the Non-Aligned Movement, Final Document.* (2016, September 17-18). Retrieved from [http://cns.miis.edu/nam/documents/Official\\_Document/XVII-NAM-Summit-Final-Outcome-Document-ENG.pdf](http://cns.miis.edu/nam/documents/Official_Document/XVII-NAM-Summit-Final-Outcome-Document-ENG.pdf).



China advocates the concept of “promoting human rights through development” in the United Nations.<sup>[1]</sup> The Chinese delegation pointed out, “People often overlook the importance and crucial role of development for the protection and promotion of human rights. Development is related to the national economy and the people’s livelihood. The ultimate goal of development is to improve the quality of life of all people, maintain human dignity, and realize the pursuit of values to better protect and promote human rights. Economic growth, poverty alleviation, social security, health and education services, protection of the rights of persons with disabilities, women, children, the elderly, and indigenous peoples, employment of young people, environmental protection, response to climate change, and so on, can only be addressed through development.”<sup>[2]</sup> “Development is the foundation of peace and the only way to realize human rights. Only development can meet the desire of people for a better life and truly guarantee their basic rights and dignity.”<sup>[3]</sup> “Development is vital to the promotion and protection of human rights, especially economic, social and cultural rights.”<sup>[4]</sup> “Development is the premise and foundation for eradicating the root causes of global poverty and conflict and guaranteeing people’s fundamental rights.”<sup>[5]</sup>

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- [1] *Win-Win Cooperation for the Common Cause of Human Rights—Statement by Ambassador Yu Jianhua in the General Debate at the High-level Meeting during the 37th Session of the Human Rights Council.* (2018, March 1). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from [https://www.fmprc.gov.cn/ce/cegv/eng/dbtyw/rqrd\\_1/thsm/t1538784.htm](https://www.fmprc.gov.cn/ce/cegv/eng/dbtyw/rqrd_1/thsm/t1538784.htm).
- [2] *Ambassador Ma Zhaoxu Delivered a Joint Statement Entitled “Realizing Development for the Promotion and Protection of Human Rights” on Behalf of Nearly 140 Countries During the 33rd Session of the Human Rights Council.* (2016, September 17). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyyfy/t1398078.htm>.
- [3] *Statement by Ambassador Liu Jieyi at the Third Committee of the 70th Session of the General Assembly under the Agenda Item on Human Rights.* (2015, October 30). *The Permanent Mission of the People’s Republic of China to the UN.* Retrieved from <https://www.fmprc.gov.cn/ce/ceun/eng/lhgxywj/t1310848.htm>.
- [4] *Statement by Ambassador Ma Zhaoxu at the Meeting Jointly Organized by the African Group and Permanent Mission of China on the Realization of Economic, Social and Cultural Rights Through the Implementation of the 2030 Agenda for Sustainable Development.* (2016, September 24). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyyfy/t1400214.htm>.
- [5] *Statement by the Chinese Delegation at the General Debate on Item 3 of the 31st Session of the UN Human Rights Council.* (2016, March 12). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyyfy/t1347259.htm>.

The most important measure for promoting human rights through development is the eradication of poverty. The Chinese delegation pointed out that “extreme poverty prevents people from fully and effectively enjoying human rights”<sup>[1]</sup>. “Poverty is a tough challenge facing the world today. It not only seriously hinders the economic development and social progress of developing countries but is also one of the root causes of regional conflicts, the spread of terrorism and environmental degradation. The eradication of poverty is related to the most basic right to survival and development of the people of all countries. It is the primary consideration for the economic and social development of countries, especially developing countries, and the premise for countries to achieve sustainable development.”<sup>[2]</sup> The Chinese delegation held that “the eradication of poverty is one of the most important human rights causes in the world”<sup>[3]</sup>. It is suggested that “we should promote human rights through poverty-reduction.” “Countries should fight poverty with a holistic approach and reduce poverty through development. We must create opportunities for development-centered poverty alleviation programs and socioeconomic progress to reinforce each other. We must also enhance the self-development capacity of the poor. The meaningful reduction of poverty and its eventual elimination will create favorable conditions for better promoting and protecting human rights.”<sup>[4]</sup>

In terms of the concept of promoting human rights through development, the UN Human Rights Council adopted resolution 35/6 on “the contribution of development to the enjoyment of all human rights.”

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- [1] *Statement by the Chinese delegation under the General Debate of Item 8 of Human Rights Council 25th Session.* (2014, March 24). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyyfy/t1140297.htm>.
- [2] *Statement by Lu Yuhui, Third Secretary of the Chinese Delegation, at Item 24: “Poverty Eradication and Other Development Issues” of the 2nd Committee of the 70th UN General Assembly.* (2015, October 15). *The Permanent Mission of the People’s Republic of China to the UN.* Retrieved from <https://www.fmprc.gov.cn/ce/ceun/chn/lhghywj/t1306033.htm>.
- [3] *Statement by the Chinese Delegation during the Dialogue with the Special Rapporteur on the Protection of Human Rights in Extreme Poverty and Counter-Terrorism at the 29th Session of the UN Human Rights Council.* (2015, June 22). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyyfy/t1275177.htm>.
- [4] *Joint Statement Delivered by H.E. MA Zhaoxu on behalf of 140 countries on “Strengthen Human Rights Dialogue and Cooperation, Build a Community of Shared Future for Human Beings” at the 36th Session of the Human Rights Council.* (2017, September 16). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyyfy/t1493650.htm>.

In terms of the eradication of poverty, the UN Human Rights Council adopted without a vote seven resolutions on “human rights and extreme poverty” (or “extreme poverty and human rights”) from 2006 to 2018. In the same period, the UN General Assembly had also adopted without a vote seven resolutions on “human rights and extreme poverty.” On October 8, 2021, the 48th session of the Human Rights Council adopted resolution A/HRC/RES/48/10 on the right to development. It recognizes that hunger and extreme poverty, in all their forms and dimensions, are the greatest global challenges and require the collective commitment of the international community for their eradication. Eradicating poverty in all its forms and dimensions, including extreme poverty, is one of the critical elements in the promotion and realization of the right to development and is one of the greatest global challenges and an indispensable requirement for sustainable development.

## VI. Promoting Human Rights Protection Through Stability and Ensuring People’s Right to Peace

National stability and peace are important realities for the realization of human rights, especially for developing countries. It is reaffirmed in the Ministerial Declaration of the 2016 Meeting of the Ministers for Foreign Affairs of the Group of 77 that “sustainable development cannot be realized without peace and security, and that peace and security will be at risk without sustainable development,” “the least developed countries in conflict and post-conflict situations and those experiencing political instability, or unable to deliver basic State services, have specific structural challenges and require context-specific approaches, including targeted national policies and international support measures to address these challenges and to support peacebuilding, State-building activities and sustainable development.” It is recognized in the Ministerial Declaration of the 2017 Meeting of the Ministers for Foreign Affairs of the Group of 77 that “peace not only is the absence of conflict, but also requires a positive, dynamic participatory process where dialogue is encouraged and conflicts are solved in a spirit of mutual understanding and cooperation.” The Final Document of the 2016 Summit of Heads of State and Government of the Non-Aligned Movement has a section dedicated to the elaboration on “Peaceful Settlement of Disputes, and Non-Use of Threat or Use of Force.” “The Heads of State and Government reiterated the basic principle of the UN Charter that all States shall refrain in their international relations from the threat or use of force against

the territorial integrity or political independence of any State.” They also expressed concern over the massive violations of human rights and fundamental freedom, the right to life and development in particular, by terrorism and extremism.<sup>[1]</sup>

China has repeatedly emphasized the importance of peace to the realization of human rights at the Human Rights Council and actively participated in the work of the Working Group on the Right to Peace. The Chinese delegation stressed that “a peaceful environment conducive to the protection of human rights should be maintained and international disputes should be resolved through peaceful means. Different civilizations, religions and ethnic groups should respect each other and coexist in harmony.”<sup>[2]</sup> “In most cases, wars and conflicts are the root causes of humanitarian disasters and human rights violations. The commitment to regional and world stability, peacefully resolving international and domestic disputes, and avoiding armed intervention without the authorization of the Security Council or against the will of the countries concerned are the most powerful guarantees for the protection of human rights.”<sup>[3]</sup> “Only by maintaining peace, preventing war, and eliminating violence and conflict can human rights be fundamentally guaranteed.”<sup>[4]</sup> “Peace became the common aspiration of people of all countries and the fundamental premise and foundation for the promotion and protection of human rights.”<sup>[5]</sup> “Without peace and development, human rights are like a tree without roots. We should be

[1] *17th Summit of Heads of State and Government of the Non-Aligned Movement, Final Document*. (2016, September 17-18). Retrieved from [http://cns.miis.edu/nam/documents/Official\\_Document/XVII-NAM-Summit-Final-Outcome-Documents-ENG.pdf](http://cns.miis.edu/nam/documents/Official_Document/XVII-NAM-Summit-Final-Outcome-Documents-ENG.pdf).

[2] *Statement by Ambassador Wu Haitao at the General Debate of the 25th Session of the UN Human Rights Council*. (2014, March 7). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland*. Retrieved from <http://www.china-un.ch/chn/hyyfy/t1135110.htm>.

[3] *Joint Statement of Ambassador Ma Zhaoxu at the High-level Symposium Commemorating the 10th Anniversary of the Human Rights Council at the 32nd Session of the Human Rights Council: Promote and Protect Universally Recognized Human Rights through Strengthening Dialogue and Cooperation*. (2016, June 14). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland*. Retrieved from <http://www.china-un.ch/chn/hyyfy/t1371850.htm>.

[4] *Statement by the Chinese Delegation at the General Debate on Item 5 of the 29th Session of the UN Human Rights Council*. (2015, June 27). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland*. Retrieved from <http://www.china-un.ch/chn/hyyfy/t1277359.htm>.

[5] *Joint Statement delivered by Special Representative for Human Rights Affairs Ms. LIU Hua on “Maintaining Peace and Promoting and Protecting Human Rights” at the 34th Session of the Human Rights Council*. (2017, February 28). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland*. Retrieved from <http://www.china-un.ch/chn/hyyfy/t1442034.htm>.

committed to maintaining lasting peace, achieving common development, and providing a solid foundation for the promotion and protection of human rights.”<sup>[1]</sup> The Chinese delegation proposed to “promote human rights through security” because “war, conflict, and regional upheaval are the root cause of mass violations of human rights” and “Human rights progress at the national level is also underpinned by domestic security and stability.”<sup>[2]</sup>

In terms of the right to peace, the Declaration on the Right to Peace was adopted by voting at the 32nd session of the UN Human Rights Council (Resolution 32/28). The 71st session of the United Nations General Assembly voted to adopt the Declaration on the Right to Peace (Resolution 71/189). Besides, as of 2018, the UN Human Rights Council had voted to adopt six resolutions on “promoting the right to peace,” and the UN General Assembly had voted to adopt four resolutions on “promoting peace as a necessary condition for everyone to fully enjoy all human rights.”

In terms of terrorism and human rights, the UN Human Rights Council adopted without a vote Resolution 37/27 on “terrorism and human rights,” and the UN General Assembly adopted without a vote Resolution 73/174 on “terrorism and human rights.” Besides, as of 2018, the UN Human Rights Council had voted to adopt three resolutions on “effects of terrorism on the enjoyment of human rights,” and the UN General Assembly had also voted to adopt Resolution 72/246 on “effects of terrorism on the enjoyment of human rights.” In terms of arms regulation, the UN Human Rights Council adopted Resolution 38/10 on “human rights and the regulation of civilian acquisition, possession and use of firearms” without a vote and voted to adopt Resolution 29/10 on “human rights and the regulation of civilian acquisition, possession and use of firearms” and Resolution 32/12 on “impact of arms transfers on human rights.”

[1] *Joint Statement delivered by Ma Zhaoxu, the Representative of the Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland on “Improving Global Human Rights Governance and Advancing the International Human Rights Cause” at the 34th Session of the UN Human Rights Council.* (2017, March 20). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyyfy/t1447149.htm>.

[2] *Win-Win Cooperation for the Common Cause of Human Rights—Statement by Ambassador Yu Jianhua in the General Debate at the High-level Meeting during the 37th Session of the Human Rights Council.* (2018, March 1). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from [https://www.fmprc.gov.cn/ce/cegv/eng/dbtyw/rqrq\\_1/thsm/t1538784.htm](https://www.fmprc.gov.cn/ce/cegv/eng/dbtyw/rqrq_1/thsm/t1538784.htm).

In terms of mercenaries, between 2006 and 2018, the UN General Assembly voted to adopt twelve resolutions on the “use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination.”

On October 6, 2020, Resolution A/HRC/RES/45/11 on “terrorism and human rights” was adopted at the 45th session of the UN Human Rights Council without a vote. It is recognized that terrorism and violent extremism conducive to terrorism have a detrimental effect on the full enjoyment of all human rights and fundamental freedoms, impede the full enjoyment of political, civil, economic, social and cultural rights, destroy lives, family ties and the fabric of communities, sow fear in individuals and communities and demolish livelihoods and whole economies, and that they pose a threat to the territorial integrity and security of states, the stability of governments, the rule of law and democracy and, ultimately, to the functioning of societies and international peace and security. It reaffirms its unequivocal condemnation of all acts, methods and practices of terrorism and violent extremism conducive to terrorism in all their forms and manifestations, wherever and by whomsoever committed, regardless of their motivation, and of the financial, material, or political support of terrorism. Terrorism and violent extremism conducive to terrorism cannot and should not be associated with any religion, nationality, civilization, or ethnic group. Any measures taken to combat terrorism and the violent extremism that fuels it must be consistent with international law, particularly international human rights law, international refugee law, and international humanitarian law.

On October 7, 2021, Resolution A/HRC/RES/48/5 on “the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination” was adopted by the 48th Session of the UN Human Rights Council. It reaffirms that the use of mercenaries and their recruitment, financing, protection and training violate the purposes and principles enshrined in the UN Charter. It condemns mercenary activities in any country, in particular in areas of conflict, and the threat they pose to the integrity of and respect for the constitutional order of countries and to the exercise of the right to self-determination of their peoples. It recognizes that mercenary activity is a complex crime in which criminal responsibility falls upon those who have recruited, employed, trained, and financed the mercenaries and upon those who have planned and ordered their criminal activity.

## VII. Resolving Human Rights Disputes Through Dialogue and Cooperation and Opposing Unilateral Coercive Measures

For handling human rights disputes, developing countries advocate that disputes should be resolved through dialogue and cooperation under multilateral mechanisms and object to unilateral coercive measures by some developed countries. It is recognized in the Bangkok Declaration that “the promotion of human rights should be encouraged by cooperation and consensus, and not through confrontation and the imposition of incompatible values.” According to the Final Document of the 2016 Summit of Heads of State and Government of the Non-Aligned Movement, the Heads of State and Government underscored “the promotion of dialogue among civilizations and the culture of peace globally.” In the current international environment, it is “not an option but an imperative, sound and productive tool to promote economic and social development, peace and security, and human rights and the rule of law in guaranteeing a better life for all.” Tolerance, mutual understanding and respect “are sources of mutual enrichment for the cultural life of humankind and the attainment of human rights for all.” “Human rights issues must be addressed within the global context through a constructive, non-confrontational, non-politicized and non-selective dialogue-based approach, in a fair and equal manner, with objectivity, respect for national sovereignty and territorial integrity, non-interference in the internal affairs of States, impartiality, non-selectivity and transparency as the guiding principles, taking into account the political, historical, social, religious and cultural particularities of each country.” The Heads of State and Government also reaffirmed their opposition to “all unilateral coercive measures, including those measures used as tools for political or economic and financial pressure against any country, in particular against developing countries.” Unilateral coercive measures would “hinder the well-being of the population of the affected countries” and “create obstacles to the full realization of their human rights.” “Adoption, for any cause or consideration, of unilateral coercive measures, rules and policies against the developing countries constitute flagrant violations of the basic rights of their populations.” International cooperation in the field of human rights should be “provided upon the request in consultation with and with the consent of the concerned states.”<sup>[1]</sup> According to the Group of 77, “each country has the sovereign right to decide its own development priorities and strategies

[1] *17th Summit of Heads of State and Government of the Non-Aligned Movement, Final Document.* (2016, September 17-18). Retrieved from [http://cns.miis.edu/nam/documents/Official\\_Document/XVII-NAM-Summit-Final-Outcome-Document-ENG.pdf](http://cns.miis.edu/nam/documents/Official_Document/XVII-NAM-Summit-Final-Outcome-Document-ENG.pdf).



and that there is no ‘one size fits all’ approach.” “We express our grave concern over the impact of economic sanctions on the civilian population and development capacity in targeted countries and therefore urge the international community to exhaust all peaceful methods before resorting to sanctions, which should only be considered as a last resort. If necessary, these sanctions must be established only in strict conformity with the UN Charter with clear objectives, a clear time frame, provisions for regular review, and precise conditions for their lifting. They should never be used as a form of punishment or otherwise to exact retribution.” “The Ministers stressed the need to maintain clear distinctions between humanitarian assistance and other activities of the United Nations. They rejected the so-called right of humanitarian intervention, which had no basis in the UN Charter or international law.”

