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People's Republic of China (including Hong Kong and Macao Special Administrative Regions (HKSAR) (MSAR))*

The present report is a summary of 82 stakeholders' submissions¹ to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translations services.

I. Information provided by other stakeholders

A. Background and framework

1. Scope of international obligations²

1. Chinese Academy of Social Sciences-Human Rights Research Centre (CASS-HRRC) recommended that the Government actively create conditions for early ratification of ICCPR.³ Hong Kong Alliance in support of Patriotic Democratic Movements in China (HKA) recommended that China ratify the ICCPR within 1 year with minimal reservations.⁴ Joint Submission 9 (JS9) recommended that China sign and ratify the optional protocols to ICCPR.⁵

2. Physicians for Human Rights (PHR) recommended that China ratify OP-CAT, remove reservations to the Convention and allow the Committee to investigate allegations of torture.⁶ Chinese Urgent Action Working Group (CUAWG) recommended that China ratify OP-CRPD.⁷ Chinese Human Rights Defenders (CHRD) recommended that China sign and ratify CPED⁸ and Christian Solidarity Worldwide (CSW) recommended that China ratify the Rome Statute of the International Criminal Court.⁹

2. Constitutional and legislative framework

3. China Society for Human Rights Studies (CSHRS) referred to legislative measures taken since 2009 improving on a number of specific rights including for women, children, the elderly and disabled as well as the introduction of a limited public interest litigation system.¹⁰ China Law Society (CLS) provided detailed information on recent amendments to the Criminal Procedure Law (CPL) and that one of the Law's aims included "respect and protection of human rights".¹¹ Amnesty International (AI) also reported that the new CPL: incorporated into national law the exclusion of illegal evidence in criminal proceedings, diminishing the use of evidence based on torture; took steps towards the recognition of the presumption of innocence and offered some enhanced procedural protections for suspects and defendants in capital cases.¹²

4. AI reported that Article 73 of the new CPL made enforced disappearances legally possible by removing the requirement for police to notify the family of the specific location in which an arrested or detained person was held, as well as allowing the police to detain individuals for up to six months in undisclosed locations that were not official detention centres.¹³

3. Institutional and human rights infrastructure and policy measures

5. CSHRS recommended that China actively study the issue of establishing a national human rights institution.¹⁴ HKA recommended that China establish a national institution in line with the Paris Principles.¹⁵

6. Human Rights Watch (HRW) stated that the Government was praised for expressing support for the universality of human rights in its first National Human Rights Action Plan (NHRAP) (2009-2010). Yet the second NHRAP (2012-2015) weakened that commitment by pledging to implement human rights according to "the principle of practicality," a vague term designed to allow the government to sidestep obligations deemed "impractical."¹⁶ CASS-HRRC recommended that the content of the NHRAP be effectively integrated into civil service training and assessment.¹⁷ CSW recommended that China include benchmarks for progress and measures for implementing the plans.¹⁸

7. CASS-HRRC recommended that China: continue to expand non-governmental organizations' (NGOs) participation and to listen to their views for them to play their role in the process of developing, implementing, reviewing and evaluating the NHRAP; and proactively provide conditions for NGOs' participation and give full play to their role in the implementation of the plans and public oversight.¹⁹

8. Rights Campaign provided information on petitioners and human rights groups requesting to participate in the development of NHRAPs and the national human rights report (NHRR) and on submitting an information disclosure request.²⁰ Some of those applying to participate in the preparation of those documents were imprisoned or sent to re-education through labour.²¹ In a response, the Foreign Ministry categorized the NHRR related information as State secrets that shall not be disclosed.²²

9. Vietnam Peace and Development Foundation reported that human rights education was now included as a compulsory subject in the school curriculum.²³ China Foundation for Human Rights Development (CFHRD) hoped that more universities and law schools will offer regular human rights law courses²⁴ and that the Government will support the publication of more works about United Nations human rights mechanisms with pictures and audio.²⁵ CFHRD called for continued human rights training for local officials and improved human rights training for police commissioners, wardens and Directors of Judicial Bureaus.²⁶

10. Beijing Children's Legal Aid and Research Centre (BCLARC) recommended that the Government with child experts from civil society evaluate the child welfare system and propose a formal reform.²⁷

11. Movimiento Cubano por la Paz y la Soberanía de los Pueblos highlighted China's geopolitical importance and its promotion of a policy of peace and conflict resolution through negotiation and diplomacy.²⁸

B. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

12. CSHRS recommended that China pursue the implementation of reasonable recommendations made by the treaty bodies, including within the context of the implementation of a NHRAP.²⁹

2. Cooperation with special procedures

13. CSHRS suggested that China, as appropriate, invite more economic, social, and cultural rights special procedures to visit.³⁰ CSW recommended that China issue a standing invitation to the special procedures.³¹ HRW recommended that China accede to the multiple requests by special rapporteurs to visit China, including Tibetan areas.³² Article 19 recommended the extension of invitations to the Special Rapporteurs on cultural rights, freedom of peaceful assembly and association, freedom of opinion and expression and human rights defenders,³³ with Swiss Tibetan Friendship Association (STFA) recommending a fixed date for a visit of the Special Rapporteur on freedom of religion.³⁴ JS9 recommended that China agree to a visit request by the Special Rapporteur on the independence of lawyers and judges,³⁵ with Life Funds for North Korean Refugees (LFNKR) recommending an invitation to the special rapporteurs on migrants and on trafficking.³⁶

14. According to Human Rights in China (HRIC), since 2009, China continued to fully participate but had not yet implemented the Working Group on Arbitrary Detention's (WGAD's) final determinations and recommendations regarding individuals declared

arbitrarily detained, including Liu Xiaobo.³⁷ Related concerns were expressed by Freedom Now, which recommended that China fully cooperate with, respond to and follow the recommendations of all special procedures including the WGAD and WGEID.³⁸

3. Cooperation with OHCHR

15. International Tibet Network (ITN) recommended that China urgently agree to dates for the High Commissioner for Human Rights to visit in the near future, including agreement that such a visit include the Tibet Autonomous Prefectures, especially in Sichuan and Qinghai where self-immolations had been more frequent, and Tibet Autonomous Region (TAR).³⁹

