

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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China: Blatant disregard of UN human rights experts' recommendations

Human Rights Council adopts Universal Periodic Review outcome on China

This statement is in honour of Cao Shunli and all human rights defenders unjustly detained for promoting human rights in China.

Amnesty International is deeply concerned that China has rejected recommendations made by other states during the UPR, to implement recommendations of the Committee on the Elimination of Racial Discrimination (CERD) in August 2018, to end arbitrary detention of up to one million predominately Muslim people in camps in the Xinjiang Uighur Autonomous Region (XUAR).¹ CERD made strong recommendations, which China has not acted on, to halt the detentions and immediately release those detained in the “extra-legal detention facilities”.² China also rejected UPR recommendations to allow the UN to visit the country to investigate alleged human rights violations against ethnic minorities, arguing that such visits would amount to “interference in its sovereignty and internal affairs”.³ Amnesty International calls on China to immediately release all persons held in mass internment camps in the XUAR and to respond promptly and positively to the UN’s requests to visit China.

Amnesty International also regrets that China rejected recommendations to stop human rights violations targeting ethnic minorities, especially Uighurs and Tibetans, while accepting recommendations by like-minded states that contradict concerns and recommendations of other UN human rights mechanisms.⁴ For example, in 2018, CERD raised concerns that the vague definitions of terrorism, extremism and separatism in Chinese legislation could risk criminalizing “peaceful civic and religious expression”, under the pretext of countering terrorism or religious extremism.⁵ Uighur scholar Ilham Tohti and Tibetan education advocate Tashi Wangchuk were sentenced to life and five years’ imprisonment, respectively, in 2013 and 2018 on charges related to “separatism” for defending minority rights. Contrary to CERD’s views, some states recommended to China to continue to strengthen domestic laws and measures to manage religious affairs and counter “extremism” and “terrorism”.⁶ China’s decision to accept these recommendations shows its blatant disregards for the views of UN experts.

¹ A/HRC/40/6, recommendations 28.21 (New Zealand), 28.22 (United Kingdom), 28.23 (France), 28.32 (Norway), 28.35 (Switzerland) and 28.42 (Netherlands).

² Concluding observations of UN Committee on the Elimination of Racial Discrimination: China, UN Doc. CERD/C/CHN/CO/14-17 (2018).

³ A/HRC/40/6/Add.1 Position to recommendations 28.22, 28.32, 28.35 and 28.42.

⁴ A/HRC/40/6, recommendations 28.175 (Australia), 28.177 (USA), 28.178 (Belgium), 28.179 (Canada), 28.180 (Germany), 28.189 (USA), 28.190 (Canada) and 28.191 (Czechia).

⁵ Concluding observations of UN Committee on the Elimination of Racial Discrimination: China, UN Doc. CERD/C/CHN/CO/14-17 (2018) para. 36-37.

⁶ A/HRC/40/6, recommendations 28.148 (Syria), 28.151 (Belarus), 28.153 (Burundi), 28.155 (Egypt), 28.197 (Indonesia) and 28.198 (Algeria).

Amnesty International welcomes China's acceptance of recommendations to increase space for human rights defenders, although the organization disagrees with China's contention that these recommendations are in the process of being implemented. Amnesty International has documented the authorities' harassment, intimidation, arbitrary detention, torture and other ill-treatment and imprisonment of human rights defenders in China.⁷ To genuinely improve the situation for human rights defenders, China should release imprisoned human rights defenders and stop the harassment and arbitrary detention of them, including the practice of "residential surveillance at a designated location" as was recommended during the UPR.⁸ The Committee Against Torture raised similar concerns following its review of China in 2015.⁹

China rejected recommendations made by more than twenty countries related to the death penalty.¹⁰ Amnesty International calls on China to increase transparency in the use of the death penalty and to work towards abolition of death penalty, as recommended by states during the UPR.

As a member of this Council, China is obliged to uphold the highest standards of human rights.¹¹ However, China's rejection of recommendations to address serious human rights violations and its acceptance of those that contradict the views and recommendations of UN experts defeat the main objective of the UPR to strengthen the protection of human rights at the national level.

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of China on 15 March 2019 during its 40th session. On the occasion of the adoption of the review outcome Amnesty International issued this statement.

Amnesty International also contributed to the information basis of the review through its submission on China: <https://www.amnesty.org/en/documents/asa17/8373/2018/en/>

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⁷ A/HRC/40/6, recommendations 28.205 (France), 28.207 (Italy), 28.208 (Luxembourg), 28.334 (Norway), 28.335 (Spain), 28.337 (Belgium), 28.338 (Costa Rica), 28.340 (Ireland), 28.341 (Argentina) and 28.342 (Liechtenstein).

⁸ A/HRC/40/6, recommendations 28.176 (Switzerland), 28.180 (Germany), 28.213 (Czechia), 28.333 (Australia) and 28.336(USA).

⁹ Concluding observations of UN Committee against Torture: China, UN Doc. CAT/C/CHN/CO/5 (2016), para.14.

¹⁰ A/HRC/40/6, recommendations 28.2 (Honduras), 28.11 (Colombia, Costa Rica), 28.158 (Australia, Slovenia), 28.159 (Italy, Rwanda, Cyprus), 28.160 (New Zealand, Norway), 28.161 (Portugal, Spain, Iceland), 28.162 (Luxembourg), 28.163 (Belgium), 29.164 (Brazil), 28.165 (Chile), 28.166 (France), 28.167 (Argentina), 28.168 (Liechtenstein) and 28.169 (Namibia).

¹¹ General Assembly resolution 60/251, operative paragraph 9.