In response to the differences on human rights issues, China advocates that “countries should respect the diversity of human rights development paths,”<sup>[1]</sup> “given differences in political systems, levels of development and historical and cultural backgrounds, it is natural for countries to have different views on human rights issue. It is therefore important that countries engage in dialogue and cooperation based on equality and mutual respect in their common endeavor to promote and protect human rights,”<sup>[2]</sup> and “human rights should be promoted through cooperation.”<sup>[3]</sup> “There is no universal road for the development of human rights in the world. As an important element in the economic and social development of each country, the cause of human rights must be promoted on the basis of the national conditions and the needs of the people of that country, and cannot be defined on the basis of a single authority.”<sup>[4]</sup> “Politicizing human rights issues, name, shame, and pressure other countries, and adopting double standard would spoil the atmosphere at the UN Human Rights

[1] *Statement by Ambassador Liu Jieyi at the Third Committee of the 70th Session of the General Assembly under the Agenda Item on Human Rights.* (2015, October 30). *The Permanent Mission of the People’s Republic of China to the UN.* Retrieved from <https://www.fmprc.gov.cn/ce/ceun/eng/lhghyywj/t1310848.htm>.

[2] *National Human Rights Report* (p.4) Submitted by China to UN Human Rights Council. (2008, December 5). A/HRC/WG.6/4/CHN/1.

[3] *Win-Win Cooperation for the Common Cause of Human Rights—Statement by Ambassador Yu Jianhua in the General Debate at the High-level Meeting during the 37th Session of the Human Rights Council.* (2018, March 1). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from [https://www.fmprc.gov.cn/ce/cegv/eng/dbtyw/rqrd\\_1/thsm/t1538784.htm](https://www.fmprc.gov.cn/ce/cegv/eng/dbtyw/rqrd_1/thsm/t1538784.htm).

[4] *National Human Rights Report* (p.2) Submitted by China to UN Human Rights Council. (2018, December 5). A/HRC/WG.6/31/CHN/1.



Council and undermine the cooperation in the field of human rights.”<sup>[1]</sup> The Chinese delegation suggested that “promoting dialogue and cooperation in the field of human rights should be the core purpose” and “politicization of human rights issues, pressure on other countries, as well as use of UN human rights mechanisms to engage in open confrontation should be opposed.”<sup>[2]</sup>

In terms of unilateral coercive measures, China believes that “any unilateral coercive measures will create obstacles to the full realization of all human rights.”<sup>[3]</sup> The Chinese delegation stressed that “unilateral coercive measures, especially economic sanctions and trade embargoes, would cause a serious negative impact on the enjoyment of human rights by the vast majority of people in the target countries, which would multiply exponentially to vulnerable groups to seriously affecting their access to basic rights to food, clothing, housing and medical care,” “Using unilateral coercive measures as a means to exert political or economic pressure on some countries, especially developing countries, is not conducive to the promotion and protection of human rights by these countries in accordance with the needs of their own people...The international community should urge relevant countries to stop using unilateral coercive measures as political tools, not to impose unilateral sanctions on other countries or threaten them with sanctions, and strive to eliminate the negative impact of unilateral coercive measures.”<sup>[4]</sup>

In terms of technical assistance related to human rights, the Chinese delegation held that “it is the primary responsibility of governments to promote and protect human rights. When a government faces difficulties in promoting and protecting the

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[1] *Statement by the Chinese Delegation at the General Debate on Item 4 of the 31st Session of the UN Human Rights Council.* (2014, September 29). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyyfy/t1196350.htm>.

[2] *Statement by the Chinese Delegation during the Dialogue with the UN High Commissioner for Human Rights at the 28th Session of the Human Rights Council.* (2015, March 5). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyyfy/t1244198.htm>.

[3] *Joint Statement Delivered by H.E. MA Zhaoxu on behalf of 140 countries on “Strengthen Human Rights Dialogue and Cooperation, Build a Community of Shared Future for Human Beings” at the 36th Session of the Human Rights Council,* 16 September, 2017, published on the website of the Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland. <http://www.china-un.ch/chn/hyyfy/t1493650.htm>.

[4] *Statement by the Chinese Delegation at the Biennial Panel on Unilateral Coercive Measures at the 30th UN Human Rights Council.* (2015, September 17). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyyfy/t1305283.htm>.

human rights of its own people and needs external help, the international community should provide constructive assistance and support. In the process, the national conditions and actual needs of the country concerned should be respected with a full consultation to ensure the effectiveness of assistance. Politicizing human rights issues in the name of technical assistance and capacity building is not in line with the principle of constructive dialogue and cooperation of the Human Rights Council and would not contribute to the actual improvement of the human rights situation in the countries concerned.”<sup>[1]</sup>

From 2006 to 2018, the Human Rights Council adopted without a vote three resolutions on “regional arrangements for the promotion and protection of human rights in the Asian and Pacific region” and eleven resolutions on “promoting mutually beneficial cooperation in the field of human rights,” and voted to adopt Resolution 37/23 on “promoting mutually beneficial cooperation in the field of human rights” and seven resolutions on “human rights and international solidarity.” The UN General Assembly adopted twelve resolutions on “promotion (enhancement) of international cooperation in the field of human rights” without a vote and voted to adopt Resolution 61/166 on “the promotion of equitable and mutually respectful dialogue on human rights.”

In terms of unilateral coercive measures, the UN Human Rights Council voted to adopt six resolutions on “human rights and unilateral coercive measures” from 2006 to 2018. In the same period, the UN General Assembly voted to adopt twelve resolutions on “human rights and unilateral coercive measures.”

On March 23, 2021, the UN Human Rights Council adopted Resolution A/HRC/RES/46/5 on “the negative impact of unilateral coercive measures on the enjoyment of human rights.” It is concerned that any unilateral coercive measure imposed necessarily runs counter to some provisions of the International Bill of Human Rights and peremptory norms of customary international law and entails adverse consequences for the enjoyment of human rights by innocent people. It urges all States to stop adopting, maintaining, or implementing unilateral coercive measures not in accordance with international law, international humanitarian law, the UN Charter, and the norms and principles governing peaceful relations among States,

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[1] *Statement by the Chinese Delegation at the General Debate on Item 10 of the 31st Session of the UN Human Rights Council.* (2016, March 23). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <http://www.china-un.ch/chn/hyyfy/t1351691.htm>.

in particular those of a coercive nature with extraterritorial effects. These unilateral coercive measures create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights and other international human rights instruments, in particular the right of individuals and peoples to development. It urges States to resolve their differences through dialogue and peaceful means and to avoid the use of economic, political, or other measures to coerce another State with regard to the exercise of its sovereign rights.

On July 12, 2021, the UN Human Rights Council adopted Resolution A/HRC/RES/47/9 on the “enhancement of international cooperation in the field of human rights.” It is recognized that the enhancement of international cooperation and genuine dialogue contributes to the effective functioning of the international human rights system. It is also recognized that, in addition to their separate responsibilities to their individual societies, States have a collective responsibility to uphold the principles of human dignity, equality, and equity at the global level. It reaffirms the duty of States to cooperate and act in collaboration with the United Nations for the achievement of universal respect for and observance of human rights. It reiterates the important role that genuine human rights dialogue can play in the enhancement of cooperation in the field of human rights at the bilateral, regional, and international levels. It also emphasizes that human rights dialogue should be constructive and based on the principles of universality, indivisibility, objectivity, non-selectivity, non-politicization, mutual respect, and equal treatment, to facilitate mutual understanding and strengthen constructive cooperation through capacity-building and technical cooperation between States.

### VIII. Building a Fair, Just, Reasonable, and Inclusive Global Human Rights Governance System

In response to the politicization of human rights issues in the United Nations by Western countries to serve geopolitical needs, it is clarified in the Bangkok Declaration that countries should follow the principle of “the non-use of human rights as an instrument of political pressure” and there is “urgent need to democratize the United Nations system, eliminate selectivity and improve procedures and mechanisms in order to strengthen international cooperation based on principles of equality and mutual respect, and ensure a positive, balanced and

non-confrontational approach in addressing and realizing all aspects of human rights.” It is stressed in the Ministerial Declaration of the 2012 Meeting of the Ministers for Foreign Affairs of the Group of 77 that “the Ministers reaffirmed the right of the entire membership of the United Nations to pronounce on the administration of the Organization, including on its budgetary matters and the need for a continuous interaction and dialogue between the Secretariat and the General Assembly aimed at fostering a positive environment for the negotiations, the decision-making process and the implementation of the reform measures.” It is emphasized in the Final Document of the 2016 Summit of Heads of State and Government of the Non-Aligned Movement that the Heads of State and Government “oppose and condemn selectivity and double standards in the promotion and protection of human rights as well as all attempts to exploit or use human rights as an instrument for political purposes” and “the exploitation and the use of human rights as an instrument for political purposes, including selective targeting of individual Countries for extraneous considerations, which is contrary to the Founding Principles of the Movement and the UN Charter, should be prohibited.” It is reaffirmed that “the United Nations High Commissioner for Human Rights should discharge his duties on the basis of impartiality” and it is necessary “to preserve the mechanism of Universal Periodic Review of the Human Rights Council from politicization and double standards, and to prevent its misuse and manipulation to preserve the cooperative approach in the Human Rights Council. The Heads of State and Government expressed concern at “the non-representation and under-representation of Non-Aligned Countries in the staffing of the Office of the High Commissioner for Human Rights (OHCHR), membership of the treaty bodies as well as special procedures of the HRC” and stressed “the need for ensuring the adequate representation of NAM countries in such bodies and procedures on the basis of the principle of equitable geographical distribution.”<sup>[1]</sup>

China opposes “human rights politicization and ‘double standards’.”<sup>[2]</sup> “China proposes to build a new type of international relationship featuring mutual respect, fairness, justice and win-win cooperation, to build a community with a shared future

[1] *17th Summit of Heads of State and Government of the Non-Aligned Movement, Final Document*. (2016, September 17-18). Retrieved from [http://cns.miis.edu/nam/documents/Official\\_Document/XVII-NAM-Summit-Final-Outcome-Document-ENG.pdf](http://cns.miis.edu/nam/documents/Official_Document/XVII-NAM-Summit-Final-Outcome-Document-ENG.pdf).

[2] *National Human Rights Report* (p.3) Submitted by China to UN Human Rights Council. (2018, December 5). A/HRC/WG.6/31/CHN/1.

for mankind.”<sup>[1]</sup> “China is committed to promoting the resolution of human rights issues in a fair, objective and non-selective manner by the international community.”<sup>[2]</sup> According to the Chinese delegation, “the UN human rights mechanism should carry out its work in an objective and unbiased way and avoid making subjective and unsubstantiated comments.”<sup>[3]</sup> China actively advocates increasing the representation of developing countries in international human rights bodies and points out that “with developing countries taking up 80% of the global population, their efforts at human rights development matter a great deal to the international cause. Developing countries should be given stronger representation and a greater say in the international human rights governance system. In carrying out international human rights cooperation, the will of developing countries needs to be fully respected and heeded.”<sup>[4]</sup> In terms of the Universal Periodic Review, the Chinese delegation pointed out that “the review work should help the country concerned to implement the recommendations it accepts...The recommendations proposed during the review process should consider the national conditions of the country concerned. Meanwhile, constructive assistance should be provided for the countries concerned during the implementation of the suggestions accepted.”<sup>[5]</sup> In terms of the special mechanism, the Chinese delegation held that “members of the special rapporteur, as experts of the UN, should conform to the purposes and principles of the UN Charter in their behavior. They should respect the sovereignty and territorial integrity of countries

[1] *National Human Rights Report* (p.3) Submitted by China to UN Human Rights Council. (2018, December 5). A/HRC/WG.6/31/CHN/1.

[2] *National Human Rights Report* (p.4) Submitted by China to UN Human Rights Council. (2008, December 5). A/HRC/WG.6/4/CHN/1.

[3] *Joint Statement of Ambassador Ma Zhaoxu at the High-level Symposium Commemorating the 10th Anniversary of the Human Rights Council at the 32nd Session of the Human Rights Council: Promote and Protect Universally Recognized Human Rights through Strengthening Dialogue and Cooperation*. (2016, June 14). *The Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland*. Retrieved from <http://www.china-un.ch/chn/hyyfy/t1371850.htm>.

[4] *Win-Win Cooperation for the Common Cause of Human Rights—Statement by Ambassador Yu Jianhua in the General Debate at the High-level Meeting during the 37th Session of the Human Rights Council*. (2018, March 1). *The Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland*. Retrieved from [www.fmprc.gov.cn/ce/cegv/chn/hyyfy/t1538414.htm](http://www.fmprc.gov.cn/ce/cegv/chn/hyyfy/t1538414.htm).

[5] *Statement by the Chinese delegation under the General Debate of Agenda Item 6 “Universal Periodic Review” of the 25th Session of the UN Human Rights Council*. (2014, March 21). *The Permanent Mission of the People's Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland*. Retrieved from <http://www.china-un.ch/chn/hyyfy/t1168017.htm>.

and work under the Code of Conduct of the Special Rapporteur and the authorization of the Human Rights Council in a fair, objective and non-selective manner. They should adopt reliable information and abandon public pressure to engage in dialogue and cooperation with governments in a constructive manner.”<sup>[1]</sup> For the cooperation of the UN High Commissioner for Human Rights and its office with member states, the Chinese delegation stressed that “the OHCHR should demonstrate the sincerity for cooperation and the respect for countries when requesting cooperation from member states.”<sup>[2]</sup> China urges the OHCHR to abide by the principles of objectivity and impartiality and stop lecturing others, making arbitrary comments on the human rights situation of other countries based on unsubstantiated information, and imposing their own ideas and propositions on member states.

From 2006 to 2018, the United Nations Human Rights Council voted to adopt two resolutions on the “promotion of a democratic and equitable international order” (resolutions 8/5 and 25/15). In the same period, the UN General Assembly had voted to adopt twelve resolutions on the “promotion of a democratic and equitable international order” and six resolutions on “equitable geographical distribution of the membership of the human rights treaty bodies.” Meanwhile, it adopted without a vote four resolutions on “strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity.” On October 8, 2021, the 48th session of the UN Human Rights Council adopted Resolution A/HRC/RES/48/8 on the “promotion of a democratic and equitable international order.” It reaffirms that everyone is entitled to a democratic and equitable international order that fosters the full realization of all human rights for all, the right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity, and cooperation among all States. And it emphasizes the principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system. It is highlighted that the responsibility for

[1] *Statement by the Chinese Delegation at the General Debate on Item 5 of the 38th Session of the UN Human Rights Council.* (2018, June 27). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <https://www.fmprc.gov.cn/ce/cegv/chn/hyyfy/t1579251.htm>.

[2] *Statement by the Chinese Delegation During the Dialogue with the High Commissioner for Human Rights at the 38th Session of the UN Human Rights Council.* (2018, July 22). *The Permanent Mission of the People’s Republic of China to the United Nations Office at Geneva and Other International Organizations in Switzerland.* Retrieved from <https://www.fmprc.gov.cn/ce/cegv/chn/hyyfy/t1579242.htm>.

managing worldwide economic and social issues and threats to international peace and security must be shared among the nations of the world and should be exercised multilaterally. It stresses the importance of preserving the rich and diverse nature of the international community of nations and peoples, and of respect for national and regional particularities and various historical, cultural, and religious backgrounds, in the enhancement of international cooperation in the field of human rights. There is an urgent need to build an international order based on inclusion, justice, equality and equity, human dignity and mutual understanding, and the promotion of and respect for cultural diversity and universal human rights. It is also needed to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia, and related intolerance, as well as on hate speech and supremacist ideologies.

Moreover, facing the threat of ecological deterioration to human existence, the new challenges to the realization of human rights from risk society, and the new human rights issues arising from the digital age, developing countries require the international community to face up to them and have put forward a series of new propositions in global human rights governance.

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## People-centered: the Philosophy, Institution and Practice

Jiang Xiheng  
China

2021 marks the 100th anniversary of the founding of the Communist Party of China. Throughout the past centenary, the party has unified and led the Chinese people in fighting for the country's independence and the ownership of the Chinese people. The CPC has created twin unparalleled miracles of great strides in economic development and long-term social stability. It has also realized the first centenary goal of building a moderately prosperous society in all respects and providing a historic resolution to the problem of absolute poverty in China. Under the Party's leadership, China has blazed a development path with Chinese characteristics that fully safeguards the people's rights to subsistence and development. These achievements are deeply intertwined with the Party's continuous efforts to enshrine the core values of "putting people first" and to assimilate all the achievements of human civilization. It also goes indissociable with the Party's creative integration of the "people-centered" value into institutional design and actual practice. Likewise, the same core value of "putting people first" and "people-centered" is deeply rooted in the philosophy, institution, and practice of the Chinese human rights cause, offering full protection to the people's rights to subsistence and development.