C. Implementation of international human rights obligations

1. Equality and non-discrimination

16. Lao Women's Union recommended that China intensify implementation of the Law on the Protection of Women's Rights and Interests, promoting gender equality.⁴⁰ China Women's Research Society recommended giving more attention to gender discrimination in employment and the establishment of an effective mechanism against such discrimination.⁴¹

17. According to Hong Kong Unison (HK-Unison) the Race Discrimination Ordinance excluded and in effect wrongfully legalized discrimination on the grounds of nationality and language.⁴² HK-Unison urged the HKSAR Government to implement a "Chinese as a Second Language" Curriculum; and review the Chinese language capabilities as genuine occupational requirements to each civil service post.⁴³

18. JS2 stated that migrant workers were treated like second class citizens and subjected to different forms of exploitation and discrimination.⁴⁴ To address the issues of rural to urban migrant workers and their families, All China Lawyers Association (ACLA) recommended that the Government further amend the legal policies concerning urban household registration, children's education, living conditions and social security; strengthen training on guidance and counselling; increase the migrant workers' legal knowledge and rights awareness; and foster legal aid agencies to strengthen legal assistance for migrant workers.⁴⁵ All-China Federation of Trade Unions (ACFTU) also recommended that the Government take stronger measures to safeguard the legal rights of migrant and dispatched contract workers.⁴⁶

19. Sexual Rights Initiative (SRI) acknowledged steps taken by China to decriminalize and de-stigmatize the Lesbian, Gay, Bisexual and Transgender (LGBT) population⁴⁷ and recommended the establishment of anti-discrimination laws and regulations; and approval of same-sex marriage or domestic partnership laws.⁴⁸ JS3 recommended that HKSAR extend its prohibition of sexual orientation discrimination into the private sector.⁴⁹

20. JS4⁵⁰ and Beijing Aizhixing Institute⁵¹ reported that the creation of Committees for Comprehensive Society Governance-Tasks for Special Groups throughout the country which closely monitored PLWHIV/AIDS and those vulnerable to HIV/AIDS, incarcerated persons, drug users and persons with mental illness, was discriminatory and intruded on privacy. SRI recommended that China reconsider real name registration for HIV testing and ensure full protection of the right to privacy for all seeking HIV testing.⁵² JS4 also suggested that courts should follow Civil Procedures Law to protect victims who were infected with HIV/AIDS due to the sale of blood, blood transfusion and use of blood products and these victims should have the right to seek justice.⁵³ All China Women's Federation (ACWF) made recommendations to better prevent mother-to-child transmission of HIV/AIDS, and protect AIDS affected children.⁵⁴

21. JS5 referred to reports that there were 17.94 million registered drug users in China. Drug users faced discrimination from society and government agencies.⁵⁵ JS7 reported that human rights violations committed in the name of drug control were common in China.⁵⁶ AI reported on UN estimates that compulsory drug rehabilitation camps might have held up to half a million individuals in 2009.⁵⁷

2. Right to life, liberty and security of the person

22. HRIC noted that since China's last UPR, it instituted a series of reforms regarding the death penalty.⁵⁸ Dui Hua Foundation (DHF) reported that an estimated 16,500 people were executed from 2009–2012 a 39 percent decline over 2005–2008⁵⁹ and that the vice health minister stated that China will phase out its reliance on executed prisoners as organ donors by 2015.⁶⁰ DHF recommended that China continue to work towards abolition including by: making public death penalty verdicts and sentencing data; and reducing the number of capital crimes, particularly non-violent and economic crimes.⁶¹

23. According to HRW, the use of torture remained endemic in China's criminal justice system as well as by other branches of Government.⁶² CHRD alleged that conduct recognized as torture under CAT, like causing severe mental suffering, would not be recognized as such under the revised CPL and statements obtained through those actions would still be admissible in court.⁶³

24. According to HRIC, legal experts noted a resurgence of informal, extra-legal political institutions that advanced predatory and repressive government policies, including "black jails" and enforced disappearances used to target activists, petitioners and dissidents.⁶⁴ CHRD stated that petitioners had sued local Governments for illegally detaining them in black jails, but courts rarely accepted such cases.⁶⁵ HRIC recommended that China amend its CPL to ensure individuals are entitled to robust procedural protections when facing deprivation of liberty, including "residential surveillance".⁶⁶

25. HRIC observed that the current "re-education through labour" (RTL) system vested broad discretionary power in local officials, resulting in regular targeting of petitioners raising legitimate grievances.⁶⁷ HRW stated that, in early 2013, the Government indicated that it was considering dismantling the administrative detention system of RTL.⁶⁸ CHRD stated that the main reform appeared to be cosmetic - renaming RTL as "Illegal Behaviour Correction".⁶⁹

26. JS9 referred to the new Mental Health Law (MHL) as a first of its kind. However, the law selectively refused to cover the *Ankang* system, the custodial psychiatric hospital network administered by the Ministry of Public Security.⁷⁰ CHRD stated that the MHL failed to close loopholes for abuse by relatives, police or government.⁷¹

27. DHF noted that domestic violence was a leading cause of crime among women. Consistent with the Bangkok Rules, the Hunan High People's Court issued the first provincial guiding opinion on domestic violence in 2009, encouraging lighter sentences and sentence reductions for women who "fight violence with violence." However, nationwide, most women still received severe punishment.⁷² HRW recommended that China enact a comprehensive law against domestic violence.⁷³

28. PHR alleged that the gender imbalance throughout the country due to a cultural preference for male children catalysed infanticide, human trafficking and sexual slavery.⁷⁴

29. Global Initiative to End All Corporal Punishment of Children recommended the enactment of legislation throughout the State to explicitly prohibit corporal punishment of children in the home and all forms of care as a matter of priority.⁷⁵

3. Administration of justice, including impunity and the rule of law

30. Chinese People's Association for Peace and Disarmament (CPAPD) recommended that the Government further: strengthen and improve the legislative and judicial security system; enhance governance according to law and the rule of law, and prevent and eliminate all forms of brutal or inhumane forms of law enforcement.⁷⁶

