



Brussels, 10 May 2005
JM/TJ/em

Ms Benita Ferrero-Waldner
Commissioner for External Relations
and Neighbourhood Policy
European Commission
1049 Berlaymont
Brussels

VIA FAX: 02 2981299

Re: China and the Covenants

Dear Commissioner,

I have noted with interest that you will be visiting China this week and will seize the occasion to strongly encourage the early ratification by China of the International Covenant on Civil and Political Rights.

We strongly support all actions that will bring China to observe fully human, trade union, and other rights adopted by the international community.

You may be aware that when China ratified the International Covenant on Economic, Social and Cultural Rights, the then Presidency declared the following on 12 March 2001, on behalf of the European Union:

“The European Union welcomes the decision by the People's Republic of China on 28 February to ratify the International Covenant on Economic, Social and Cultural Rights. The EU views this as an important starting point for further improvements of the situation of economic, social and cultural rights in China.

The EU is concerned, however, at the decision by China to make a declaration to the effect that Chinese legislation takes precedence over article 8:1 (a) of the Covenant, which guarantees the right to form and join a trade union of one's choice.

The EU hopes that China will, as a matter of priority, bring its legislation into line with the provisions of the Covenant, including its article 8:1 (a).”

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John Monks, General Secretary

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I hope that, in your discussions with the Chinese leadership you will be able to remind them of this position. I also hope that in pressing them to ratify the ICCPR you will ask them not to express any reservations, and in particular not to seek to opt-out from its Article 22 which also deals with freedom of association.

In addition, Chinese ratification and implementation of all ILO core labour standards would be an indication of that country's will fully to integrate into the international community. It would open the door to full cooperation between our labour movements and help ease the concerns of European workers about a range of economic and social issues in our relations with China. I should be very grateful if you would raise these matters in your talks.

Yours sincerely,

(signed)
John Monks
General Secretary