To start with, the fundamental value of China's economic and social development lies in the philosophy of development for the people and by the people.

Since its founding, the Communist Party of China has strived to fulfill the fundamental purpose of serving the people wholeheartedly and has stayed true to the original aspiration and mission to seek happiness for the Chinese people and rejuvenation of the Chinese nation. Gathering the Chinese people under its leadership, the Party has worked unflinchingly for national independence, the liberation of the people, and the realization of national prosperity and the people's well-being.



The “people-centered” philosophy of development is a constant thread through the whole process of the Party’s history and its leadership in all fields of the social and economic development of China.

The “people-centered” philosophy of development—for the people, by the people, its fruits shared by the people—not only sets a goal but also constantly generates a strong impetus for development.

Since the 18th CPC National Congress, the Party, in response to the changing historical conditions, has focused on better addressing the people’s growing economic, political, cultural, social, and ecological demands. This is to realize the all-round development of the person and comprehensive progress of the society and to achieve a development that is of a higher level of quality, efficiency, equity, sustainability, and security.

Next, the system of socialism with Chinese characteristics provides full institutional safeguards for the “people-centered” notion of human rights.

The new form of civilization upheld in China highlights coordinated progress in material, political, cultural, social, and ecological terms. It is based on a series of institutions that are both entrenched in the rich Chinese culture and in accord with the common values of human beings. Such a new form of civilization has attained a higher level of civilization than that of the West in many aspects. In terms of political civilization, many ancient thinkers, both in the East and the West, saw the essence of democracy as popular sovereignty and the people’s ownership. However, since the 19th century, a new Western notion of democracy emerged where democracy is simplified as competitive elections within a representative system, showing deviation from the core of democracy. The democracy implemented in China is a whole-process democracy. To ensure the representatives are grassroots-based and not mainly from the elite, representatives to the National People’s Congress and the local people’s congresses of various levels shall comprise predominantly of workers, farmers, intellectuals, and grassroots officials. Besides democratic elections, there exist in China many other ways for the people to participate in the government’s daily decision-making and administration, as well as many channels for the people to directly convey their voices to the government and the Party, showing a broader and more comprehensive democracy than that of the West. Furthermore, China attaches priority to the rights to subsistence and development, turning China into one of the countries that have achieved the fastest improvement in human rights conditions with

world-leading human rights development levels. The Chinese people enjoy a strong sense of happiness, gain, and security.

The level of democracy and human rights must be evaluated from the prospect of its people's satisfaction. In a report themed "Understanding CCP Resilience: Surveying Chinese Public Opinion Through Time," published by the Ash Center for Democratic Governance and Innovation of the Harvard Kennedy School, three researchers interviewed over 30,000 Chinese citizens in urban and rural areas via eight surveys conducted from 2003 to 2016. The report draws a conclusion that since the start of the survey in 2003, Chinese citizens' satisfaction with the government has increased virtually across the board. Residents in poorer, inland regions are comparatively more likely to report increases in satisfaction. The survey results in 2016 record an impressively high score of satisfaction: 93.1% of the sampled reported they are satisfied with the central government.

Lastly, China puts the "people-centered" human rights notion into actual practice.

A country's human rights status shall be observed not only from its institution but also from its practice. As a developing country with 1.4 billion population, it is a massive achievement for China to have eradicated absolute poverty and have established the world's largest social security system. Statistics from 2020 show that over 1.3 billion Chinese people are covered with basic health care insurance, whilst nearly 1 billion are covered with basic pensions. Education-wise, the entire schooling population is provided with nine-year compulsory education.

During China's anti-COVID battle, the CPC and the Chinese government put the lives, security, and health of the people first, spare no effort to treat every patient, and undertake strict prevention and control measures at the cost of short-term economic growth. Through these efforts, the CPC and the Chinese government managed to curb the spread of the COVID-19 epidemic and successfully coordinated virus control and economic and social development.

Having great empathy with people of other countries whose right to subsistence are threatened by the pandemic, China has done all it can to provide humanitarian aid. It has launched the largest global humanitarian project since the founding of the PRC. China has provided the international community with personal protective supplies and offered vaccines as a global public product. The Chinese COVID-19 vaccines were the first batch of vaccines received by many developing countries

and the only available source of vaccines for those countries for a long time. By November 25, 2021, China has provided over 1.8 billion doses of vaccines to over 110 countries and international organizations across the world. China has become the world's largest provider of COVID-19 vaccines. The majority of the vaccines received by developing countries come from China. China has also entered co-production agreements with 19 developing countries to tackle the supply shortage in developing countries.

China's practice of human rights is structured surrounding the core of protecting the rights to subsistence and development. It also protects the fundamental interests of the Chinese people and facilitates the advancement of the fundamental interests of people of other countries. It shows our deeds are consistent with our words and that our human rights cause is genuine and reliable. At the end of my speech, I would like to point out that China has given its own answer to the long-pursued cause of human rights, which is to apply the "putting people first" and "people-centered" philosophy in the notion, institution, practice of human rights, and the south-south cooperation in this field.

(Jiang Xiheng, Vice President of Center for International Knowledge of Development)

# Anti-Poverty Efforts and Realization of the Right to Development

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Uganda

## I. Introduction

Development is a comprehensive economic, social, cultural, and political process, which aims at the constant improvement of the well-being of the entire population. Human development is therefore essential for realizing real human rights and human development. The 1986 UN Declaration on the Right to Development provides important guidance in linking norms, processes, and implementation by addressing development as a comprehensive economic, social, and political process. The right to development has been reaffirmed as an inalienable human right in numerous General Assembly resolutions, particularly since the 1993 World Conference on Human Rights. The right to development identifies the human person at the center of development efforts. It is also a comprehensive human right, which can play an irreplaceable role in eradicating poverty everywhere in all its forms and dimensions.

Sustainable development and human rights are inter-dependent and mutually reinforcing. Failure to respect and fulfill human rights creates a fertile ground for failed development. The right to development adheres to the ideas of a people-centered development, which includes equality of opportunity, active participation, self-determination, individual and collective responsibility for development, as well as state's obligations. The human rights framework provides a shared and certainly not universal vision of what development ought to strive for. This vision is based upon underlying values such as respect for human dignity, discipline, honesty, respectability, understanding, and responsibility.

## II. Poverty and Human Rights

Human rights when defined in the context of the right to development can be

pro-poor and focus attention on the underlying causes of poverty and the need to address persistent structural inequities in societies. Eradicating poverty is the greatest global challenge and an indispensable requirement for sustainable development. In addressing the issue of human rights and the poor, the Vienna Declaration and Programme of Action of the 1993 World Conference recognized that poverty is a brutal denial of human rights and that a guarantee of human dignity requires the eradication of human poverty and social exclusion. It was also noted that the persistence of poverty and violation of human rights was due to the poor lacking a voice and their exclusion from participation, as well as their lack of access to resources.

It is a fact that poverty degrades the human “dignity and worth” of a person. Addressing poverty from a human rights lens therefore begins, with accepting that all people are entitled to dignity at birth by virtue of being human. A Human Rights-Based Approach to Development (HRBA) requires recognizing each individual as a subject of rights and responsibilities on one hand, and the duties and obligations of the State to fulfill the rights on the other. Regrettably the word “poverty” or “the poor” is not mentioned in any text of the core human rights legal documents (e.g. the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, or the Convention on the Rights of the Child). Yet the ultimate goal of sincere human rights should be a society free from poverty.

The rights that the poor people should enjoy include a decent standard of living, adequate health, education, food, clothing, housing, medical care, and other necessary social services. But it is often the opposite in reality. Poverty also breeds powerlessness, marginalization, and exclusion. The poor tend to be excluded from participation in the development or decision-making processes, which directly affect them. The majority of the poor are also illiterate, which also prevents them from accessing information or exercising their civil and political rights. They also have challenges in accessing justice, which explains the fact that they tend to form the highest percentage of convicted of crimes.

### III. Policies to Alleviate Poverty

In most developing countries, urban poverty is a consequence, at least partly, of rural poverty. Rural emigration, motivated by a lack of economic opportunities in the countryside, creates urban poverty because cities cannot employ all the newcomers,

nor expand infrastructure and services fast enough to cover their needs. In many countries, a number of Anti-poverty programs have over the years been initiated with little or no success. However, even though economic growth is necessary and important, it is not sufficient to alleviate poverty on its own. Other redistributive measures should be combined with growth.

There has been a general lack of participation of the poor at various levels of anti-poverty programs, e.g. in the formulation and implementation of programs, as well as in monitoring and evaluation of program approaches. Anti-poverty programs often fail to define the target group of the poor properly. Using wrong statistical data or methods to project income distribution has led to wrong assumptions at the very start of programs intended to fight or alleviate poverty. The implementation of anti-poverty programs has to be well thought through to make proper use of program resources, permit genuine participation of the poor, and enable the targeted population to benefit from them in a sustainable manner. Thorough analysis and evaluation of past anti-poverty programs have to be made to determine what programs worked, as well as to identify their constraints, limitations, and problems. It is also important for countries to conduct participatory research (bottom-up) as a prerequisite for the development of strategies for successful anti-poverty programs. This would assure the meaningful involvement of the poor in programs, which directly affect their lives.

#### IV. What Should be Done?

Human rights principles and standards should be viewed as the basis of development goals that are backed by state obligations. The HRBA places the poor and the especially disadvantaged at the center of the development process to ensure their participation and to ensure respect for their rights. Poverty strategies should target individuals and groups that are socially excluded, marginalized, vulnerable, and disadvantaged. As we aspire to achieve the goal of eradicating poverty set by the UN 2030 Agenda for Sustainable Development, it is necessary to make innovations in the ideas, systems, and action plans from the perspective of integrating poverty reduction, human rights, and development.

If injustices and discrimination in society are the main reasons for poverty, then as an effective operational mechanism, we could consider the human rights-based approach—with modifications. The human rights-based approach to poverty

reduction espouses the principles of universality and indivisibility, empowerment and transparency, accountability and participation. It addresses the multi-dimensional nature of poverty beyond the lack of income. Integrating human rights in poverty reduction strategies does not change so much “what” is to be done as to “how” and “why” activities are undertaken. In view of this, poverty eradication strategies should consider the following aspects:

### 1. Infrastructure Development

Long-term investments, e.g. in infrastructure, education, and health services, are important to ensure economic growth and better living conditions for all people and, thus, sustainable poverty eradication. Improvements in schools and provision of preventive and basic health services improve the quality of life and diminish the incentives for rural families to migrate to the cities. Access to better education also increases the chances for poor children to overcome poverty as adults. Access to these services without cost or at a nominal cost not only improves their quality of life, but also increases their capacity to obtain income through their work.

Investments in infrastructure such as roads, electricity, drinking water, and irrigation also reduce transaction costs in marketing and provide an incentive for the development of agro-industry, processing plants, commerce, etc. In addition, they improve the quality of life of the poor. Local organizations can help design infrastructure that benefits the poor and satisfies specific social needs.

### 2. Short-term Interventions

Short-term interventions (such as food aid) where applicable are also necessary, particularly to offset the negative impact of droughts, floods, and other natural or man-made calamities. However, it is extremely important not to create dependencies on external aid as has happened in some cases in the past.

### 3. Access to Land for the Poor

Land ownership as a factor of production should be a preserve of the State. This eliminates landlessness. Access to land and other natural resources, as well as to credit and employment opportunities, are mandatory for achieving poverty eradication. Improvements in land distribution can also be achieved by initiatives such as credit schemes that enable the landless or near-landless to have land and progressive taxation to induce land sales when farm size reaches a certain point.

### 4. Purposeful Targeting

Poverty eradication programs have to be designed for specifically targeted

disadvantaged groups, such as ethnic minorities, the landless, the urban poor, the unemployed, and women. In addition to educational and health services, resources should be transferred directly to those who cannot meet their basic needs because of their conditions (sick, old, invalid, victims of natural disasters, etc.) through specific subsidies or security nets. Poverty not only results from being landless or unemployed, but it is often associated with the ownership or possession of farms of insufficient size. Thus, policies aimed at consolidating small plots to form larger ones should be part of the anti-poverty strategy.

#### 5. Non-discriminatory Macroeconomic Policies

Macroeconomic policies that need to be improved include the management of the exchange rate (overvalued currencies have a negative impact on the agricultural sector and hurt small and medium farmers who produce exports or import substitutes); policies that influence the choice of technology (incentives that favor the use of saving technology can cause unemployment and greater poverty); and patterns of allocation of public spending that favor urban areas at the expense of the rural sector.

#### 6. Access to Credit and Extension Services

A development policy compatible with poverty reduction must increase the access of the poor to credit, infrastructure, extension services, productive inputs, and technology that is appropriate for small-scale production. Since the poor tend to engage in agricultural and non-agricultural activities, credit schemes and extension services should be aimed at both. Credit programs for collectives of poor people should receive special attention because they have lower cost and risk and therefore can contribute to the sustainability of the programs and increase the access of the poor to credit.

#### 7. Creation of Employment Opportunities

Economic growth creates employment, but jobs do not necessarily expand at the same rate as growth. If, for example, agricultural growth was based on the introduction of labor saving technology, the number of jobs would expand more slowly. Similarly, if agricultural growth occurs primarily in subsectors with a low capacity to absorb, its impact on employment creation (and thus poverty reduction) would diminish.

A key strategy to promote employment creation in the rural sector is to support small and medium enterprises that operate in rural areas (agricultural, agro-industrial,



and others) because they have the greatest potential to generate employment. Thus, an economic environment conducive to the development of these productive units should be a central component of an anti-poverty strategy. Such an environment requires supportive macroeconomic policies and access to credit at reasonable interest rates. Small and medium firms (in the urban and rural sectors) can be especially vulnerable during the transition towards a more open economy. They are more likely to survive the transition if it occurs in a gradual manner and if their needs are considered when formulating economic and trade policies.

### 8. New Patterns of Public Expenditure

For the world to have anti-poverty efforts in the context of the right to development, a series of complementary measures must economic growth strategies should be pro-poor, budgets should adequately support priority human concerns, political spaces should be expanded to ensure appropriate participation, environmental resources and social capital of poor communities should be protected, all forms of discrimination should be removed, and human rights should be secured in law.

At the same time, financing public services compatible with a strategy of poverty reduction requires the reallocation of resources according to different priorities. The main beneficiaries of public expenditure should be medium and small enterprises or farmers, while social services (health, education, nutrition, etc.) should target the poorest of the poor. Geographic targeting can be accomplished through instruments that are increasingly available in developing countries (for example, poverty maps) and are particularly useful for the provision of basic services where they are most needed.

### 9. Tax Incentives

Tax incentives can be an effective way to induce industries to locate in rural settings. Investments in infrastructure (roads, electricity, drinking water, irrigation) can not only improve the quality of life in the rural sector but also reduce transaction costs in marketing and provide an incentive for the development of agro-industry, processing plants, commerce, etc. The rich also have the obligation to contribute to the goal of poverty eradication. Taxation of the rich should be considered as one of the ways to accumulate the needed financial resources.

### 10. Institutional Reform

If public institutions that operate in a country are weak, fragmented, unstable,

and inefficient, as they are today in most developing countries, a significant proportion of public spending on development is likely to be wasted and the efforts to combat poverty will be ineffective. A successful strategy to alleviate poverty requires decentralization and participation of the poor and the organizations (collectives) that represent them.

## V. Conclusion

It is important to note that the full realization of human rights is closely synonymous with the eradication of poverty by itself. It is just an essential condition for the people living in poverty to fully realize their rights and freedom. It is disingenuous to discuss human rights without concretely tackling poverty, just like it is insincere to claim to be concerned more about civil and political rights, or economic, social and cultural rights without tackling development.

Poverty eradication should be guided by the value of the right to development. In addition, we should consider discipline, responsibilities and obligations, financial education, awareness, innovation, and non-discrimination. This means that poverty eradication should be primarily oriented on the right to development.

There is a need for states to establish comprehensive knowledge-sharing platforms as well as innovative collaborative mechanisms on poverty eradication based on the right to development and a context-specific HRBA. Therefore, in addition to ensuring the participation of those who would otherwise be excluded from the development process, the right to development calls for assessing the measures and extent a State has undertaken to eradicate poverty.