31. According to DHF, from 2008–2010, Xinjiang, which accounted for less than 2 percent of China's population, accounted for 50 percent of "Endangering state security" (ESS) trials nationwide. 847 of 849 people charged with splittism or inciting splittism in DHF's Political Prisoner Database (PPDB) were allegedly Uighur or Tibetan.⁷⁷ DHF recommended clarifying standards for sentencing and establishing motive for ESS crimes; making public ESS verdicts; ensuring ethnicity is not the basis for restricting fundamental freedoms and for discrimination in law enforcement, including harsher sentencing.⁷⁸

32. JS9 reported that with the lack of independent courts, verdicts were pre-determined.⁷⁹ JS6 stated that virtually no criminal defendant was ever acquitted. The conviction rate was allegedly in excess of 99 percent. Even where there had been no confession, lawyers placed themselves in jeopardy of criminal conviction under Article 306, of the Chinese Criminal Law, simply by pleading their clients "not guilty".⁸⁰

33. JS6⁸¹ and CHRLCG⁸² reported on alleged severe repression faced by lawyers in China, particularly those working on sensitive cases, such as representing Falun Gong practitioners, Tibetan activists, land rights activists or HIV victims. CUAWG reported that, in 2012, the Ministry of Justice demanded that all licensed lawyers take a loyalty oath to the Communist Party, placing that loyalty above their clients.⁸³ According to JS9, barefoot lawyers - mainly defence lawyers who did not have a license - had addressed the gap in access to legal aid left by the persecution of licensed lawyers.⁸⁴ CHRLCG recommended that China realize its plan, in the Judicial Reform in China White Paper, on "revising related laws to provide a legal guarantee for lawyers to overcome difficulties in meeting with the suspect or defendant, accessing to materials concerning the case and obtaining evidence through investigation"; and regulate the unlawful practices of officials at city and provincial level that violate citizens' right to defense.⁸⁵ CLS requested that relevant departments propose operational and specific provisions to ensure that suspects in life imprisonment and death penalty cases receive timely assistance from legal aid lawyers.⁸⁶

34. ACLA⁸⁷ reported on revisions to the CPL in 2012, with DHF⁸⁸ stating that the revisions introduced a chapter on juvenile cases and the reforms were expected to reduce custodial sentences. DHF proposed recommendations to continue juvenile justice reform in the best interests of juveniles.⁸⁹

35. HKA urged China to fully respect and positively respond to the recommendations suggested by the Committee against Torture regarding the 1989 Democracy Movement and stop the harassment of the Tiananmen Mothers.⁹⁰

4. Right to privacy

36. JS8 stated that, in the absence of a statutory definition of the right to privacy, privacy was often cited as a reason by officials to thwart anti-corruption attempts.⁹¹ JS8 recommended that China: cease intrusive surveillance and interception of digital communications; enact a national data protection law; and promote discussion and acknowledgement of the right to privacy in future NHRAPs.⁹²

5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

37. China Religious Research Centre stated that, in the context of China's rapid social transformation, a number of organizations and individuals engaged in illegal and criminal activities in the name of religion, disturbing social order, undermining national unity, in an attempt to split the country, namely the "Falun Gong", "Tibetan separatist" and "East Turkistan separatists".⁹³

38. Submissions reporting on alleged religious persecution, included European Centre for Law and Justice⁹⁴ and Hua Zhang Dharma Human Rights Group in Norway.⁹⁵ According to AI, the authorities continued to criminally persecute and prosecute individuals and religious groups whom the authorities had declared "illegal" or "heretical" or who sought to operate without state sanction, including "house church" Christians, and certain Catholic, Buddhist, Muslim or other spiritual groups.⁹⁶

39. Justice and Peace Commission of the Hong Kong Catholic Diocese expressed concern at the situation of the Catholic Church in mainland China and that Chinese authorities had imposed political and religious policies against the principles and practices of the Catholic faith⁹⁷ including the ordination of Bishops without the Papal mandate.⁹⁸

40. AI reported that China continued to pursue a systematic, nation-wide, often violent campaign to eradicate the Falun Gong spiritual group, banned since 1999 as a "heretical" group.⁹⁹ CSW alleged that, a specific task force, the "610 Office" was set up to deal with Falun Gong. In 2012 several sources told CSW that the mandate of the 610 Office had been extended to include unregistered church groups and human rights defenders.¹⁰⁰ JS10 alleged that since 2009, 352 cases of deaths as a result of torture or other forms of abuse had been recorded;¹⁰¹ that authorities rarely investigated Falun Gong deaths in custody and perpetrators enjoyed impunity; and that family members and lawyers who had pressed for investigations had suffered retribution.¹⁰² According to Society for Threatened Peoples (STP), Falun Gong RTL inmates were also forced to work in the camps or as temporary workers producing goods for Western export-markets.¹⁰³

41. International Federation of Journalists stated that from 2009-2012 China continued to control domestic media and block international media from monitoring issues that China thinks are politically "sensitive".¹⁰⁴ Independent Chinese Pen Centre reported that it had witnessed a campaign to jail or silence prominent dissident voices,¹⁰⁵ with Article 19 specifically alleging a crackdown against artistic dissent.¹⁰⁶ Pen International (PEN-I) recommended that China respect and protect the right of writers and publishers in China to publish without fear of reprisals or government interference, and foster the creation of domestic and internationally-treasured literature and the growth of a world-class publishing industry.¹⁰⁷ Hong Kong Journalists Association (HKJA) called on the Council to urge the Chinese government to immediately halt unreasonable restrictions on both domestic and foreign journalists.¹⁰⁸ Reporters without Borders (RSF/RWB) recommended that the authorities punish officials at the provincial and local level that abuse their power by repressing the press.¹⁰⁹

42. CIVICUS reported that mass and pre-emptive arrests of human rights defenders (HRDs) escalated in 2011 and 2012.¹¹⁰ JS9 alleged that HRDs targeted by the State worked on various issues, including forced demolition or eviction, political reform, freedoms of expression or religion, workers' rights and ethnic minority rights. Others allegedly targeted included licensed and "barefoot" lawyers, independent election candidates and petitioners working on behalf of their communities.¹¹¹ CIVICUS alleged that throughout 2012, the government issued on average 12 directives per day proscribing reporting on certain issues.¹¹²

