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Make Human Rights Work in Mainland China through Cross-Strait Dialogue

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The 2009 Human Rights Day has a special meaning for Taiwan. Apart from being the 30th Anniversary of the Kaohsiung Incident (美麗島事件), the *Universal Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights* that are highly regarded by President Ma Ying-jeou (馬英九) became effective. From now on, "…the two covenants' provisions governing the human rights protection shall have the same effects as the domestic laws" (Article 2, *Enforcement Law For International Covenant On Civil And Political Rights And International Covenant On Economic, Social And Cultural Rights*), signaling Taiwan's continuing democratic progress after the Kaohsiung Incident which has moved from installation of procedural democracy centered on direct vote to in-depth elaboration of democracy through universal human rights.

From now on, the citizens can resort to the articles of the Covenants to plea for compensation once they assume their rights and interests are deprived through laws violating the Covenants, which makes Taiwan the only Chinese society with comprehensive human rights framework around the globe. Such accomplishment is way ahead of China while they celebrate their 60th anniversary and brag about their wealth and strong national defense power.

Hence the government is recommended to take this opportunity to tie the two shores and narrow the gap between our ideologies through human rights endeavors. The focus of our dialogue should be redirected from the age-long national security and terrestrial sovereignty debates to the protection and installation of civilian economic and social rights, freeing people on the two shores from scarcity and fear, facilitating mainland China to create a harmonious society, and leading the interaction between the two shores on cultivating a humanitarian and civilian culture.

During recent years, when responding to international pressure on human rights issues, mainland China has abandoned the hostile attitude by saying that such concerns do not apply to their unique circumstance to actively exercises their rising international status to strengthen their influence on the negotiation of the content and rules of human rights issues. The following facts may surprise many people, but China has already signed the two human rights Covenants (albeit the *Universal Covenant on Civil and*

Political Rights has not been approved yet), and they are also a member state of the Human Rights Council of the United Nations! They are even considering establishing a state human rights council to improve their human rights reputation.

Therefore, while mainland China is transforming its attitudes towards human rights from passive resistance to instrumental exploitation, Taiwan should push mainland China to install human rights with our Chinese experience, and include promotion of human rights to cross-strait dialogue and goals, making it really happen for them. In fact, apart from the sovereignty level issue of the regional ethnic autonomy in Shinjang and Tibet, there are plenty of practical human rights issues for the two shores to negotiate, ranging from issues of social welfare, disease control, ecology and environment, development disparities between rural and urban areas entailed from economic, social and cultural rights to human rights of the less fortunate groups such as women, senior people and immigrants. While the economy in mainland China is booming, Taiwan's only competitive edge in interaction is the prevalent installation of these humanitarian values. Taiwan should seize the opportunity to demonstrate our Chinese human rights experience and its content to the international community!

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