(Crispin Kaheru, Honorable Commissioner of Human Rights Commission of Uganda)

# The People-First Personal Information Protection with Chinese Characteristics: A Global Human Rights Governance Perspective

Luo Lan  
China

## I. Introduction

Data flows and trades have driven a full range of social changes and also caused a series of practical problems such as data leakage and privacy violation, internet fraud and identity theft, challenges of technological development and cross-border flows, black market transaction and data abuse, and the conflict between rights protection and open sharing. These problems have caused profound changes in the relationship between humanity and technology, for example, dignity and interest, personality and property, spirit and rationality, reputation and trust, autonomy and control. An absence of reflection on or exploration of these changing relationships will lead to increased risks and costs in terms of politics, economics, administration, legislation, and ethics. In particular, it will worsen the environment for industrial development in the era of big data, and result in violations of the inherent dignity, freedoms, and rights of individuals.

Human rights abuses committed by fascists during World War II led to the issue of human rights protection, which became an international matter after the war. The most important milestone is the Universal Declaration of Human Rights adopted by the United Nations General Assembly on December 10, 1948, which recognized the right to privacy as a fundamental human right. As defined in Article 12 of the Universal Declaration of Human Rights: “No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.” In the International Covenant on Civil and Political Rights adopted by the UN General Assembly in 1966, Article 17 states: “1. No one

shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation. 2. Everyone has the right to the protection of the law against such interference or attacks.” In addition, some regional human rights conventions also provide for the protection of privacy. For example, Article 8 of the European Convention on Human Rights states “everyone has the right to respect for his private and family life, his home and his correspondence.”

As a basic human right, the right to privacy is a personality right of citizens to have their private life and private information protected in accordance with the law and not be unlawfully intruded upon, pried into, collected, used, and disclosed by others. The right to privacy gives right holders the right to control their private life, including the right to prevent others from stealing personal privacy, and the right to decide whether to disclose their privacy to others and the scope of the disclosure. The common types of the right to privacy include the right to freedom of personal life, the right to the confidentiality of information, the right to the confidentiality of private communications, and the right to personal privacy use. The right to privacy is categorized as an important personality right, according to relevant provisions in the Constitution of the People’s Republic of China (2018 Amendment), the Criminal Law of the People’s Republic of China (2019 Amendment), and the Civil Code of the People’s Republic of China (2020).

Only when citizens’ personal information is effectively protected can their right to privacy be protected, in particular, the human rights of disadvantaged individuals, including children. According to the Personal Information Protection Law of the People’s Republic of China, personal information is classified into sensitive and non-sensitive personal information. Sensitive personal information refers to “personal information that once leaked or illegally used, may easily lead to the infringement of the personal dignity of a natural person or may endanger his personal safety or property, including information such as biometrics, religious belief, specific identity, medical health status, financial accounts, and the person’s whereabouts, as well as the personal information of a minor under the age of 14 years.” Sensitive information is very important for protecting natural persons’ personal and property security and their inherent dignity. Therefore, there are very strict requirements for processors of such information. According to Chapter VI (Rights to Privacy and Protection of Personal Information) of Book Four (Personality Rights) of the Civil Code of

the People's Republic of China, personal information is classified into private and non-private personal information; and the provisions on the right to privacy shall be applied to the private personal information. All sensitive personal information and private personal information are protected by the law as fundamental rights of citizens.

## II. Personal Information Protection Requiring True Multilateral Practice

Personal information protection is a common cause for all nations around the world. The right to privacy is a fundamental human right, but there is not a single universal scheme for personal information protection that suits all nations. These nations have their own particular national conditions and are at various stages of economic growth, while their people are also faced with different pressing issues. Hence, on the premise of following the basic principles, personal information protection should reflect local conditions rather than serving as a single universal global model. A nation should not be subject to other countries' and regions' rules on personal information protection. From 2000 to 2010, a total of 40 countries enacted personal information protection laws, twice as many as in the previous 10 years; from 2010 up to 2021, there are more than 120 countries engaged in some form of personal information protection legislation. More than 200 countries are expected to have personal information protection laws by 2029.

The legalization process of personal information protection in China began with the Law of the People's Republic of China on Resident Identity Cards adopted in 2003, which states: "The citizen's identity number is the sole and inalterable permanent identity code of a citizen, which is designed by the public security organ according to the national standard for citizens' identity numbers." The information on a resident identity card includes name, gender, ethnicity, date of birth, address of permanent residence, citizen's identity number, the bearer's photograph, fingerprint, term of validity of the card, and the issuing authority, which involves sensitive personal information. The law makes detailed provisions for the use and protection of personal identity information. For example, anyone who commits any acts such as using another person's resident identity card as their own, or buying, selling, or using falsely made or forged resident identity cards, shall face criminal investigations by the public security organ. China adopts strict criminal legislation for the protection

of personal information. Meanwhile, almost all the laws and regulations on public affairs management in China have provisions for the protection of citizen identity information. The core of these regulations is about confidentiality, protecting personally identifiable information from being disclosed. In 2009, China again amended its criminal legislation to prohibit two acts: selling or providing citizens' personal information to others; and stealing or otherwise illegally obtaining a citizen's personal information.

The EU's legislation for the protection of personal information can be traced back to the Data Protection Act enacted by the German state of Hesse in 1970. Since then, data protection legislation has been widely introduced in many countries, such as Sweden (1973), France (1978), Norway (1978), Finland (1987), West Germany (1978), Austria (1978), Iceland (1981), Ireland (1988), Portugal (1991), Belgium (1992). Enacted in May 2018, the General Data Protection Regulation (GDPR) is the EU's overall legislation on personal information protection, referencing the principles of the ETS No. 108, that is, the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data.

Globally, the digital economy has become a new engine for the growth of global trade. Since the financial crisis of 2008, economic globalization has encountered setbacks, suffering from increasing protectionism and unilateralism and the flattening of global trade growth. Digital trade has become a key driver of trade growth. Given the current trends of economic globalization and digitalization, cross-border data flows become on a large scale inevitable. Many countries have established rules for cross-border data flows by adopting national legislation and ratifying international treaties. The digital economy of high-income developed countries accounts for over 75% of the global total, about three times that of developing countries. In particular, with the advantageous steady post-COVID-19 growth, China's digital economy ranks second in the world. The Personal Information Protection Law of the People's Republic of China was adopted by the 30th session of the Standing Committee of the 13th National People's Congress, and came into effect on November 1, 2021. The law follows Xi Jinping Thought on the Rule of Law and shows China's commitment to a people-centered philosophy. Meanwhile, the law has also integrated the experience and wisdom of building socialism with Chinese characteristics. This marks a further improvement of the basic rules system for the protection and use of personal information in the era of the digital economy in China.

### III. Developing Countries Actively Participating in Personal Information Protection

Adopted at the 32nd Session of the UN Human Rights Committee in 1988, General Comment No. 16: Article 17 (Right to Privacy) “provides for the right of every person to be protected against arbitrary or unlawful interference with his privacy, family, home or correspondence as well as against unlawful attacks on his honour and reputation.” In the view of the Committee, this right is required to be guaranteed against all such interferences and attacks whether they emanate from State authorities or from natural or legal persons. The obligations imposed by this article require the States to adopt legislative and other measures to give effect to the prohibition against such interferences and attacks as well as to the protection of this right.

The gathering and holding of personal information on computers, data banks, and other devices, whether by public authorities or private individuals or bodies, must be regulated by law. Effective measures have to be taken by States to ensure that information concerning a person’s private life does not reach the hands of persons who are not authorized by law to receive, process, and use it and is never used for illegal purposes. To have the most effective protection of one’s private life, every individual should have the right to ascertain in an intelligible form, whether, and if so, what personal data is stored in automatic data files, and for what purposes. Every individual should also be able to ascertain which public authorities or private individuals or bodies control or may control their files. If such files contain incorrect personal data or have been collected or processed contrary to the provisions of the law, every individual should have the right to request rectification or elimination. China is actively participating in personal information protection. The Personal Information Protection Law of the People’s Republic of China puts forward stringent requirements for regulating personal information to protect the rights of data subjects.

After the PRISM scandal in 2013, Russia started the legislative process of amending the Russian Federal Law on Personal Data implemented in 2006, strengthening the regulation on cross-border data flows. Moreover, a number of decrees were issued to establish the rules for data localization.

The Malaysia Personal Data Protection Act 2010 was introduced to regulate the collection, storage, processing, or use of personal information by data users. The Act incorporates seven principles, which include the general principle of personal data

protection and the principles of notice and choice, disclosure, security, retention, data integrity, and access.

Brazil passed the General Personal Data Protection Law (LGPD) in August 2018, which sets out detailed rules on the collection, use, processing, and storage of personal data. The LGPD applies to all private and public entities from all sectors of the economy, regardless of whether the personal data is processed by digital or physical means.

Egypt's government issued the Egyptian Personal Data Protection Law (Law No. 151/2020) on July 15, 2020, which is the country's first legislation on personal data protection. This law applies to any business that collects or processes the personal data of its employees, customers, or any other individuals.

Developing countries are latecomers in terms of informatization compared with Western countries. In the 1990s, developing countries began to develop information technology, but with limited judicial resources invested in network security and personal information protection due to the restrictions on economic and social conditions. In the 21st century, with the rapid growth of the digital economy, information technology has been widely applied in various fields. However, at the same time, security issues of the network and personal information have become more and more prominent, attracting increasing attention of the governments and people in developing countries. These countries have introduced relevant laws to protect personal privacy and personal information and prohibit violations by any organization or individual.

#### IV. Conclusions and Recommendations

With regard to human rights governance, developing countries need to follow a path suitable for their own development in light of their specific national conditions. As for personal information protection, developing countries need to respect the will of their own people and solve practical problems based on the stage of development. The US has strongly advocated "data globalization," promoting the free flow of data on a global scale and reduction of barriers as much as possible. However, it is worth noting that the US has imposed obvious "double standards" on domestic and foreign companies in terms of information collection. According to the USA PATRIOT Act, a US-based provider of remote electronic service and information communication service has direct access to records of domestic and



foreign communications, including audio and text, which may be disclosed to the US government. Nevertheless, the Clarifying Lawful Overseas Use of Data Act requires foreign entities to provide reasonable explanations while accessing data of US citizens, which is subject to review or oversight by a US court to process the data based on the principle of data minimization. It is evident that the US tries to maximize the collection of data from other countries for its own benefit and facilitate its own informatization while attempting to obstruct other countries from conducting cross-border information collection in the United States. Such “double standards” essentially embody the American hegemony.

The purpose of global human rights governance is to ensure that everyone has the right to be free to act however they wish in accordance with the law, that everyone has the right to have their private life protected and undisturbed, and that everyone should respect others and be respected by others. Full and effective protection of basic human rights is the premise of realizing freedom, security, and dignity. Only in this way can the world achieve harmony between individuals and society and achieve the goal of building a peaceful and stable society, where people will have greater energy to study and work and pursue a better life together.

(Luo Lan, PhD Candidate at Russian People’s Friendship University)

# The Cuban's Experience of the Right to Development

Mirthia Julia Brossard Oris  
Cuba

## I. Introduction

The right to development has emerged in the 70s along with other human rights of the third generation. This right, together with the right to peace, the right to a healthy environment, the right to enjoy the common heritage of humanity, or the right to humanitarian assistance, closes, for the moment, the process of evolution of human rights initiated with the French Revolution<sup>[1]</sup>.

After an arduous preparatory process, the United Nations General Assembly proclaimed in 1986 the Declaration on the Right to Development in its resolution 41/128, with a vote of 146 to 1 and 8 abstentions<sup>[2]</sup>.

In Article 1.1 of the Declaration on the Right to Development, it is established that: “1. The right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized. 2. The human right to development also implies the full realization of the right of peoples to self-determination, which includes, subject to the relevant provisions of both International Covenants on Human

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[1] The famous revolutionary proclamation “freedom, equality and fraternity” has led to the emergence of the so-called three generations of human rights. The term “generation,” although not liked by most of the doctrine, has settled in the general theory of human rights. If freedom gave rise, at first, to the emergence of civil and political rights, equality, on the other hand, served as an inspiring principle for the progressive recognition of economic, social and cultural rights in the late 19th century and the early 20th century. Finally, from the 70s, the fraternity in its modern meaning, solidarity, gave way to the struggle for the attempt to proclaim the rights of the third generation, a process that is still open at the same time.

[2] Vote against the US and abstentions of the Scandinavian countries (with the exception of Norway which voted in favor), Germany, Israel, Japan, and the United Kingdom also abstained. This divergence in positions was due to the international cooperation commitments implicit in the text of the declaration, despite its generality and vagueness in some articles.

Rights, the exercise of their inalienable right to full sovereignty over all their natural wealth and resources.”

Article 8 contains the content of this right to development, which includes the right to food, health, education, housing, employment, and fair distribution of income, and the eradication of all social injustices through appropriate economic and social reforms.

The right to development is an inalienable right (Art. 1) and all the aspects of the right to development set forth in the Declaration are indivisible and interdependent (Art. 9), since human rights are indivisible and interdependent (Art. 6).

Latin America is considered an underdeveloped region. Neoliberal policies based on the Washington Consensus are here to stay: reduction of the role of the state, privatizations (the role of the private sector), decrease in social spending, increase in the role of the market in the internal and external relations of each country, emphasis on free trade agreements (liberalization of economies), their opening to the exterior, macroeconomic policies sometimes reflected in structural adjustment programs, and abandoning concern for specifically social objectives, are some of the policies that have resulted in big social inequalities and increasing levels of poverty.<sup>[1]</sup>

## II. Cuba and the Right to Development

In the case of Cuba, since the triumph of the Cuban Revolution on January 1, 1959, the State has turned the welfare and development of its citizens into the central axis of its policy. The Cuban Revolution completely eradicated extreme poverty, hunger, and illiteracy, and Cuba is today a country with a human development index of 0.783.<sup>[2]</sup> It is considered high according to United Nations Development Programme (UNDP) standards, with a child mortality rate of 4.9 deaths per thousand born alive,<sup>[3]</sup> being one of the lowest in Latin America, and with a life expectancy of 79.7 according to the World Bank, similar to those of many industrialized nations.

For Cuba, the right to development as a human right is embodied in Article 1

[1] Aramayo, SR. (2015). The Right to Development in Latin America: Claiming a Legitimate Right of People. *Law Legal Magazine*. Retrieved from [http://www.scielo.org.bo/scielo.php?script=sci\\_arttext&pid=S2413-28102015000200006&lng=es&nrm=iso](http://www.scielo.org.bo/scielo.php?script=sci_arttext&pid=S2413-28102015000200006&lng=es&nrm=iso).

[2] UNDP. (2020). *Human Development Report 2019*. Retrieved from <http://hdr.undp.org/sites/default/files/hdr2020.pdf>.

[3] Statistics from Directorate of Medical Records and Statistics of the Ministry of Public Health. See <https://salud.msp.gob.cu/cuba-registro-una-tasa-mortalidad-infantil-de-49-en-un-ano-marcado-por-la-covid-19/>.

of the Magna Carta when it states: “Cuba is a socialist state of law and social justice, democratic, independent and sovereign, organized with all and for the good of all as unitary and indivisible republic, founded on the work, dignity, humanism and ethics of its citizens for the enjoyment of freedom, equity, equality, solidarity, welfare and individual and collective prosperity.”

The basic content of the right to development points to the closest possible link between development and human rights, and between development and the basic needs of the human being, says Gómez Isa. In essence, the Declaration on the Right to Development tries to promote a “development with a human face,” a development with different facets: In addition to the economic and traditional approaches to development, it tries to integrate the social, cultural and ecological aspects in all development process. The right to development is considered a synthesis right, a right that integrates all human rights, both nationally and internationally. Basically, the right to development seeks to reinforce and deepen the indivisibility and interdependence of all human rights.

The Declaration on the Right to Development expressly cites human rights violations as one of the main obstacles to the realization of the right to development. Article 6 in its 3rd paragraph claims that “States should take steps to eliminate obstacles to development resulting from failure to observe civil and political rights, as well as economic social and cultural rights.”

The main obstacle to Cuba’s development is the Commercial and Financial Economic Blockade imposed by the United States of America, which has extended for almost six decades. Sectors such as health, education, and sports and culture suffer annually the impact of the unilateral measure condemned by 189 countries within the United Nations, which seeks to suffocate the people of Cuba, as well as the overthrow of the government of the Greater Antilles.

During all these years, according to official data, the damages accumulated by the blockade have increased. Between April and December 2020, the blockade caused losses to Cuba in the order of 3586.9 million dollars, which, added to the effects of the previous period, amounts to a total of 9157.2 million dollars, from April 2019 to December 2020. The US government still maintains unremovable the 243 blockade measures imposed by the previous government, in the middle of the COVID-19 pandemic.

Nevertheless, Cuba has continued assuring the right to development for the

Cuban people. Also, Cuba has been turning into a country with a very high level of participation in cooperation programs, fundamentally in favor of other developing nations, which is known as “South-South cooperation.”

Historically, Cuba has raised its voice at the UN in defense of social justice, environmental protection, sustainable development, the fight against hunger and malnutrition, the right to food and food security, peace and nuclear disarmament, the need for a new international economic order, the rights of children and women, as well as the rights to food, health, and education.