43. HRIC stated that over the past four years, China had continued to place significant restrictions on the legal operation of civil society organizations (CSOs).¹¹³ JS2 observed that freedom of association was undermined when independent CSOs submitted to mandatory supervision by a public or Communist Party body.¹¹⁴ China NGO Network for International Exchanges stated that in 2011 China had 462,000 civil society organizations active in poverty alleviation, health, education, environment, human rights and other areas.¹¹⁵ CPAPD hoped that the Government would further welcome and encourage Chinese civil society active in human rights and promote and guide their participation in international exchange and cooperation projects, in order to contribute to human rights development in China and the world.¹¹⁶ SRI recommended strengthened dialogue between government and NGOs that work on LGBT rights, environmental protections, people with disabilities and women's rights.¹¹⁷

44. PEN-I alleged that there were reportedly between 20,000-50,000 employees of the "Internet police" working to maintain stability by flagging and removing content and monitoring who was posting material offensive to the Government. Despite widespread surveillance,¹¹⁸ RSF/RWB commented on how bloggers and internet users helped shape public opinion.¹¹⁹ Internet Society of China (ISC) reported that there were hundreds of millions of bloggers and social networking site users. Social problems were reflected upon and resolved through the use of the Internet, such as child trafficking.¹²⁰ Unión de Periodistas de Cuba referred to the encouraging right to comment and criticize organs of the State and officials who failed to meet their obligations and responsibilities,¹²¹ while Unión Nacional de Juristas de Cuba referred to direct citizen participation in public affairs.¹²²

45. CSHRS reported on difficulties that complicated, affected and constrained public information dissemination, including the limit of self-development of some officials hindering the realization of the principle of timely, open and transparent public information.¹²³ CSHRS recommended a thorough check of the implementation of the Ordinance on information disclosure.¹²⁴ CFHRD recommended the development of user-oriented e-government.¹²⁵ Article19 recommended that the Ministry of Environmental Protection establish a model mechanism for the disclosure of environmental information.¹²⁶

6. Right to work and to just and favourable conditions of work

46. ACFTU noted that where some companies failed in meeting their obligations, including their signing of labour contracts and paying occupational injury insurance, migrant workers could not enjoy the rights and entitlement under the Occupational Disease Prevention Law and had become the largest group of victims of pneumoconiosis.¹²⁷ JS2 alleged that businesses with political connection tended to have higher fatalities because endemic corruption was prone to prevail, thus reducing the effectiveness of preventive measures.¹²⁸ ACFTU believed that the Government should strengthen the regulatory responsibility for the prevention and treatment of occupational diseases and eliminate those technologies and production methods that may cause serious occupational hazards.¹²⁹

47. Beijing Zhicheng Migrant Workers' Legal Aid and Research Center reported that the "Labour dispatch system" (dispatched contract workers) had been abused by many employers. The National People's Congress published an amendment to the Labour Contract Law proposing limiting the use of this system.¹³⁰ CASS-HRRC recommended that the Government request that small-medium-enterprises (SMEs) comply with the Labour Contract Law.¹³¹ ACFTU further recommended gradually making the minimum wage 40-60 percent of the average wage of the local community.¹³²

48. Hong Kong Confederation of Trade Unions (HKCTU) reported that there continued to be a lack of progress towards genuine democratic elections within the ACFTU and its state monopoly remained. The work of labour rights groups and worker organizers remained severely repressed.¹³³ HKCTU reported that the HKSAR government persistently

refused to implement the recommendations of the ILO on introducing legislation for the objective recognition of trade unions for the purpose of collective bargaining.¹³⁴

7. Right to social security and to an adequate standard of living

49. Organizacion de Solidaridad de los Pueblos de Africa, Asia y America Latina referred to the raised quality of life of the population, an assessment supported by objective and internationally recognized statistics.¹³⁵ Asociación Cubana de las Naciones Unidas noted the reduction in nearly half of poverty, from 4.2% in 2008 to 2.8% 2010.¹³⁶

50. According to CPAPD, there was still a large income gap and unfair distribution of social resources.¹³⁷ CPAPD made recommendations, including reforming the income distribution system, intensifying the fight against corruption and solving concerns for a good education, employment, social security, health care, housing, environment, food and drug safety.¹³⁸

51. China Care and Compassion Society referred to China's aging population's impact on development and people's livelihood¹³⁹ and recommended that China improve social services and establish a national support system for the elderly of one-child families.¹⁴⁰

52. AI stated that over the past four years millions of people across China had been forced from their homes without legal protection.¹⁴¹ Federation for a Democratic China-Japan¹⁴² and United Associations of Petitioners of China Forced Evictions and Home Demolitions (UAPCFEHD)¹⁴³ reported that the right to petition was guaranteed in the Constitution. UAPCFEHD stated that almost three quarters of petitions filed related to land disputes, including forced evictions. Less than 0.2 percent of petitioners achieved success.¹⁴⁴ AI recommended that China create alternative funding streams for local authorities to reduce their dependence on development-based land sales and construction that lead to mass forced evictions.¹⁴⁵

8. Right to health

53. ACWF recommended further integration of a gender perspective into health decision-making and health projects, improving maternal and child health services and improving basic medical insurance for urban poor women, rural women and migrant women's enjoyment of health care.¹⁴⁶

54. Tibet Women's Association (TWA) referred to the challenge in providing health care to isolated populations, including the nomadic rural population of Surmang.¹⁴⁷ TWA reported on alleged gender specific abuses committed against Tibetan women in the form of forced birth control policies, such as sterilization and abortions.¹⁴⁸ PHR recommended that China remove forced abortions and sterilizations as remedial measures under Family Planning Commission regulations.¹⁴⁹

