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Response by Political Affairs Division IV to the evaluation of the Human Rights Dialogue between Switzerland and the People's Republic of China

From August to November 2006, the German Institute for Human Rights conducted an external evaluation of the human rights dialogue between Switzerland and the People's Republic of China on behalf of Political Affairs Division IV of the Federal Department of Foreign Affairs. Political Affairs Division IV responds as follows to the results of the evaluators' report which was published on 16 May 2007:

Political Affairs Division IV agrees with the judgement of the evaluators that the human rights dialogue with China deserves to be pursued as a long-term instrument of human rights policy. The human rights dialogue certainly should not preclude the use of any other bilateral and multilateral human rights policy instruments but should be used to complement the latter, depending on the situation in each case. In accordance with the evaluators' recommendation, an approach should be followed in future that is oriented towards the relevant international human rights norms (in contract or customary law). The practice of regular internal and external evaluations of the dialogue should also be continued.

As for the form and content of the individual dialogue rounds, Political Affairs Division IV will do its utmost to obtain agreement to a time frame that will enable all the focal points to be dealt with. If necessary, priorities may be established between these focal areas. While Political Affairs Division IV shares the view of the evaluators that the dialogue rounds should continue to be confidential in order to ensure greater effectiveness, it will examine possibilities of greater involvement in the dialogue rounds by civil society (particularly in China) and will also try to persuade the Chinese side of the desirability of such measures.

With regard to the partnerly approach in the framework of the dialogue, a process of reflection has already begun, and the suggestions of the evaluators have been taken into account. The results of this process will be implemented in the coming months. This will be on the basis of the agreement on bilateral cooperation signed with China on 25 September 2007 and also in light of the forthcoming Olympic Games, which represent an opportunity for China to open up to the rest of the world in accordance with the Olympic spirit. As for the dialogue goals, Political Affairs Division IV acknowledges the benefits of a structured approach which distinguishes between political opinion forming and the strengthening of capacity. It will take into account the evaluators' recommendation to this effect in the coming months.

The evaluator's proposal that the complementary activities to the dialogue rounds should be continued is in line with our current planning. There are no plans to reduce overall expenditure for the human rights dialogue with China. However, possibilities of extending the dialogue to include technical cooperation are limited. Wherever possible, the focal areas of the human rights dialogue will be given priority in the current cooperation programmes. Political Affairs Division IV welcomes the evaluators' recommendation that compliance with human rights should be respected by Swiss foreign policy as a whole, including foreign economic policy. This recommendation finds expression in the complementary activities in the focal area of business and human rights. Political Affairs Division IV

will continue to advocate a comprehensive consideration of human rights concerns in Switzerland's policy towards China.

The evaluators' recommendation to involve academic experts with relevant knowledge in the planning of the next round of dialogue will be examined in the light of the availability of such experts. Intensive efforts to identify suitable interlocutors on the Chinese side are certainly sensible and will be made, within the bounds of possibility. The organisation of meetings between appropriate interlocutors at the working level are among the goals of the complementary activities.

The conclusions and recommendations of the UN committee on the elimination of discrimination against women concerning China of August 2006 contain numerous interesting points of contact with the various focal areas of the human rights dialogue. These should as far as possible be taken into account in the preparation of the next round of dialogue.

The various recommendations of the evaluators concerning individual accompanying activities will be discussed with the project partners concerned and will whenever possible be implemented.