Cuba became an active promoter of the principles of multilateralism, the preservation of peace, and respect for the sovereignty of all countries. Cuba actively participated in the elaboration of the Declaration on the Right to Development and also participated since its creation in the Working Group on the right to development. On behalf of the Non-Aligned Movement, Cuba has historically raised its voice to reaffirm the importance and centrality of the right to development in the mandate of the Human Rights Council. Cuba has defended that the right to development is a universal and inalienable right of individuals and peoples and that it should be a priority for all countries.

(Mirthia Julia Brossard Oris, Specialist of the Directorate of Multilateral Affairs of the Ministry of Foreign Affairs)

## Economic, Social and Cultural Rights of Citizens: Tanzania's Practice

Palamagamba John Kabudi  
Tanzania

The theme of the 2021 South-South Human Rights Forum, “Putting People First and Global Human Rights Governance,” resonates with our human rights policies and national development agenda vision 2025. I convey greetings from the government and the people of the United Republic of Tanzania, who are gathered with celebrations and preparations for 60 years of independence of mainland Tanzania, Tanganyika, the former German colony and later trusted territory of the United Nations and the British administration, which will come at tomorrow, December 9, 2021.

Therefore, as we celebrate the demise of the global imperialist and colonial government system of the past and the independence of our country, our focus is on a different type of regime, which is people-centered, rights-based, and duty-inspired. The promotion and protection of human rights, which was particularly exemplary through the Universal Declaration of Human Rights in 1948, has evolved into a tangible concept that fits permanently in national good governance regimes and has self-evolved into a global governance system.

The Universal Declaration of Human Rights firmly pledged civil and political rights at par with economic, social and cultural rights. The United Republic of Tanzania subscribes to this solicited approach to the promotion and protection of human rights. Indeed, our founding father, Julius Kambarage Nyerere, and his Party known as the Tanganyika African National Union, which foot for the independence of Tanganyika, used the Universal Declaration of Human Rights as the clarion call for the self-termination of Tanganyika. The government continues to work towards ensuring Tanzanians equally enjoy civil, political, economic, social and cultural

rights.

The challenge of the 1960s to 1980s in the realization of human rights in independent Africa led Africa to look and provide an African solution to the system of human rights. The human rights in the people's rights system moved to further expand the spectrum of rights with the adoption by the organization of African Unity, of the African Charter of Human and People's Rights in 1981. This comprehensive human rights treaty recognizes individual rights as well as people's common rights which are essential to every African society. Therefore, the African Charter is the progressive framework for the promotion and protection of both human and people's rights.

The promotion and protection of the economic, social and cultural rights is important in the United Republic of Tanzania, and it's the catalyst to the development of the people of Tanzania.

In 2020, Tanzania was listed as an integrated middle-income economy country by the World Bank, five years ahead of the time of meeting its objective as planned in the originally rolled-out vision 2025. This good feat was achieved through strategic social-economic interventions, such as anti-corruption, flight against imposed public funds, and tax compliance by squally addressing the problem of tax evasion. The rights to education, health, water, decent housing, and nutritional food are important to Tanzanians, as they are part of the economic, social and cultural rights. To achieve that, several interventions and enhanced basic services were adopted by Tanzania. For example, in terms of the right to health, the government provides essential services and increased the health facilities in locality from 7,618 in 2016 to 8,507 by July 2021. Further, access to clean and safe potable water has been a top priority and by July 2021 reached 72.3% coverage in rural areas and 86% coverage in urban areas. There has also been considerable investment in the rural area through the operation of a rural energy agency in 2007. As of 2020, Tanzania was the leading country in Africa achieving rural electrification coverage at 74%.The government of the Republic of Tanzania also fully respects civil and political rights. To this end, free and fair local government elections were held in 2019, followed by free and fair national elections in October 2020. Tanzania also continues to create a favorable environment to promote freedom of expression and access to

information by advocating media operations. As a result, there are currently 48 stations, out of which three are state-owned; 500 online TV stations and 217 newspaper and print publications, out of which two are state-owned.

As a nation, we underwent a trying period in 2021 with the entire demise of the former President of the United Republic of Tanzania, a highly respected leader. The nation was deeply engaged in grief. However, a solid constitution, with provisions that clearly explain the transition of power in such a situation and compliance with the principles of good governance, has enabled the smooth transition of power to Her Excellency Samia Suluhu Hassan, whose principal leadership has emboldened the resolve of Tanzanians in the realization of its development agenda.

We would like to re-emphasize that each country has the right to pursue a development model as a sovereign state, and the rights must be respected. Indeed, we are currently witnessing how the global development agenda is becoming a human rights-based approach to development as the universal claims of the sustainable goals are indeed human rights oriented. The Sustainable Development Goals (SDGs) are transformative, comprehensive, and inclusive. These principles can also be incorporated into Tanzania's national development plans as the country is currently implementing its third five-year development plan, focusing on realizing competitiveness and industrialization for human development.

The guiding norms and values for the third five-year development plan recognize the paramountcy of national unity and social cohesion, rule of law, human rights, equitable society, and peace and security as part of the designs for sustainable and inclusive social economic development.

Most recently Tanzania has been incorporated in the South-South Human Rights Forum since its first meeting in 2017. The Forum is an important platform to promote the development and human rights of developing countries. It is a unique forum and through this countries' specific challenges will also share many commonalities. It is through international and regional cooperation underpinned by commonalities, such as the SDGs, the objective to leave no one behind, and the African Union's Agenda 2063 to develop Africa, that we can focus our commonalities. We are of the same



opinion that we need to encourage similar concepts and mechanisms in our South-South outlook toward human rights and development.

We are indeed honored to address the assembly and I commend the government of the People's Republic of China for this initiative. The United Republic of Tanzania takes this opportunity to raise its full support towards this endeavor.

(Palamagamba John Kabudi, Minister of Justice and Constitutional Affairs and former Minister for Foreign Affairs of Tanzania)

# Nigeria's Anti-poverty Efforts

Chinyere Rita Agu  
Nigeria

## I. Introduction

Poverty is a global problem that cuts across different tribes, states, regions, and continents. However, for more than two decades, extreme poverty has steadily declined owing to anti-poverty policies and laws that were put in place by many countries. Recently, the quest to reduce poverty has suffered setback globally due to the COVID-19 Pandemic which has stifled international/regional trade, investments and services. The consequences include but are not limited to loss of jobs, investments, youth unrest and violence, inflation, and other vices. The right to development marks its thirty-fifth anniversary this year in 2021 and it is a framework affirming the indivisibility of all human rights. Reducing poverty, to a substantial extent, is one of the eminent global challenges and a crucial requirement for development which is an integral part of human rights.

It is pertinent to note that sustainable development is one of the most vital means to reduce poverty. Human rights principles and standards are now strongly reflected in an aspiring new global development framework, the UN 2030 Agenda for Sustainable Development. The new Agenda covers a broad set of 17 Sustainable Development Goals (SDGs) and 167 targets and will serve as the overall framework to guide global and national development action for the next 15 years. Balanced in international human rights law, the agenda offers critical opportunities to further advance the realization of human rights for all people everywhere, without discrimination.

Democracy and governance are a huge problem in Africa. It is true that human rights are a necessary component of any democratic society, while democracy is by extension a critical prerequisite for development. Unfortunately, democracy and governance have constituted a serious development problem. The prevalence of bad

governance in most parts of Africa poses a serious impediment to a human rights-based approach to development. Good governance and democracy, as a matter of fact, are impeded by political instability, armed conflicts, and social strife in several parts of Africa. For example, Boko Haram insurgency in the Northern part of Nigeria and the quest for self-determination in the Southern part of Nigeria have been a major issue for the country in attaining a human rights-based approach to development.

Historically, the economy of Nigeria has been characterized by high inflation and widespread poverty. During Nigeria's oil boom decade in 1970-1979, poverty incidence was put at 35%. However, as of 2012, the Central Bank data indicated that the poverty incident topped 70%. According to a World Bank brief, before the COVID-19 crisis, approximately 4 in 10 Nigerians were living below the national poverty line, and millions more were living just above the poverty line, making them vulnerable to falling back to poverty. The impact of COVID-19 on Nigeria has been very devastating and it is crystal clear that the government cannot handle issues of infrastructure and other basic amenities alone. Foreign investors or industrialized countries like China and Japan can also bail out Nigeria through public-private partnerships to reduce poverty by providing basic infrastructure that can employ a lot of people.

## II. Conceptual Clarification

### 1. Poverty

There are several definitions of poverty depending on the views of the person giving the definition. However, the word poverty originates from old French *poverté* which is generated from *pauper* (poor). According to Wikipedia, poverty is general scarcity or dearth, or the state of one who lacks a certain amount of material possessions or money. The United Nations Report 2011 defines poverty as the inability to get choices and opportunities, a violation of human dignity. It means a lack of basic capacity to participate effectively in society. It means not having enough to feed and clothe a family, not having a school or clinic to go to, not having the land on which to grow one's food or a job to earn one's living, and not having access to credit. It means insecurity, powerlessness and exclusion, and a series of problems concerning individuals, house-holds, and communities. Furthermore, the World Bank Report 2011 defines poverty as pronounced deprivation in well-being, which comprises many dimensions. It includes low incomes and the inability to

acquire the basic goods and services necessary for survival with dignity. Poverty also encompasses low levels of health and education, poor access to clean water and sanitation, inadequate physical security, lack of voice, and insufficient capacity and opportunity to better one's life.

Poverty is usually measured as either absolute or relative. The term "absolute poverty" is sometimes synonymously referred to as "extreme poverty" or "abject poverty." Absolute poverty or destitution refers to the deprivation of basic human needs, which commonly includes food, water, sanitation, clothing, shelter, health care, and education. Relative poverty is defined contextually as economic inequality in the location or society in which people live.

## 2. Human Rights

One of the most succinct definitions of human rights is provided by Henkin, who sees the concept as one that claims which every individual has, or should have, upon the society in which she or he lives. To call them human rights suggests that they are universal; they are the due of every being in every human society. They do not differ with geography or do not depend on gender or race, class or status. To call them "rights" implies that they are claims "as of rights" not merely appeals to grace, or charity or brotherhood or love; they need not be earned or deserved. They are more than aspirations or assertion of "the good" but claims of entitlement and corresponding obligation in some political order under some applicable law... "human rights" are not some abstract, inchoate "good." The rights are particular, defined, and familiar, reflecting respect for individual autonomy, as well as a common sense of justice and injustice.

There are two major classifications of human rights, namely civil and political rights and social and economic rights. The underlying principles of civil and political rights are equality and non-discrimination. There are a number of rights that fall under this category, which are also relevant to development. These include the rights of women, the rights of minority groups, and the rights of poor and marginalized communities. Others are the right to make political choices, freedom of association freedom of expression, fair labor practices, and religious freedom. Social and economic rights include the right to education, health care, food, water, social security, and housing. The idea of human rights is that certain rights are sacrosanct to the individual. These rights should not be denied to the individual except in circumstances considered reasonable and allowed by law. Human rights are rights

that the international community recognizes as belonging to all individuals by the very fact of their humanity.

### 3. Right to Development

The notion of the right to development can be traced to the changing and contested international political order in the 1960s and 1970s. During this period, states sought to address the thorny issue of development through reform of the major international economic institutions but with limited success. The formation of the United Nations Conference on Trade and Development (UNCTAD) marked the point when wider issues of international economic relations were addressed within the United Nations system. The Declaration on the Establishment of a new International Economic Order and the Charter of Rights and Duties of States were adopted by the UN General Assembly in 1974, promoting a new economic environment based on equity, interdependence, common interest, and cooperation of all states to ensure steadily accelerating economic and social development, thereby stressing that economic, political, and other changes shall be governed by the principle of respect for human rights and international obligations. In 1981, the right to development was included in the African Charter on Human and People's Rights (Banjul Charter). It has been argued that there is no source of the right to development in the International Bill of Rights and that it is not relevant, if it ever was, claiming that the promoters of such a right were nothing more than well-meaning optimists. Despite the RTD controversies, the meaning and content of the "right to development", have been elaborated in an array of sources particularly the UN Declaration on the Right to Development in 1986. The Declaration recognized RTD as an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized. The adoption of the UN Declaration on the Right to Development has triggered many developments and shifts in thinking and practice. In 1993, the World Conference on Human Rights reaffirmed in its Article 10 RTD as established in the 1986 Declaration as being a universal and inalienable right and an integral part of fundamental human rights.

### 4. Sustainable Development

According to the Universal Declaration of Human Right, sustainable development is the idea that human societies must live and meet their needs without

compromising the ability of future generations to meet their own needs.

### III. Current Poverty Profile in Nigeria

The National Bureau of Statistics in Nigeria recently (2020) reported that 40% or 83 million Nigerians live in poverty conditions. Although Nigeria's poverty profile for 2021 has not yet been released, it is estimated that the number of poor people will increase to 90 million, or 45% of the population, in 2022.

This abysmal poverty profile in Nigeria was recorded despite the country's implementation of a series of poverty eradication or alleviation programs which have existed over time. It is instructive to briefly acknowledge that, from independence till date, Nigerians have been subjected to one form of half-hearted poverty alleviation program or the other by the different civilian and military leaders that have held sway in the country. The impacts of these public fund-guzzling and self-acclaimed life-changing recipes on the populace and poverty were, to say the least, minimal if not abysmal. These programs could not deliver on the expected mandate because their founding visions were blurred and their implementation strategies were erratic or epileptic as subsequent governments were unwilling to continue with them. These politically contrived anti-poverty programs failed because among other things:

- (1) From inception, they were mostly not designed to alleviate poverty.
- (2) They lacked a clearly defined policy framework with proper guidelines for poverty alleviation.
- (3) They suffered from polity instability, political interference, policy and macroeconomic dislocations.
- (4) They lacked continuity.
- (5) They were conduits pipes for personal aggrandizement, money laundering, corruption, and siphoning of public funds, or "keeping the boys busy or the women happy" instead of anti-poverty programs. This was the principal reason why every succeeding regime rejected the old framework and came up with its own convenient contrivance or strategy.
- (6) They were more flamboyant political outings, partisan and non-partisan political campaign structures, and image laundering devices or contrivances.

It is for the above and other remote reasons that these programs failed to overcome the many reasons for this persistent poverty namely: income inequality; ethnic conflict; political instability, corruption, bad governance, debt overhang, low

employment rate, low productivity, burgeoning population, impact of globalization, unfocused government policy, and lack of effective skills training.

#### IV. Conclusion and Recommendations

In conclusion, since Nigeria is home to the largest number of poor people in Sub-Saharan Africa which is the world's poorest region, lifting Nigerians out of poverty is very crucial for reducing global security. In response to the realities of Nigeria, this paper suggests the following potentially effective solutions:

- (1) Review of national laws and policies on poverty reduction and realization of right to development.
- (2) Need to conform to the United Nations standards.
- (3) Diversification of the economy.
- (4) Using the Public Private Partnership model as a means of reducing poverty through building industries, infrastructure, and social amenities. Countries like China and Japan can be engaged. Chinese BRI can also come into play.

(Chinyere Rita Agu, Research Fellow at the Nigerian Institute of International Affairs)

# Putting People First and Promoting Harmonious Dialogue Within Global Human Rights Governance

Tom Zwart  
Netherlands

## I. Introduction

Although the drafters of the first UN human rights document, the Universal Declaration of Human Rights (UDHR), attempted to draft a catalogue that would do justice to all traditions and worldviews, from the outset liberals have tried to appropriate it. Portraying the UDHR as a liberal document is not only erroneous but also risky. There are growing signs that the impact of liberalism on the international order is decreasing. Therefore, if human rights continue to be closely associated with liberalism, they might be marginalized.

Therefore, it is important to detach human rights from liberalism and to put them on a new, sustainable footing. The concept of building a community with a shared future for mankind, which has been put forward by President Xi Jinping, can provide such a foundation for global human rights governance.

This paper proceeds as follows. Section Two discusses the intention of the drafters of the UDHR to turn it into a “big tent,” as well as attempts made by liberal commentators to present it as an ode to liberalism. Section Three lays out the concept of building a community with a shared future for mankind as developed and presented by President Xi Jinping. Section Four explains that the UDHR is aimed at putting people first and that this aim can best be realized by pursuing the receptor approach to human rights. Section Five proposes building blocks for a harmonious dialogue built on equality and mutual respect. Section Six contains some concluding observations.

## II. The Need to Disconnect Human Rights From Liberal Uniformism

The adoption of the UDHR by the UN General Assembly in 1948 turned human



rights into a topic of international interest. In view of its object and purpose, the delegates drafting the UDHR were intent on and did succeed in drafting a document that does justice to all civilizations and has the potential to touch the soul of every human being. They went out of their way to turn the UDHR into a “big tent.”