9. Right to education

55. BCLARC¹⁵⁰ and ACLA¹⁵¹ made recommendations including that the government invest more resources and take stricter measures to ensure that school-age children would finish nine-year compulsory education, which could fundamentally address the child labour issue. China Education Association for International Exchange made suggestions to improve the quality of education for disadvantaged groups, including by improving school conditions by analysing local conditions, providing quality educational resources and using information communications technology.¹⁵²

56. JS2 observed that over 30 million students were enrolled in vocational schools, with many having arranged job placements that were often full of exploitation. JS2 recommended that China fight against corruption in schools.¹⁵³

57. PEN-I expressed concern about the deterioration of linguistic rights for ethnic minorities, as Mandarin was the primary language of instruction. Protesting the new system, teachers had allegedly lost their jobs as a result.¹⁵⁴

10. Cultural rights

58. Movimiento en Redes del Patrimonio y Diversidad Cultural de Venezuela (RPDCV) praised China's progress in preserving world heritage and protecting intangible cultural heritage.¹⁵⁵ China Ethnic Minorities Association for External Exchanges referred to policies on minority culture protection and development and recommended that China increase investment in "bi-lingual teaching".¹⁵⁶

11. Persons with disabilities

59. RPDCV stressed the importance of improving services for persons with disabilities, officially estimated at 85 million persons.¹⁵⁷ ISC indicated that only 0.1 percent of the visually impaired population used the internet and recommended that the Government improve information accessibility.¹⁵⁸

12. Minorities and indigenous peoples

60. JS11 alleged that the Government sought to undermine Tibetan Buddhist practice, replace loyalty to the Dalai Lama in Tibetan hearts and minds with allegiance to the Party-state, and in doing so, undermined Tibetan national identity at its roots.¹⁵⁹ HRIC stated that since 2009, over 100 Tibetans had self-immolated to protest the Chinese authorities' policies and crackdowns. The Government had responded with increased militarization, vilification of the Dalai Lama, forced "patriotic education", enhanced surveillance of religious activities, detentions,¹⁶⁰ restricted access to the region¹⁶¹ and criminalization of those accused of "assisting" self-immolators.¹⁶² Related concerns were raised by TWA, ITN, STFA and HRW¹⁶³ with Tibet Watch (TW), alleging that the nature of arrest and the judicial system were illustrative of the lack of rule of law and the operation of a culture of impunity.¹⁶⁴ China Association for Preservation and Development of Tibetan Culture (CAPDTC) stated that there was evidence that a number of self-immolation incidents in the Tibetan areas were incited by the Dalai clique.¹⁶⁵ CAPDTC made recommendations to promote Tibetan women's political participation in rural and pastoral areas.¹⁶⁶

61. ITN reported on alleged land seizures for industrial development, including for resource extraction and dam development, without free, prior and informed consent,¹⁶⁷ and the continued imposition of resettlement policies that deprived Tibetan nomadic herders and other rural residents of their land and their means of subsistence.¹⁶⁸

62. Unrepresented Nations and Peoples Organization (UNPO) reported that the influx of Han Chinese in Inner Mongolia led to the establishment of new land use policies, accelerating the process of desertification, which China aimed at reversing by keeping Inner Mongolian herders from their ancestral lands.¹⁶⁹

63. AI reported that China continued to treat harshly Uighurs who practised their religion independently of the Government, including through private religious schools.¹⁷⁰ JS1 reported on the political, civil, economic, cultural and social human rights issues raised by State actions and policies in the period following the unrest in Urumchi in July 2009.¹⁷¹ UNPO alleged that in Xinjiang Uighur Autonomous Region economic disparity had been the cause of ethnic tension.¹⁷²

13. Migrants, refugees and asylum-seekers

64. LFNKR reported that China's policy of forcible repatriation of refugees from a neighbouring country put them in an extremely vulnerable position especially regarding

trafficking.¹⁷³ Human Rights Without Frontiers International recommended that China provide UNHCR with unimpeded access to refugee border prisons in Tumen and Tandung, according special attention to children and pregnant women; and reconsider its policy of denying refugee status to defectors from a neighbouring country.¹⁷⁴

65. According to HRW, China forced approximately 4000 ethnic Kachin out of Yunnan Province and back to a conflict zone in a neighbouring country.¹⁷⁵

14. Right to development and environmental issues

66. Asociación Nacional de Economistas de Cuba recognized the progress made despite the economic crisis and observed that the strategy to stimulate the domestic market and other institutional reforms would allow China to enhance its development.¹⁷⁶ Capitulo Boliviano de Derechos Humanos, Democracia y Desarrollo highlighted the planning process for coordinating urban and rural development to eliminate rural poverty.¹⁷⁷ Federación de Mujeres Cubanas referred to particular improvements in education and health for women and children.¹⁷⁸

67. China Society for Promotion of the Guangcai Programme (CSPGP)¹⁷⁹ and China Foundation for Guangcai Programme¹⁸⁰ provided information on the contribution of Chinese private entrepreneurs to poverty reduction and socially responsible programmes. CSPGP suggested that the competent authorities provide aid and subsidies to private enterprises participating in new rural construction consistent with the agriculture industry plan and/or with high-technology.¹⁸¹

68. JS12 highlighted alleged abuses by Chinese corporations in Sub-Saharan Africa involving violence against workers, poor wage and labour practices, unsafe working conditions, child labour, water pollution, and forced dislocation of communities and recommended encouraging private and State-owned Chinese Corporations to incorporate internationally recognized standards for the protection of human rights, environment, and labour rights.¹⁸²

15. Situation in or in relation to specific regions or territories

69. According to the Hong Kong Human Rights Commission (HKHRC), the right to political participation was still seriously violated by an unfair electoral system and an “executive-dominated” political system, and the Central People’s Government exerted enormous political pressure to the democratic development in Hong Kong.¹⁸³ Hong Kong Human Rights Monitor urged the Government to: implement universal suffrage consistent with ICCPR and the concluding observations of the HR Committee; and abolish all functional constituencies in the Legislative Council Elections.¹⁸⁴ HKJA urged the Council to request that Chinese government officials refrain from pressuring the media.¹⁸⁵ HKHRC raised other concerns such as the increase in poverty and higher income inequality and recommended establishment of an independent monitoring body on the rights of the child and an independent police complaint mechanism with the power of investigation, the recommendations of which should be legally binding.¹⁸⁶