Although some of the language used in the UDHR is reminiscent of Enlightenment philosophy,<sup>[1]</sup> this was not the dominant approach among the drafters. Morsink argues that most drafters did not share the Enlightenment belief in a single—divine or natural law—source or value. They came from a great variety of ideological and philosophical backgrounds, such as Judaism, Christianity, Marxism, Confucianism, Buddhism, and Islam and they did not think that the rights in the UDHR were the prerogative of any particular philosophy. Therefore, those who only apply an Enlightenment lens run the risk of misreading the document.<sup>[2]</sup>

It should not come as a surprise that these different approaches led to different positions during the discussions. The delegates were very much aware that they had to overcome these differences. Compromises had to be made and pragmatic choices were unavoidable. The documents published as part of a UNESCO symposium confirm that there was no doctrinal unity and that the challenge was to reach an agreement in the absence thereof.<sup>[3]</sup> When a delegate would discuss human rights issues in another country, he would refrain from using the word “violation” and other inflammatory language, as not to threaten the goal of reaching consensus.<sup>[4]</sup> Similarly, issues which were related to deeply held convictions were not decided by majority vote.<sup>[5]</sup> The use of language which would serve one worldview but might alienate others—such as references to God or the Creator—was avoided.<sup>[6]</sup>

It was clearly the intention of the drafters, therefore, to reach a consensus between these approaches, as repeated calls were made to draft a declaration that would be acceptable to all the participating states.<sup>[7]</sup> As the Chinese representative Zhang Pengchun indicated, the process was meant to bring together the strong points of different civilizations. This course, which was both respectful and result-

[1] Morsink, J. (1999). *The Universal Declaration of Human Rights, Origins, Drafting and Intent* (p.282).

[2] Morsink, J. (1999). *The Universal Declaration of Human Rights, Origins, Drafting and Intent* (p.283).

[3] Maritain, J. (Ed.). (1948). *Human Rights, Comments and Interpretations*. Morsink, J. (1999). *The Universal Declaration of Human Rights, Origins, Drafting and Intent* (p.301-302).

[4] Morsink, J. (1999). *The Universal Declaration of Human Rights, Origins, Drafting and Intent* (p.32).

[5] Morsink, J. (1999). *The Universal Declaration of Human Rights, Origins, Drafting and Intent* (p.285).

[6] Morsink, J. (1999). *The Universal Declaration of Human Rights, Origins, Drafting and Intent* (p.286).

[7] Morsink, J. (1999). *The Universal Declaration of Human Rights, Origins, Drafting and Intent* (p.21).

orientated, led to a document that was deserving of the widest support possible.

However, since its inception, governments, NGOs, and scholars from the Global North have tried to put a liberal stamp on the UDHR. Thus, Sally Engle Merry takes the position that the human rights regime articulates a “cultural system rooted in secular transnational modernity,” which emphasises values such as autonomy, choice, and secularism.<sup>[1]</sup> These Northerners argued that underlying the UDHR are liberal values, which therefore should not only guide their behavior, but also that of the other members of the world community.<sup>[2]</sup> In their view, the word “universal” in the name of the UDHR was synonymous to “uniform.”

Consequently, human rights became part of a global liberal social engineering project. Southern countries, which were committed to implementing their human rights obligations, were told that they should do so by adopting liberal positions. As Zhao Tingyang has rightly pointed out, the universalism discourse is based on the dominance of a group of nations over less powerful ones. The ideology of these dominant nations is presented as being “universal” but is actually meant to serve those nations’ interests.<sup>[3]</sup> This interpretation finds no basis in the UDHR and the way it ought to be interpreted.

Portraying the UDHR as an exercise in liberal uniformism is not only erroneous but also risky. There are growing signs that the impact of liberalism on the international order is decreasing.<sup>[4]</sup> Therefore, if human rights continue to be closely associated with liberalism, they too run the risk of losing their significance. Therefore, it is more important than ever to disconnect human rights from liberal uniformism and to put them on a new, sustainable footing. The concept of building a community with a shared future for mankind can provide such a foundation for global human rights governance.

### III. The Concept of Building a Community with a Shared Future

#### 1. Introduction

The concept of “building a community with a shared future for mankind” has

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[1] Merry, SE. (2006). *Human Rights & Gender Violence, Translating International Law into Local Justice* (pp.90+220-221).

[2] Donnelly, J. (2003). *Universal Human Rights in Theory and Practice* (2nd ed) (pp.7-53).

[3] Zhao Tingyang. (2009). A Political World Philosophy in terms of All-under-heaven (Tian-xia). *Diogenes*, 221, 5-18.

[4] Mearsheimer, JJ. (2018). *The Great Delusion, Liberal Dreams and International Realities*. Walt, SM. (2018). *The Hell of Good Intentions, America’s Foreign Policy Elite and the Decline of US Primacy*.

been laid out by President Xi Jinping in a number of guiding speeches.<sup>[1]</sup> President Xi has made clear that China is committed to upholding the existing international order based on the principles laid out in the UN Charter. China will remain committed to multilateralism and rejects unilateralism.

According to President Xi, the ideals of the UN, such as peace, development, equity, justice, democracy, and freedom, lofty though they are, are not always put into practice. Therefore, UN members should continue their efforts to achieve these goals. To realize the purposes and principles of the UN Charter, a new type of international relations should be developed which acknowledges that all countries are interdependent and share a common future. Therefore, a community with a shared future for mankind should be created. To make this point, President Xi referred to an ancient Chinese proverb: “The greatest ideal is to create a world truly shared by all.”

## 2. Harmony as a Key Component

According to President Xi, harmony ought to be a key component of the community with a shared future for mankind. However, harmony should not be confused with sameness. According to President Xi, the world is more colorful as a result of cultural diversity. By referring to a traditional Chinese maxim “A single flower does not make spring, while one hundred flowers in full blossom bring spring to the garden,” he states that “If there were only one kind of flower in the world, people will find it boring no matter how beautiful it is.” Therefore, civilizations must accept their differences. They should draw inspiration from each other to boost the creative development of human civilization and enable progress. These observations have their roots in classical Chinese thought. Chinese tradition cherishes “harmony through diversity.”<sup>[2]</sup> Philosophically, harmony presupposes the existence of different things and implies a favorable relationship between them.<sup>[3]</sup> A soup made of only one ingredient is tasteless, a symphony composed of only one instrument is boring, and a

[1] For the following statements, see *Speech by H.E. Xi Jinping President of the People's Republic of China at UNESCO Headquarters*. (2014, March 28). Retrieved from [https://www.fmprc.gov.cn/mfa\\_eng/wjdt\\_665385/zyjh\\_665391/t1142560.shtml](https://www.fmprc.gov.cn/mfa_eng/wjdt_665385/zyjh_665391/t1142560.shtml). *Keynote Speech by H.E. Xi Jinping at the Boao Forum for Asia Annual Conference 2015*. (2015 March 28). Retrieved from [http://www.xinhuanet.com/english/2015-03/29/c\\_134106145.htm](http://www.xinhuanet.com/english/2015-03/29/c_134106145.htm). *Working Together to Forge a New Partnership of Win-win Cooperation and Create a Community of Shared Future for Mankind, Statement made by H.E. Xi Jinping at the General Debate of the 70th Session of the UN General Assembly*. (2015 September 28). Retrieved from <https://www.voltairenet.org/article188880.html>.

[2] Xing Liju. (2015). Traditional Chinese Culture and China's Diplomatic Thinking in the New Era. *China International Studies*, 3, 33-50.

[3] Li Chenyang. (2006). The Confucian Ideal of Harmony. *Philosophy East & West*, 56, 583-603.

government consisting of only one voice is stagnant and dangerous.<sup>[1]</sup>

The value of harmony lies in its harmonizing contradictory parts, by which opposites are transformed into mutually dependent elements.<sup>[2]</sup> Sameness leads to stagnation, while diversity creates dynamism and advances growth. Things come together even as they constantly change and flourish. Harmony is sustained by energy generated through the interaction of different elements in creative tension.<sup>[3]</sup>

### 3. Cooperation Based on Exchanges and Mutual Learning

President Xi has made clear that the diversity which characterizes civilizations should also have consequences for the cooperation format. The starting point should be for different civilizations to respect each other and to live together in harmony. The differences should be bridged through exchanges and mutual learning. Civilizations should enrich themselves by seeking wisdom and nourishment from others. Such cooperation should be characterized by solving disputes and differences through dialogue and consultation rather than confrontation.

This approach has a basis in classical Chinese philosophy.<sup>[4]</sup> Traditional Chinese society did not need an external power to maintain the basic order, as the order is always in the collective unconscious.<sup>[5]</sup> Building on this, the international order can rely on self-restraint and morality rather than external control to achieve harmonious relationships.<sup>[6]</sup>

### 4. Win-win Cooperation

President Xi has made clear that states should abandon the zero-sum game of the winner-takes-all and should opt instead for win-win cooperation. States are supposed to accommodate the interests of others while they are pursuing their own.

This point is also made within classical Chinese thought. Under Confucian ethics, relations should be determined not by hegemony but by respect for the group and deference, as is the case in family relations. Therefore, states should suppress their own selfish desires in favor of the commonweal to bring about harmony and

[1] Li Chenyang. (2006). The Confucian Ideal of Harmony. *Philosophy East & West*, 56, 586.

[2] Yao Xinzong. (2013). The Way of Harmony in the *Four Books*. *Journal of Chinese Philosophy*, 40, 252-268, 255-256.

[3] Li Chenyang. (2006). The Confucian Ideal of Harmony. *Philosophy East & West*, 56, 589.

[4] Han Zhen, & Zhang Weiwen. (2018). *Contemporary Value Systems in China* (p.231).

[5] Wu Huiyong. (2014). A Confucian Holistic World Order and China's Vision of a Shared Future. *Comparative Literature and Culture*, 20, 4. Retrieved from <http://docs.lib.purdue.edu/clcweb/vol20/iss2/3>.

[6] Wu Huiyong. (2014). A Confucian Holistic World Order and China's Vision of a Shared Future. *Comparative Literature and Culture*, 20, 4+9. Retrieved from <http://docs.lib.purdue.edu/clcweb/vol20/iss2/3>.

peace at the international level.<sup>[1]</sup>

### 5. Equality as the Basis

President Xi has made it clear that within a community with a shared future for mankind all countries should respect one another and treat each other as equals. Countries may differ in size, strength, or level of development, but they are equal members of the international community with equal rights to participate in international affairs. Being a big country means shouldering greater responsibilities for world peace and development, rather than seeking a greater monopoly over world affairs. This approach too is part of classical Chinese thought according to which the strong should not oppress the weak and the rich should not bully the poor.<sup>[2]</sup>

According to President Xi, this means that all human civilizations are equal in terms of value. They all have their respective strengths and shortcomings. There is no perfect civilization, nor is there a civilization that is devoid of any merit. Therefore, no value system should be deemed superior to others. Taking a condescending attitude toward a civilization is unwarranted and may risk antagonizing it. The big, strong, and rich countries should not bully the small, weak, and poor. Pride and prejudice should therefore be avoided.<sup>[3]</sup>

Similarly, according to classical thought, it is impossible to prescribe an identical value system to all peoples and all cultures. Each culture that has endured the test of time enjoys legitimacy.<sup>[4]</sup> Rather than being imposed on the world, there is a need for a value system that is by all and from all and therefore by and of the world.<sup>[5]</sup>

## IV. Putting People First: the Receptor Approach to Human Rights

An effective way to turn the human rights system into a community with a shared future of mankind is to return to the original meaning of the UDHR. The object and purpose of the UDHR have been expressed in the concluding recital of the Preamble, which describes the promotion and observance of the rights contained therein by every individual and every organ of society as its end.<sup>[6]</sup> Therefore, in the

[1] Wu Huiyong. (2014). A Confucian Holistic World Order and China's Vision of a Shared Future. *Comparative Literature and Culture*, 20, 4+6. See <http://docs.lib.purdue.edu/clcweb/vol20/iss2/3>.

[2] Han Zhen, & Zhang Weiwen. (2018). *Contemporary Value Systems in China* (p.229).

[3] Zhao Xiaochun. (2018). In Pursuit of a Community of Shared Future, China's Global Activism in Perspective. *China Quarterly of International Strategic Studies*, 4, 23-37+28-29.

[4] Li Chenyang. (2006). The Confucian Ideal of Harmony. *Philosophy East & West*, 56, 589+596.

[5] Zhao Tingyang. (2009). A Political World Philosophy in terms of All-under-heaven (Tian-xia). *Diogenes*, 221, 6-7.

[6] Morsink, J. (1999). *The Universal Declaration of Human Rights, Origins, Drafting and Intent* (p.35).

words of the Chilean member of the Drafting Committee, the UDHR was meant as a spiritual guide for humanity:<sup>[1]</sup> the rights laid out in the UDHR should be brought to life by the people in their relations with other people. This has been confirmed in the second recital of the Vienna Declaration and Programme of Action, which emphasizes that the human person is not only the prime beneficiary of these rights and freedoms but should also participate actively in their realization.

The idea that it is mainly up to the people to respect and realize the rights of their fellow human beings is also expressed in other ways in the document. Thus, during the final stages of the drafting process, the title of the UDHR was changed from “international” to “universal.” This was done to shift the focus of the document away from the delegates and nations that did the drafting to the ordinary men, women, and children to whom it was primarily addressed.<sup>[2]</sup> The drafters were also intent on keeping the document short, so that it could be understood by the common people.<sup>[3]</sup>

Therefore, the UDHR exemplifies the concept of putting people first: not only are the people the beneficiaries of the rights enshrined in the UDHR, but they are also expected to ensure that their fellow human beings will be able to enjoy them.

The “putting people first” character of the UDHR is being reinforced by the so-called receptor approach to human rights.<sup>[4]</sup> The receptor approach respects that people in the Global South are making great efforts to promote and protect human rights in a way that is often overlooked by liberal observers. In doing so the people are relying on their own social resilience rather than liberal values. As a consequence, in many societies, especially in the Global South, human rights are not so much protected through formal institutions, such as law, but rather through social institutions.

The receptor approach relies on the remedial force of local culture and the agency of the people. Through ethnographic research social institutions that match international human rights obligations can be identified. Where these institutions fall

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[1] Schabas, WA. (Ed.). (2013). *The Universal Declaration of Human Rights, The Travaux Préparatoires* (p.719).

[2] Morsink, J. (1999). *The Universal Declaration of Human Rights, Origins, Drafting and Intent* (p.324).

[3] Schabas, WA. (Ed.). (2013). *The Universal Declaration of Human Rights, The Travaux Préparatoires* (p.161). Morsink, J. (1999). *The Universal Declaration of Human Rights, Origins, Drafting and Intent* (p.33-34).

[4] Zwart, T. (2012). Using Local Culture to Further the Implementation of International Human Rights: The Receptor Approach. *Human Rights Quarterly*, 34, 546-569.

short of the obligations, they can be amplified with the help of home-grown remedies.

The receptor approach builds on the important distinction that is being made in public international law between subscribing to standards and implementing them. While states are required to unreservedly meet the international obligations they have signed up to, it is left to their discretion to translate them at the national level. Consequently, while state parties are not allowed to invoke cultural reasons for failing to live up to their international human rights obligations, they are entitled to take the cultural, social and political context into account when implementing them.

Through research, a larger number of human rights protecting social institutions have already been discovered. For example, the Grahamstown branch of the Family and Marriage Association of South Africa (FAMSA) offers skills training and support in setting up small businesses, which allows women to close the door on their violent relationships.<sup>[1]</sup> In Senegal, women were able to successfully engage in commercial activities to supplement the family income during an economic crisis with the help of their Qur'an reading clubs, through which they supplied each other with microcredit, business advice, clients, and support during illness.<sup>[2]</sup>

## V. Building a Community with a Shared Future Through Harmonious Dialogue

In his recent speech to the 76th session of the United Nations General Assembly,<sup>[3]</sup> President Xi Jinping emphasized that dialogue and inclusiveness need to be pursued over confrontation and inclusion. Consequently, with the help of the community with a shared future, the culture within the international human rights system should become one of encouragement and assistance rather than criticism and condemnation. This can be done by engaging in harmonious dialogue.

Such harmonious dialogue would adopt a future-oriented perspective: the participants should be encouraged to come up with future solutions for joint human rights questions.

The dialogues should focus on exchanging best practices and sharing knowledge: ideas that work are valuable, regardless of where they come from. The

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[1] I am indebted to Anne Harris, the then Director of FAMSA Grahamstown, and the members of her team for allowing me to observe them while they were engaging in these projects in April 2010.

[2] Buggenhagen, B. (2012). *Muslim Families in Global Senegal, Money Takes Care of Shame*.

[3] Xi Jinping. *Full text of Xi's statement at the General Debate of the 76th Session of the United Nations General Assembly*. Retrieved from [http://www.news.cn/english/2021-09/22/c\\_1310201230.htm](http://www.news.cn/english/2021-09/22/c_1310201230.htm).

participants should operate based on equality and mutual respect. They should not only know their own system well but also that of other countries. They should seek to build mutual trust and common understanding.