Notes

- ¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

*Civil society*Individual submissions

ACFTU	All-China Federation of Trade Unions, Beijing, People's Republic of China, submission 1 on workers' health and safety, submission 2 on safeguarding rights of vulnerable groups, including internal migrants;
ACLA All	China Lawyers Association, Beijing, China, submission 1 on the rights of internal migrants, submission 2 on the protection of the rights of minors;
ACNU	Asociación Cubana de las Naciones Unidas, Havana, Cuba;
ACWF	All China Women's Federation, Beijing, China;
AI	Amnesty International, London, United Kingdom of Great Britain and Northern Ireland;
ANEC	Asociación Nacional de Economistas de Cuba, Havana, Cuba;
ARTICLE 19	Article 19. London, United Kingdom;
BAI	Beijing Aizhixing Institute, Beijing, China;
BCLARC	Beijing Children's Legal Aid and Research Centre, Beijing, China;
BZMW	Beijing Zhicheng Migrant Workers' Legal Aid and Research Center, Beijing, China;
CAPDTC	China Association for Preservation and Development of Tibetan Culture, Beijing, China, submission 1 on the shadow report on human rights situation in Tibet, submission 2 on the situation of the political and legal rights of Tibetan women;
CASS-HRRC	China Academy of Social Sciences-Human Rights Research Centre, Beijing, China, submission 1 on labour protection, submission 2 on National Plans of Action;
CBDHDD	Capitulo Boliviano de Derechos Humanos, Democracia y Desarrollo/ Bolivian Chapter of Human Rights Democracy and Development, La Paz, Bolivia;
CCCS	China Care and Compassion Society, Beijing, China;
CEAIE	China Education Association for International Exchange, Beijing, China;
CEMAFEE	China Ethnic Minorities' Association for External Exchanges, Beijing, China;
CFGS	China Foundation for Guangcai Programme, Beijing, China;
CFHRD	China Foundation for Human Rights Development, Beijing, China, submission 1 on human rights education, submission 2 on Government information disclosure;
CHRD	Chinese Human Rights Defenders, Washington D.C., United States of America;
CHRLCG	China Human Rights Lawyers Concern Group, Hong Kong, China;
CIVICUS	CIVICUS: World Alliance for Citizen Participation, Johannesburg, South Africa;
CLS	China Law Society, Beijing, China;
CNIE	China Network of International Exchanges, Beijing, China;
CPAPD	Chinese People's Association for Peace and Disarmament, Beijing, China;
CRRC	China Religious Research Centre, Beijing, China;
CSHRS	China Society for Human Rights Studies, Beijing, China, submission 1 on international human rights treaties, submission 2 on freedom of speech;
CSPGP	China Society for the Promotion of the Guangcai Programme, Beijing, China;
CSW	Christian Solidarity Worldwide, New Malden, United Kingdom;
CUAWG	Chinese Urgent Action Working Group, Beijing, China;
CWRS	Chinese Women's Research Society, Beijing, China;
DHF	Dui Hua Foundation, San Francisco, CA, United States of America;
ECLJ	European Centre for Law and Justice, Strasbourg, France;

FDC	Japan Federation for a Democratic China, Tokyo, Japan;
FMC	Federación de Mujeres Cubanas /Federation of Cuban Women, Havana, Cuba;
FN	Freedom Now, Washington DC, United States of America;
GIEACPC	Global Initiative to End All Corporal Punishment of Children, United Kingdom;
HKA	Hong Kong Alliance in support of Patriotic Democratic Movements in China, Hong Kong, China;
HKCTU	Hong Kong Confederation of Trade Unions, Hong Kong, China;
HKHRM	Hong Kong Human Rights Monitor, Hong Kong, China;
HKJA	Hong Kong Journalists Association, Hong Kong, China;
HKJPC	Justice and Peace Commission of the Hong Kong Catholic Diocese, Hong Kong, China;
HK	Unison Hong Kong Unison, Hong Kong, China;
HRIC	Human Rights in China, New York, United States of America;
HRW	Human Rights Watch, Geneva, Switzerland;
HRWF	Human Rights Without Frontiers International, Brussels, Belgium;
HZDHRGN	Hua Zang Dharma Human Rights Group in Norway, Tromsø Norway;
ICPC	Independent Chinese Pen Centre, Hong Kong, China;
IFJ	International Federation of Journalists, Brussels, Belgium;
ISC	Internet Society of China, Beijing, China;
LFNKR	Life Funds for North Korean Refugees, Tokyo, Japan;
LWU	Lao Women's Union, Vientiane, Lao People's Democratic Republic;
MOVPAZ	Movimiento Cubano por la Paz y la Soberanía de los Pueblos/Cuban Movement for Peace and Sovereignty of Peoples, Havana, Cuba
OSPAAL	Organizacion de Solidaridad de Los Pueblos de Africa, Asia y America Latina/ Cuba Organization of Solidarity of the Peoples of Africa, Asia and Latin America, Havana, Cuba;
PEN-I	Pen International, London, United Kingdom;
PHR	Physicians for Human Rights, Cambridge, MA, United States of America;
RC	Rights Campaign, Jiangsu province, China;
RPDCV	Movimiento en Redes del Patrimonio y Diversidad Cultural de Venezuela/Red del Patrimonio y Diversidad Cultural del Estado Miranda, Venezuela;
SRI	Reporters without borders, Paris France;
STP	Society for Threatened Peoples, Göttingen, Germany;
STFA	Swiss Tibetan Friendship Association, Zurich, Switzerland
TW	Tibet Watch, London, United Kingdom;
UAPCFEHD	The United Association of Petitioners of China Forced Evictions & Home Demolitions, New York, United States of America;
UNJC	Unión Nacional de Juristas de Cuba/National Union of Jurists of Cuba, Cuba
UPEC	Unión de Periodistas de Cuba/Union of Journalists of Cuba, Havana, Cuba;
UNPO	Unrepresented Nations and Peoples Organizations, The Hague, The Netherlands;
VPDF	Vietnam Peace and Development Foundation, Ha Noi, Viet Nam
<u>Joint submissions</u>	
HKHRC	Hong Kong Human Rights Commission - joint submission, A coalition of eleven members, including Christians for Hong Kong Society; Hong Kong Catholic Youth Council; Hong Kong Christian Industrial Committee; Hong Kong Christian Institute; Hong Kong Federation of Catholic Students; Hong Kong Social Workers' General Union; Hong Kong Storehouse and Transportation Staff Association; Hong Kong Women Christian Council; Justice and Peace Commission of the Hong Kong Catholic Diocese; Society for Community Organization and Student Christian Movement of Hong Kong, Hong Kong, China;
ITN	International Tibet Network: Joint submission, ITN, San Francisco, CA, United States of America, - a coalition of 185 Member Groups from over 50 countries. Lead Authors are Tibet Justice Centre, Canada Tibet Committee, Students for a Free Tibet, International Tibet Network Secretariat, with the support of Australia Tibet Council;
JS1	Joint Submission 1: Uyghur Human Rights Project/Uyghur American Association, Washington D.C., United States of America;