Such a dialogue would be more productive if it would adopt the format of a brainstorm rather than an examination. Organizing the dialogue should therefore be entrusted to a think tank in which distinguished academics, (former) senior civil servants, and respected members of civil society work together.

## VI. Conclusion

The UDHR was never meant to be an ode to liberalism, as some commentators would like us to believe. There are growing signs that the impact of liberalism on the international order is decreasing. Therefore, it is important to detach human rights from liberalism and to put them on a new, sustainable footing. The concept of building a community with a shared future for mankind, which has been put forward by President Xi Jinping, can provide such a foundation for global human rights governance.

(Tom Zwart, Professor and Director of the Cross-cultural Human Rights Center at Vrije Universiteit Amsterdam)



## Unite and Build a Better World

Valère Gabriel Eteka-Yemet  
The Republic of Congo

We encourage the participation of various delegations, including states, NGOs, and civil society organizations, who have expressed willingness to work with China in discussing important human rights issues under the forum's main theme of "Putting People First and Global Human Rights Governance."

The delegation of the Republic of Congo will focus its remarks on multilateralism and global human rights governance.

As a framework for consultation and a mechanism for negotiation and problem-solving, multilateralism has evolved remarkably over the years due to its many successes.

In founding the United Nations in 1945, its architects embraced multilateralism, understanding that interdependence and cooperation through dialogue and consultation were essential to developing lasting peaceful relations between nations. Thus, the creation of the UN, whose founding Charter took effect on October 24, 1945, and which emphasizes in the preamble that the peoples of the United Nations are determined "to prevent succeeding generations from the scourge of war" and "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small." The Charter clearly lays the foundations for a new international society where the security of nations and the guarantee of human rights are clearly proclaimed. Maintenance of international peace and respect for equal rights and self-determination are intrinsic to human rights.

Today, human rights are inseparable from the people's rights. International peace and security can only be attained through respect for human and people's rights. Moreover, the right to peace is among the third-generation rights—peoples' rights.

The United Nations General Assembly's adoption of the Universal Declaration of Human Rights on December 10, 1948, marked a significant advancement for the international community in global human rights governance. The General Assembly adopted the Declaration and proclaimed it as "a common standard of achievement for all peoples and nations." To date, the United Nations has a wide range of human rights conventions that serve as a source of guidance and conduct for global governance. From a methodological perspective, we can already perceive the dynamics that are developing between multilateralism and governance in the human rights area. In short, the adoption of the Universal Declaration of Human Rights is an outstanding victory for multilateralism over unilateralism.

This is an opportunity for the Congolese delegation to salute the foresight of the Chinese authorities who came up with the idea of creating this South-South Forum on Human Rights, a multilateral platform to examine the problems faced by developing countries. Following this, the Congolese delegation further encourages the Chinese government to persevere in its efforts to motivate developing countries to promote human rights and respect. In fact, this approach is one of the priority concerns of the President of the Republic of Congo, His Excellency Mr. Denis Sassou N'Guesso, a great defender of Human and People's Rights, who, in his state-of-the-nation address on December 17, 2019, before the parliament meeting in congress, resolutely declared: "Who can believe that respect for the universal values linked to the intangible rights of the human person is not a concern for the government? Who can believe that the promotion of human rights does not constitute a political commitment in our country, considering the re-establishment of the National Commission on Human Rights Office after years of absence? The legal framework in our country allows all compatriots victimized by violations of individual and collective freedoms or human rights to have legal recourse to defend and uphold their rights."

The Republic of Congo pays special attention to the indivisibility of human rights. Through its Resolution 421 (V) of December 4, 1950, the General Assembly declared that "the enjoyment of civil and political freedoms and that of economic, social and cultural rights are interconnected and interdependent" and that "those deprived of economic, social and cultural rights do not represent the ideal of free human beings envisioned in the Universal Declaration." Among the economic, social and cultural rights, the Republic of Congo places great importance on the right to health. Aware that it is a fundamental right that merges with the right to life, the

foremost of human rights, the Congolese government, in cooperation with other developing countries and China, was among the first in the world to firmly apply barrier measures to combat the COVID-19 pandemic. Through the state of emergency that is regularly extended by parliament, the authorities remain vigilant and continue to strengthen preventive measures, including vaccination efforts.

Without peace and security, development cannot occur. As such, in the same State of the Nation address, the President of the Republic of Congo rightly underscored that: “No ambition can be realized without peace...Peace has always been our guiding principle, for we understand its value, both here and in other countries where we have engaged in seeking solutions to conflicts.”

This excerpt from the United Nations’ 1994 annual report on its activities enlightens us on the intricate interplay between peace, human rights, and development: “Peace is an essential precondition for development, yet its sustainability hinges on the presence of democracy. Genuine state development must rest upon the active participation of its population, necessitating both democracy and respect for human rights... Without development, democracy will lose its foundations and conflicts will proliferate. Without development, sustainable development is unattainable. And without development, peace cannot be maintained for the long term.” However, as Jean Baechler outlines in his work *Precis de la démocratie*, “Democracy possesses a universal value, yet it can only manifest through infinitely diverse historical contexts. Therefore, while the core principles of democracy are shared, each democracy also reflects its own unique characteristics and experiences.” The people of China and developing countries therefore have the right to freely determine their models of democracy because, behind ostensible calls for transparency, governance, or good management imposed on states, very often lurks the Trojan horse that undermines their sovereignty.

In the field of human rights, we advocate for the participation of developing countries in embracing Chinese President Xi Jinping’s vision of diplomacy as a great power. With this goal, I quote President Xi’s statement: “To safeguard world peace and promote common development. Together with people from all over the world, we strive to build a clean and beautiful world characterized by enduring peace, universal security, common prosperity, openness, and inclusiveness. Unwaveringly, we promote the establishment of a community with a shared future for mankind.”

It is important for developing countries to join forces with the People’s Republic

of China and create a win-win cooperation platform that would provide added value to our exchanges. We believe that China, with its considerable size, economic and technological power, cultural wealth, and immense natural resources, is capable of driving the “South-South locomotive.”

In conclusion, we strongly encourage delegations from developing countries to keep participating in the South-South Human Rights Forum that the People’s Republic of China organizes on a biennial basis. Let us join forces to forge a better world through sustainable development, mutually beneficial cooperation, and effective governance based on principles of solidarity, peace, justice, freedom, tolerance, and mutual respect.

(Valère Gabriel Eteka-Yemet, President of the National Human Rights Commission and former First Secretary of the National Assembly of Congo-Brazzaville)

## The Importance of Exercising Citizenship in Angola Today

Yannick Joaquim Bernardo  
Angola

It is more frequent and consistent the demand of the citizens in relation to the political class, fundamentally motivated by a mixture of sensations, between loves and hates, touching sometimes to the despair. This spontaneous manifestation, which has become increasingly common in Angola, is anchored in a recent government legacy, whose legacy continues to be marked by a deep political, moral, and economic crisis. The effects of this crisis have been unfolding in the behavioral sphere of the institutions and their respective holders. Although substantial reforms have been undertaken to reverse the scenario, over time, the legacy has been institutionalized in the country, generating pernicious effects on democracy, undermining the rule of law, with a blatant lack of intelligence in the management of the “*res publica*,” i.e. the public thing.

The idea of the public thing, which highlights everything that concerns everyone, and not just a few enlightened people, this concept has been widely debated and understood differently, both from the perspective of those who govern and from the perspective of those who are governed. For those who govern, most of the time there is a paternalistic vision, embodied in the idea that citizens do not have sufficient discernment about what they want and what is best for them. To this end, the state assumes the position of provider, reserving for citizens, civil society, companies, churches, families, schools, the press, etc., a mere position of eternal recipients of state policies, with the latter towering high up on its pedestal as an omnipresent and omnipotent social actor.

From the perspective of the governed, however, there is an ever-increasing demand for a space for civic affirmation, which has found in the social networks a privileged space for the exercise of citizenship, where they are able to act in full

competition with the state, surpassing it most of the time, both in form and in content. But this fact does not invalidate the incessant search for a broader space for the exercise of citizenship, including greater access to political decision-making bodies.

Still on the subject of public affairs, in the Angolan case, it is inevitable that we should not highlight the presidential initiative to consult civil society on May 29, on the topic of the “Impact of COVID-19 on the Economy and the Lives of Families.” The initiative of President João Lourenço crystallizes the Aristotelian vision, according to which political systems should be duly structured, both from the institutional and the legal points of view, to allow greater participation of individuals in the decision-making process of public policies, enabling greater absorption of the contributions of the various segments that make up civil society.

It was clear that the expressive presence of the state in the economy narrows in a monumental way the space for private initiative. When the state takes on excessive protagonism in the economy it stifles the spaces of economic citizenship, which is equivalent to the presence of an elephant in a crystal shop. The space reserved for companies, within the scope of commercial or economic citizenship, would undoubtedly guarantee greater competitiveness, more efficient management, and greater generation of income and jobs. We now feel a breath of fresh air, with the eventual creation of the Economic Concertation Council, which is not an arrival point to solve the existing disagreements in our economic system, but only a starting point. Therefore, we still have a long way to go.

I think that the initiative should be replicated, both from a sectorial and territorial point of view, i.e., the various sectors of economic activity should maintain a proximity approach with the various Ministerial Departments, and the constraints experienced by the community should be presented in the respective administrative districts, allowing different dynamics to the Social Concertation Councils. Thus, the citizens would feel increasingly identified to actively participate in the planning, management, and supervision of public affairs, through the exercise of active and responsible citizenship, demanding a space for permanent dialogue, access to information, and the right to be heard on the main decisions that concern them, whether these are local or national issues.

The initiative of the President of the Republic of Angola, crystallized in the new institutional nomenclature, which in recent years has led to unprecedented dynamics in the process of democratic consolidation, bringing social actors closer together and

guaranteeing their freedom and initiative, seems totally appropriate.

Given the Angolan context, citizens have two alternatives: either they can commit themselves more and more to public life to revitalize institutions and promote a true culture of the common good, or they can renounce public (political) life once and for all and convince themselves that there is no longer a solution, leaving them with total discredit in public institutions and their representatives through exclusive dedication to their personal interests. That is, they can abdicate the “*res publica*.”

The first option is arduous but achievable. The second option is tragic, that is, terribly apocalyptic. Although the political class and institutions have for some time distanced themselves from their citizens, due to the challenges Angola faces, it is impossible to imagine society isolating itself from public institutions and politicians.

To the extent that those in power underestimate the need for greater citizen involvement in public affairs, they automatically ignore their duties to the original holders of power (the people), who should be not only the recipients of public policies but also the protagonists of government action, from the moment of structuring, execution, and oversight of all public policies—the vision of participatory democracy.

We cannot have citizenship suffocated by excessive state interventionism, but we must reiterate that the state must respect, for example, the space of the private business sector, avoiding meddling in sectors of economic activity whose primary vocation is private companies.

For love for the homeland to become inclusive, it is important to bear in mind that the fight for independence started from a civil society initiative. Civil society has always played and will continue to play a decisive role in the history of Angola.

Although in certain circumstances many citizens have already thought of giving up public life, the fact is that human beings cannot live on the margins of citizenship. For this reason, we can nurture the hope of an increasingly brighter future for Angola.

(Yannick Joaquim Bernardo, Director-General of the Human Rights Department, Ministry of Foreign Affairs, Angola)

# Human Rights and Governance in Africa: Reflections on the Challenges and Strategies for Promoting Human Rights and Good Governance

John Demuyakor  
Ghana

## I. Introduction

The 1963 Charter setting up the Organization of African Unity (OAU) was based on the standards of state sovereignty and non-interference and stipulated the battle for the decolonization of Africa among its fundamental goals, because it was accepted that Africa may not be considered free unless the final colony had gained its autonomy, accomplished the proper to self-determination, and won the battle against western dominance. Linked to this was a commitment on African nations to supply bolster to countries struggling for freedom, as set out in Article 20 (3) of the African Charter. Countries like Namibia and the Republic of South Africa benefited from this charter. Moreover, in African countries' struggles for freedom, African people groups drew upon human rights benchmarks to legitimize their struggles. On account of colonization, African countries endured a long time of persecution and gross human rights abuses. Article 20 (2) of the African Charter on Human and Peoples' Rights is mostly referred to as the African Agenda, as epitomized in Africa's exploration of human rights, respect, and personality. This affirmation embraced at the fifth Pan-African Congress in 1945 clearly outlines this point.

In 2000, when the OAU was changed to the African Union (AU), different other human rights Charters were embraced. These included the African Charter on the Rights and Welfare of the Child (ACRWC); the Tradition Overseeing the Particular Perspectives Refugee Issues in Africa; the Convention Building up the African Court of Human and Peoples' Rights (the African Court); and the 1999 Grant Bay (Mauritius) Declaration and Plan of Action.

Two vital development stages characterize Africa's commitment to human



rights, democratic governance, administration, and advancement. The first was the appropriation of the African Union's Constitutive Act, which reaffirms Africa's commitment to advance and ensure human rights globally. Next was the New Partnership for Africa's Development (NEPAD), which moreover places human rights at the center of advancement. Both points fortify social, financial, and social rights, as well as the right to improvement.

Human rights experts and scholars were of the view that the establishment of AU in 2000 was the turning point and an opportunity for African countries to embrace the African Agenda by promoting human rights and good governance. The 2000 AU Constitutive Act introduced major directions towards promoting and achieving sustained human rights and good governance in Africa. The following were the major focus of the 2000 AU Constitutive Act:

- (1) Gender equality / Vulnerable groups;
- (2) Explicit recognition of human rights;
- (3) Promotion of social, economic, and cultural development;
- (4) Moving from non-interference to non-indifference (right of the AU to intervene in any internal affairs of member states);
- (5) An approach based on human-centered development.

## II. Challenges

Between 2000 to date, experts have raised very important and legitimate issues about the capacity of African countries to achieve real human rights and prosperity for their citizens. The key challenges or concerns center on the following:

- (1) Lack of committed leadership and political will in Africa;
- (2) The 4 Cs (Corruption, Conflicts, Climate change, and COVID-19);
- (3) Challenges posed by endemic poverty, and unemployment;
- (4) Western democracy not working for most African countries;
- (5) Lack of consolidated human rights institutions in Africa (consolidation will ensure effective functioning);
- (6) Varying levels of development and governance in promotion and protection of human rights, and in securing peace and security on the continent;
- (7) Lack of institutional framework on women's and children's rights and gender in the African Charter (Though the 2000 Women's Rights Protocol is enacted, it still lacks commitment);

- (8) Lack of the necessary resources and political backing in human rights mechanisms to make a difference by compelling respect for human rights;
- (9) Organizational and financial challenges facing the African countries;
- (10) Lack of political will and commitment to implement, and enforcement of various human rights charters and mechanisms;
- (11) Varying domestic implementations of ratified continental and international human rights and good governance treaties;
- (12) Countries failing to comply with the requirement to report on the domestic implementation of ratified treaties.

### III. Proposed Strategies to Improve Human Rights and Good Governance in Africa

#### 1. Adoption of Inclusiveness to Human Rights and Good Governance Issues

Regardless of a few rights being respected as enforceable and others not, African nations ought to maintain a strategic distance from their polarization and guarantee that all rights counting social, financial, and social rights are secured and advanced. To avoid the regular polarization between the last-mentioned rights and political rights, it is recommended that a human rights-based approach to advancement be embraced. Such an approach combines economic, social and cultural rights with political rights, and the building of a fair, impartial social contract between different nations and their citizens. A human rights-based approach will help in connecting human rights motivation to the broader improvement motivation. The current talk on human security, good governance, and human rights are exceptionally pertinent to the broader human rights agenda proposed by the AU. A human rights-based approach would require governments to create clear plans of activity with clear targets, goals, and measures for accomplishing them, and to distribute significant human and financial resources to their accomplishment.

#### 2. Robust Constitutional Reforms and Institutional Capacities

The Constitutive Act enacted by the AU provides African nations with the framework to create lawful systems for the security and advancement of human rights and good governance. Within the soul of the Constitutive Act, all African countries have embraced regulations centered on human rights and good governance and expressly recognize the mainstreaming of human rights in all country-specific programs. Be that as it may, it must guarantee that human rights standards and

measures are viably coordinated into all activities and practices in all countries. For example, in carrying out their planned activities, all African countries are required to mainstream human rights into their programs.

### 3. Coordinated Human Rights Enforcement Mechanisms

Together with the appropriation of legitimate arrangements focusing on human rights came components for their execution, such as the African Commission, The African Court, Civil society Organizations (CSOs), the African Peer Review Mechanism (APRM), national human rights organizations, and NGOs. Given the shortage of assets, there should be satisfactory financing to guarantee the effectiveness of all these instruments.