JS2	Joint Submission 2: The Chinese Working Women Network , Globalization Monitor, Labour Action China, Labour Education and Service Network, Shenzhen and Hong Kong, China;
JS3	Joint Submission 3: Rainbow Action, Women Coalition of HKSAR (WCHK), Hong Kong, China;
JS4	Joint Submission 4: National Committee for people who are infected with HIV/AIDS due to blood infusion, Committee for women who are infected with HIV/AIDS due to blood infusion, Ningling County, Henan Province, Association for HIV/AIDS Prevention, Tuocheng County, Henan Province, Beijing Aizhixing Institute, Beijing, China;
JS5	Joint Submission 5: Yunnan Province Gejiu Huyangshu Self Help Group, Xiyi Institute of Cultural and Social Development, Kunming, China, Beijing Aizhixing Institute, Beijing China;
JS6	Joint Submission 6: Lawyers for lawyers (L4L) Amsterdam, The Netherlands, and Lawyers Rights Watch Canada (LRWC), Vancouver, BC, Canada;
JS7	Joint Submission 7: Harm Reduction International (HRI) and International Network of People who Use Drugs (INPUD), London, United Kingdom
JS8	Joint Submission 8: Privacy International (PI), London, United Kingdom, and the Law and Technology Centre of the University of Hong Kong (HKU), Hong Kong, China;
JS9	Joint Submission 9: Front Line Defenders, Ireland and Chinese Urgent Action Working Group, Beijing, China;
JS10	Joint Submission 10: Human Rights Law Foundation (HRLF), Washington, DC, United States of America, Falun Dafa Information Center (FDI), New York, United States of America, The Institute on Religion & Democracy (IRD), Washington DC, United States of America, Paul Marshall, Senior Fellow, Center for Religious Freedom, Hudson Institute, Thierry Bécourt, President of Coordination des Associations et des Particuliers pour la Liberté de Conscience (CAPLC), Nantes, France, Greg Mitchell, President, The Mitchell Firm, Sue Taylor, National Affairs Office (Scientology), Union of Councils for Jews of the Former Soviet Union (UCSJ), Washington, DC, United States of America, United Macedonian Diaspora, Washington, D.C. United States of America;
JS11	Joint Submission 11: International Federation for Human Rights (FIDH), Geneva, Switzerland, International Campaign for Tibet (ICT) Washington DC, United States of America;
JS12	Joint Submission 12: International Environmental Law Project (IELP) at Lewis & Clark Law School, Portland, Oregon, United States of America, on behalf of: Socio-Economic Rights and Accountability Project (SERAP), Center for Research & Development Zimbabwe (CDZIM); and Southern Africa Resource Watch (SARW), South Africa;
TWA	Joint Submission: Tibetan Women's Association, India, Canada, North America, Europe, Dharamsala, India.

² The following abbreviations have been used for this document:

ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
CPED	International Convention for the Protection of All Persons from Enforced Disappearance;

³ CASS-HRRC, submission part 2, para. 7.

⁴ HKA, para.3.

- 5 JS9, para. 25, recommendation 7.
- 6 PHR, para. 18.
- 7 CUAWG, recommendation 12.
- 8 CHRDR, pp. 5-6.
- 9 CSW, para.4.
- 10 CSHRS, submission part 1, para. 2.
- 11 CLS, para. 2.
- 12 AI, p. 1.
- 13 AI, p. 1.
- 14 CSHRS, submission part 1, para. 5.
- 15 HKA, para.3.
- 16 HRW, p.1.
- 17 CASS-HRRC, submission part 2, para. 8.
- 18 CSW, para. 18.
- 19 CASS-HRRC, submission part 2, para. 9.
- 20 RC, paras. 3, 9 and 10.
- 21 RC, paras. 5-6 and 11.
- 22 RC, para. 13.
- 23 VPDF, p. 2.
- 24 CFHRD, submission part 1, para. 11.
- 25 CFHRD, submission part 1, para. 20.
- 26 CFHRD, submission part 1, para. 21.
- 27 BCLARC, para. 7. See also, LWU, recommendation, pp. 2-3.
- 28 MOVPAZ, pp. 2-3.
- 29 CSHRS, submission part 1, para. 6.
- 30 CSHRS, submission part 1, para. 8.
- 31 CSW, para. 24.
- 32 HRW, p.4.
- 33 Article 19, Recommendations, p.5.
- 34 STFA, p.2, recommendation 3.
- 35 JS9, para. 25, recommendation 5.
- 36 LFNKR, p.1.
- 37 HRIC, para. 4.
- 38 FN, paras. 6 and 16.
- 39 ITN, para. 36, recommendation ii. See also STFA, recommendation 1 and HRW, p.4.
- 40 LWU, p.2.
- 41 CWRS, para. 12.
- 42 HK-Unison, para. 2.2.
- 43 HK-Unison, paras. 4.6 and 3.2.
- 44 JS2, para. 9.
- 45 ACLA, submission part 1, para. 5.
- 46 ACFTU, submission 2, paras. 5-9.
- 47 SRI, para. 4.
- 48 SRI, para. 25, recommendations 1 and 9.
- 49 JS3, para. 1.7.
- 50 JS4, pp. 5-6.
- 51 BAI, Summary and p. 1.
- 52 SRI, para. 25, recommendation 5.
- 53 JS4, p.4.
- 54 ACWF, paras. 16 and 17.
- 55 JS5, Summary, p.1 and Foreword, p.2.
- 56 JS7, Executive Summary, p.1.
- 57 AI, p.2.
- 58 HRIC, paras.6-7.
- 59 DHF, para.14.
- 60 DHF, para. 15. See also JS10, paras. 5.4.1 and 5.4.2.

- 61 DHF, para.27.
62 HRW, p.2.
63 CHRDR, p.2.
64 HRIC, para. 14.
65 CHRDR, p.3.
66 HRIC, para. 17.
67 HRIC, para. 10.
68 HRW, p. 3.
69 CHRDR, p.2.
70 JS9, para. 18.
71 CHRDR, p.3.
72 DHF, para. 10.
73 HRW, p. 5.
74 PHR, para. 14.
75 GIEACPC, p.1.
76 CPAPD, para. 11.
77 DHF, para. 20.
78 DHF, para. 28.
79 JS9, para.20.
80 JS6, para.11.
81 JS6, para. 8.
82 CHRDR, paras.1-2.
83 CUAWG, para.2.
84 JS9, para. 24.
85 CHRDR, paras. 45-46.
86 CLS, paras. 3 and 6.
87 ACLA, submission part 2, para. 3.
88 DHF, paras. 1 and 2.
89 DHF, para. 25.
90 HKA, para. 22.
91 JS8, Areas of concern, 4, on lack of transparency in the name of privacy.
92 JS8, pp. 9-10.
93 CRRC, para. 7. See also, CCCS, para.8.
94 ECLJ, paras. 3-4.
95 HZDHRGN, pp.2-3.
96 AI, p.4.
97 HKJPC, paras. 1-2.
98 HKJPC, para. 6.
99 AI, p.3.
100 CSW, para. 27.
101 JS10, para. 5.1.1.
102 JS10, para. 5.3.1.
103 STP, para. 5.
104 IFJ, p. 4.
105 ICPC, p.1.
106 Article19, para. 7.
107 PEN-I, para. 25.
108 HKJA, para. 27.
109 RSF/RWB, p.7, recommendations.
110 CIVICUS, para. 3.5.
111 JS9, para. 2.
112 CIVICUS, para. 4.4.
113 HRIC, para. 17.
114 JS2, para. 15. See also para. 17, recommendations.
115 CNIE, para. 3.
116 CPAPD, para. 12.

- 117 SRI, para. 25, recommendation 10.
118 PEN-I, para. 15 and 16.
119 RSF/RWB, p.2.
120 ISC, pp1-2.
121 UPEC, para. 6.
122 UNJC, Section VI, para. 1.
123 CSHRS, submission part 2, para. 3.
124 CSHRS, submission part 2, para.4.
125 CFHRD, submission part 2, para. 30.
126 Article19, p.5, recommendations.
127 ACFTU, submission part 1, para. 6.
128 JS2, para.1.
129 ACFTU, submission part 1, para. 7.
130 BZMW, para. 2.
131 CASS-HRRC, submission part 1, paras. 4-5.
132 ACFTU, submission part 2, para. 9. See also JS2, para. 14, recommendations.
133 HKCTU, p.1.
134 HKCTU, p.4.
135 OPSAAL, para. 1.
136 ACNU, para. 2.
137 CPAPD, para. 6.
138 CPAPD, paras. 7-9.
139 CCCS, para. 3.
140 CCCS, paras.6-7
141 AI, p.4.
142 FDC-Japan, pp. 1-2.
143 UAPCFEHD, pp. 2-3.
144 UAPCFEHD, p. 3.
145 AI, p.5.
146 ACWF, paras. 13-14.
147 TWA, paras. 41 and 42.
148 TWA, paras. 8, 15-29.
149 PHR, para. 18.
150 BCLARC, para. 8.
151 ACLA, submission part 2, para. 6.
152 CEAIE, para. 12.
153 JS2, paras. 18 and 20.
154 PEN-I, paras 17, 20, 21 and 24.
155 RPDCV, pp. 5-7.
156 CEMAFEE, paras. 2, 3, 7 and 8.
157 RPDCV, p. 3, part 3.
158 ISC, para. 5.
159 JS11, para. 10.
160 HRIC, para. 19.
161 HRIC, paras. 19 and 21.
162 HRIC, para. 19.
163 TWA, pp. 1-13, STFA, pp. 1-8, ITN, pp.3-11 , HRW, pp.3-5, . See also AI pp. 4-5, STP, para. 1.1 to 1.5, UNPO, pp. 1-5.
164 TW, p.1.
165 CAPDTC, submission 1, para. 15. See also Annex 1, para. 3.
166 CAPDTC, submission 2, para. 8.
167 ITN, paras. 32 and 34.
168 ITN, paras. 29 and 30-32.
169 UNPO, para. 15.
170 AI, p.4.
171 JS1, para. 1.

- ¹⁷² UNPO, para. 11. See also, paras. 10, 13-14 and recommendations, p.5.
¹⁷³ LFNKR, p. 2.
¹⁷⁴ HRWF, p.6.
¹⁷⁵ HRW, p.1.
¹⁷⁶ ANEC, paras. 3 and 7.
¹⁷⁷ CBDHDD, para. 5.
¹⁷⁸ FMC, p.1.
¹⁷⁹ GSPGP, para. 3.
¹⁸⁰ CFGS, para. 1.
¹⁸¹ CSPGP, para. 8.
¹⁸² JS12, paras. 1-2 and recommendation in para 17.
¹⁸³ HKHRC, part A.
¹⁸⁴ HKHRM, para. 4.
¹⁸⁵ HKJA, para. 39.
¹⁸⁶ HKHRC, part C and part G, recommendations 6 and 8.
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