## IV. Priority Required to be Given to the Vulnerable and Marginalized (Women and Children)

It has been pointed out that vulnerability is caused by the avoidance and marginalization of certain people, especially women and children. In this way, procedures for tending to vulnerability and exclusion ought to incorporate coordinate, multisectoral, and multidisciplinary approaches, and ought to have to take after the following strategies:

- (1) Implementing poverty reduction strategies: These strategies should take into account not only income and consumption but more importantly, the factors that place people at risk of poverty or that worsen their poverty, so as to enhance their capabilities to overcome poverty and other social and economic challenges.
- (2) Promoting social protection policies: This is based on a scaled-up community-driven model aimed at strengthening community capacity to provide support during times of need, coupled with an effective monitoring and evaluation system to assess the social and economic impact of the programs that target poverty reduction and inequality elimination.
- (3) Investing in organizational capacities: Community-driven approaches led by community-based organizations and informal networks have always been critical for the survival of communities. Governments should invest more in building the organizational capacities of communities so that they can be competent of control over funds, resource allocation, and decision-making, as this relies on people's strengths and knowledge. Such empowerment also

helps people to address inequalities inherent in the way society is structured and organized.

- (4) Reforming some of the outmoded traditions and social norms: This can be done through effective awareness-raising campaigns, civic and human rights education, and the involvement of traditional and community leaders, to address harmful traditional practices and gender inequalities.
- (5) Focusing on rights-based: This approach promotes, protects, and defends the rights particularly economic, social and cultural rights of the most vulnerable and marginalized as being integral to sustainable development.

## V. Conclusion

It has been maintained throughout this paper that Africa needs to adopt an inclusive and holistic approach to human rights, and effectively advance economic, social and cultural rights as well as the right to development in its promotion of the African human rights protection system. African countries can learn from China, which has over the past decade implemented and put in place proper monitoring and evaluation mechanisms for the promotion of effective human rights and good governance. This has resulted in huge socioeconomic development, was over, and changed the lives of the Chinese people. In 2020 for example, statistics show that more than 700 million Chinese people have been lifted out of extreme poverty. This means that China is on the verge of meeting extreme poverty reduction which is among the targets of the UN 2030 Agenda for Sustainable Development goals ten years ahead of schedule.

The hallmarks of any democracy would be measured by the extent to which not only governments but also all other stakeholders ensure that human rights and laws are respected and upheld. African countries should focus on the protection of the rights of vulnerable groups by advocating for the implementation of various commitments made by governments through the adoption of national laws and policies, and by increasing the allocation of resources to the social sector to enhance access and build capacity in institutions, particularly those that strengthen human rights protection mechanisms within Africa and globally.

(John Demuyakor, Research Fellow and PhD Student at Communication University of China)

## International Covenant on Economic, Social and Cultural Rights: Hopes and Reality

Józef Antoni Haber  
Poland

More than a half century ago, on December 16, 1966, the General Assembly of the United Nations adopted the International Covenant on Economic, Social and Cultural Rights (ICESCR). It was a day of great hope for many people living not only in developing countries but in the entire world. It was because the ICESCR included an adequate standard of living. Today, almost every day all over the world international community discusses such problems as freedom of hunger, access to clean water, adequate housing, mental and physical health, right to work, and decent salary. The 20th century was faced with a crucial process of decolonization. Many countries became independent states and the Member States of the United Nations. Unfortunately, their economic and social status has been very poor. There has been a huge gap between them and developed countries. The right to self-development does not mean the real possibility to make such a significant effort to achieve satisfactory level of standard living. Shortly, in 1971, the United Nations selected (from all developing countries) and then recognized a group of least developed countries (LDCs) as a category of states that are in extremely difficult situation taking into account historical or geographical and structural reasons. Millions of people have been living in great hope for a better future as voices of powerful personalities supported processes of building programs to be helpful for developing countries, for example, the World Employment Programme, the World Food Programme etc. At the end of the 20th century were adopted Millennium Goals mainly to alleviate poverty, which has been another hope for millions of human beings. Such intentions are very nice and sometimes helpful, but what are the realities?

LDCs face more than other countries the risk of deeper poverty and remaining in a situation of underdevelopment. More than 75% of the LDCs' population still

live in poverty. Currently, the 46 LDCs comprise around 880 million people, 12% of the world population, who face severe structural impediments to growth. However, the LDCs account for less than 2% of world GDP and around 1% of world trade. However, six countries have so far graduated from LDC status: Botswana in 1994, Cape Verde in 2007, Maldives in 2011, Samoa in 2014, Equatorial Guinea in 2017, and Vanuatu in 2020.

The Least Developed Countries Report 2021 prepared by the UNCTAD provides a coherent policy approach by identifying successful experiences and proposes an overhaul of development policies and strategies, stressing the importance of prioritizing initiatives fostering inclusive growth and LDC's productive and state capacities. It is underlined that the task ahead is great, and it is urgent.<sup>[1]</sup>

The crucial question is: why knowing the difficulties of the poorest of the poor nations the situation is not radically changed? Where is the problem? The rights to work, decent life, and development are still for many only nice not-realized idea, not saying utopia. I would like to draw attention to some essential factors having an important impact on the overall situation, not only for least developed countries.

First of all, a characteristic of global international relations has been changed. The new features are dynamic, rivalry, and uncertainty. The COVID-19 pandemic shows us evidence of the high impact of dynamic changes on our daily life. It means that there is a power shift from international organizations to state governance that is more effective, better organized, and shows us the fall of neoliberal economic and social concepts. The state intervention is a driving force for recovery and even introduces administration (for example, requirements for people to quarantine, wear masks, keep social distance, etc.). Dynamic changes caused by the spreading of a virus made an especially difficult situation for developing countries.

Rivalry is one of the most important driving forces within the international community. First of all, the problem is that every state is focused on the protection of its own interests. Such rivalry among states draws our attention to the political and economic influence of certain states that are recognized as highly developer and how powerful are when some global turbulences are touching the global community. Today it is obvious that relations between the US and the People's Republic of China are on the top of public opinion interest. But in the shadow of the rivalry between

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[1] United Nations. (2021). *The Least Developed Countries Report 2021: The Least Developed Countries in the Post-COVID World: Learning from 50 Years of Experience* (p.17).

countries, there is another great rivalry among great transnational companies. It is a real rivalry for controlling all economic processes and to be out of the state's control in important areas like IT, finance, mass media, and pharmacy. Such business is more powerful than the least developed countries. The COVID-19 pandemic shows us such rivalry and there is no approach to provide a win-win strategy. We have to be aware of how such business provides limits to human rights and especially to social safety when we have no own capacity to confront transnational activity. In such a rivalry only highly developed countries are able to undertake some action, but we see that only to some extent as the US situation is the best example.

The last but not least feature is uncertainty. Dynamic changes and rivalry cause uncertainty. The contradiction of interests is the primary source of uncertainty within international relations. Of course, every sovereign country has the right to defend and realize its own interest on behalf of the nation, but not the right to be oppressive to another country because it will provide war and destroy peace. Uncertainty is caused also by the impossibility of solving unexpected and very dynamic changes within international community. Such is the situation we have had during COVID-19 migration. Economic and social rights immediately have been limited and developing countries have been dependent on international assistance as their own resources have not been adequate for their needs. The lower level of life is the main cause of economic migration and here is the most important role of international community to develop the economy of a country rather than provide the possibility for migration and to deprive a country of the most dynamic people. It is still the problem of many countries where there is no real conflict but the economic situation is extremely difficult.

Forty years ago, in 1980, Brandt Report was published under the title "North-South: A Program for Survival." For many, it is something very optimistic; but many rejected it for the different reasons. The essence of this report was the line between the Rich North and the Poor South. Looking today on that line we recognize that many relations between North and South have been changed. Adopting the concepts of "South" and "North," for many Third World countries, was to aim at self-reliance and to break free from the unequal world order of free trade and multinational domination.

In my conviction, there are some important reasons to strengthen mutual relations among developing countries:

- (1) Membership in the United Nations (possible influence on important issues impacting developing countries);
- (2) Historical experience of colonial exploitation (what caused economic backwardness and social perturbances on the market, mainly including high unemployment rate, poor education, etc.);
- (3) High gap between rich natural resources and the technical capacity to produce final products of high standards;
- (4) Relatively poor infrastructure;
- (5) Lack of financial resources;
- (6) Relatively young population in comparison with developed countries.

Taking into account the good and positive experience of cooperation with the People's Republic of China and its experience of collaboration with developing countries on the basis of win-win strategy and opening-up policy makes a natural flow of experience in activity within a competitive environment. The PRC, as the Permanent Member of the Security Council at the United Nations, is able to defend the crucial interests of the South-South group especially when the issue of national security is on the agenda of the UN.

Why South-South cooperation is desired in the economic area? Very often we observe how multinational companies are exploiting local forces, and at the same time, the so-called Corporate Social Responsibility is just an empty concept when doing business in developing countries. It is not sufficient to have a common point of view of the International Organization Forum but must be a common position together against such practices violating human rights at work. It is necessary that we take common actions. It is easier to open a pocket with money than the heart of the real human needs, not just for some project without any control over how it has been used.

It is true what Victoria's social pioneer William Morris said, that "The wealth of a nation is in its people," so when they emigrate it is a great loss for the country. Liberate human potential, and the economy will follow.

As my final remark about global governance and multilateralism, I think that in the majority of economic areas, globalization means the governance of multinational companies, not sovereign countries. The concept of global governance is rather a hard way to win with economic power of such companies when they have the support of their own states. We have had such a bad experience with the European Union. It is



natural that states defend own companies, but when it is the question of human rights as a universal value, it must be a mutual agreement that “first needs are the first.” It seems that multilateralism is an appropriate instrument to give the world more justice and more confidence in international law. Human rights are a very sensitive matter in every country and there is a real need to ensure that the principles and axiological systems existing in every culture will not destroy the human dignity of any human being.

(Józef Antoni Haber, Professor of WSB University, Vice-Chairman of the Program Council of “the House of Poland” Association)

# Whole-process People's Democracy as a Significant Innovation to Efficiently Safeguard and Advance Human Rights

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China

## I. The Respect for Human Rights as an Essential Element of Democracy

Democracy and human rights are closely associated and indissociable. To begin with, democracy and human rights are among the common values and common pursuits of human beings. Since the founding of the Communist Party of China, it has been enshrining democracy and respect for human rights. Next, the right to democracy is an important human right and a determining political human right. The people's right to take ownership of the country, the society, and itself, and to control and exercise state authority, is by itself a significant human right of fundamental and comprehensive status. The International Covenant on Civil and Political Rights adopted pursuant to the Universal Declaration of Human Rights is an international convention on political human rights. Furthermore, democracy is the prerequisite of human rights. Looking back at history, it was the democratic transitions and constitutional institutions brought by successful revolutions in many countries that provided a political foundation for human rights and their advancement. Whilst in China, under the leadership of the CPC, the Chinese people won a great victory in the New Democratic Revolution that ended thousands of years of rule of autocratic monarchy and completed the political transition to people's democratic democracy. It was only then that the Chinese people attained the basic human rights of independence, freedom, dignity, and happiness in its true sense. Lastly, democracy serves as an important safeguard of human rights. Not only is democracy itself an important human right, but it also provides great protection for the realization of human rights in other areas. It is impossible for a country without true democracy to

truly realize human rights. In this sense, democracy is a necessity for human rights.

## II. Whole-process People's Democracy as an Institutional Innovation to Advance and Protect Human Rights

People's democracy is the lifeline of socialism. Democracy is indispensable to socialism and socialist modernization. As socialism with Chinese characteristics has entered a new era, the principal contradiction facing Chinese society has gone through profound changes. People's demands for democracy, rule of law, fairness and justice, security, and a better environment are increasing, with democracy being the predominant factor in meeting people's needs for a better life. In response to people's expectations to improve the quality of democracy, Chinese President Xi Jinping proposed an important concept of whole process people's democracy. The Chinese whole process people's democracy is not only equipped with complete institutions and procedures, but it also completes practices to enable people's participation. Adopting whole process people's democracy as the value and criterion, democracy is assessed from the following aspects: whether people are endowed with the right to vote, and more crucially, whether they are endowed with a comprehensive right to public participation; what was promised to the people during an election, and more crucially, how much has been realized after the election; what political procedures and rules are provided under the institution and laws, and more crucially, whether they have been fully implemented; whether the rules and procedures concerning the operations of state powers are democratic, and more crucially, whether these powers are in truth subject to the supervision and counterweight of the people.

Whole-process people's democracy adds diversity to the concept of human rights.

Firstly, whole-process people's democracy embodies the respect and protection of human rights. In striking contrast with democracy on the ballot that plays a number game at the cost of the people's dignity and rights, whole-process people's democracy encourages a full and true representation of the people's concerns and wills. Should the people only be awoken, be pampered, and be bombarded with empty promises during an election season; but be put into hibernation, be cold-shouldered, and be taken away their voices after the elections, such democracy would be no different from the mockery and infringement of human rights. On the contrary, with whole-process people's democracy, the people will be able to enjoy comprehensive and real

rights and freedom under the law and take true ownership of the country.

Secondly, whole-process people's democracy expands the human rights practices. Upholding the people's principal status, whole-process people's democracy expands the human rights practices with Chinese characteristics by ensuring that the people can participate in democratic elections, democratic consultation, democratic decision-making, democratic management, and democratic oversight in accordance with law. Taking democratic consultation (consultative democracy) as an example, as President Xi pointed out, "The essence of the people's democracy is that the people get to discuss their own affairs," "China's socialist democracy takes two important forms: one, the people exercise rights by means of elections and voting, and two, people from all sectors of society are consulted extensively in order to reach the widest possible consensus on matters of common concern before major decisions are made. These are the institutional features and strengths of China's socialist democracy." Remedying the deficiencies of electoral democracy, consultative democracy helps the people to orderly exercise their political rights, promotes communication and consensus within the society, respects the rights of minorities, and enables different groups of interests and different walks of society to enjoy equal opportunities and channels to fully voice out their demands. Within a set of complete, comprehensive, and well-coordinated institutional procedures to ensure the people's ownership of the country, consultative democracy has developed into an important basic human right that serves to enrich China's human rights institutional procedures with Chinese characteristics.

Thirdly, whole-process people's democracy further strengthens the political foundations of human rights. Serving all dimensions and fields, whole-process people's democracy closely integrates democracy within the Party, people's democracy, and social democracy. By ensuring the leadership position of democracy within the Party towards the advancement of people's democracy and social democracy, it strengthens the political foundations of democracy, and improves the Chinese system for the protection of human rights.

Finally, whole-process people's democracy has been an important driving force for the advancement of the human rights cause. The advancement of whole-process people's democracy will solidly facilitate the advancement of the human rights cause. Whole-process people's democracy has been effectively paving the way for further expansion of the development path of human rights with Chinese characteristics,

leading to a holistic development of the Chinese human rights cause. It helps to realize human rights in all fields including politics, economy, culture, society, ecology, and the internet, leading to advancement in the forms of material, political, cultural, ethical, ecological, and internet civilization. It deserves to be highlighted that whole-process people's democracy greatly motivates the subjective initiative and creativity of the entire population to deliver the goal of common prosperity and well-being, which will in turn accelerate the development of the human right cause to a higher level.

### III. Whole-process People's Democracy as an Innovation of the Human Rights Theory

The concept and practices of whole-process people's democracy serve as significant innovations of the human rights theory. Proposed by President Xi, whole-process people's democracy not only functions as a new theoretical concept, but also a new paradigm for the research of democracy and human rights. It guides us to form a whole process human rights mindset that helps to observe and assess human rights systems and practices, reflect on current human rights theories, and promote relevant theoretical innovations. Guided by the whole-process human rights theory, we should pursue the all-around development of the person and the comprehensive progress of society. We should also construct a human rights system that covers all aspects of the human rights protection process and all sectors of society. To add new forms to human rights civilization, we need to enrich basic human rights such as the right to survival, the right to development, personal rights, personality rights, and property rights. Furthermore, we should also endeavor to advance emerging human rights including environmental rights, the right to security, data rights, and digital human rights.

Not only has whole-process people's democracy created a Chinese path to democracy modernization, but it will also create a Chinese path to humanization modernization. Given the new historical conditions of human rights civilization, when we analyze global human rights issues with the whole-process people's democracy theory, it is crystal clear that human rights, same with democracy, fall under the common values of human beings. It is neither a prerogative of a few countries nor the invention of some "democratic elites." All peoples of the world have the right to choose different paths to human rights development that befit their own

national circumstances, historical backgrounds, and cultures. No country is entitled to impose its concept of human rights as the criterion of judging human rights conditions across the world, nor may it force its human rights systems on the entire human society. Human rights protection is not an end state but a continuous process. Under the leadership of the CPC, the Chinese people will stay firmly committed to the Chinese path to human rights modernization and achieve the goal of taking the Chinese human rights cause to new heights and better advancing the most significant human right of people's happiness and well-being.

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