

## **1. Introduction**

- The Happiness Realization Research Institute (HRRI) interacts with various organizations internationally and acts to protect the human rights declared in the Universal Declaration of Human Rights.
- This report aims to bring international attention to the human rights conditions under the Xi Jinping administration in China.
- In UPR session 17, United Nations member states issued 252 recommendations to China. This report will evaluate the implementation of those recommendations and human rights conditions in China after 2014. It proposes improvements in human rights conditions in China, focusing on such issues as natural liberty, freedom of political participation, and international obligations that China is required to fulfill as a United Nations member state.

## **2. Persecuting Human Rights Activists**

- In UPR session 17, 9 United Nations member states recommended that China secure the freedom and safety of human rights activists [186.61(Czech Republic), 62(Switzerland), 115(USA), 131(Finland, Canada), 148(Nigeria), 149(Ireland), 156(Czech Republic), 158(Poland), and 160(Austria)]. Despite this, the circumstances surrounding human rights activists in China have deteriorated remarkably.
- The Xi Jinping administration enacted the National Security Law in July 2015, which stipulates a comprehensive policy of strengthening regulation of national security, and the Anti-Terrorism Act soon after.
- The Overseas NGO Management Law, which came into force in January 2017, justifies controlling the activities of Chinese NGOs and their overseas partners by specifying that 'NGOs should not damage China's national interests.'
- As a member nation of the United Nations Human Rights Council, China has shown inappropriate judgment by casting a negative vote, along with Russia and Saudi Arabia, against the vital resolution adopted in the 2015 General Assembly that confirms the role of human rights activists.
- In fact, since 2013 China has been harassing human rights activists through detention, imprisonment, and torture. For instance, Mr. Xie Yang, a human rights lawyer, was arrested in July 2015 as part of a scandal in which 228 Chinese human rights lawyers were detained. Mr. Xie was then prosecuted for inciting subversion of state power, in which it was alleged that he attacked the government, judicial branch and legislative system on the internet. According to Bowen Press, which disclosed a record of the conversation between Mr. Xie and his lawyer, Mr. Xie was assaulted, given only two hours of sleep, and threatened with the murder of his wife and children. He was eventually forced to make a confession.
- **Recommendation:**
- (1) The Chinese government should stop putting any form of pressure on or persecuting human rights activists and release them from detention and imprisonment immediately.
- (2) The Chinese government should arrest the government officials who were engaged in putting pressure on or persecuting human rights activists.

### **3. Suppression of Freedom of Religion**

- In UPR session 17, 15 member states requested that China protect the right of freedom of religion [186.55(Slovakia), 136(Australia), 137(Spain), 138(Poland), 139(Malaysia), 140(Austria), 141(Comoros), 142(Canada), 143(Italy), 144(Namibia), 145(Saudi Arabia), 147(Uganda), 169(Chile), 181(Jordan), and 235(France)]. Despite this, the human rights situation regarding freedom of religion in China has deteriorated dramatically.
- The Chinese government has enacted the National Security Law in order to justify the suppression of religious and ethnic minorities. This law's definition of 'national security' is ambiguous which means the authorities can easily apply the law arbitrarily. Also, it allows the authorities to easily prosecute people of different beliefs and opinions, so that many people in China are oppressed under the name of 'national security.'
- For example, the Zhejiang Province government announced an urbanization plan and targeted Catholics and Protestants in the region. In Wenzhou city - where more than 60 Christian churches were ordered to dissolve - church buildings were actually demolished and crosses were removed or covered. Priests who had tried to protect their churches were charged with disturbing social order and imprisoned.
- According to Free Tibet, a non-profit, non-governmental organization based in London, England, Tibetan Buddhist monks and local residents were forcibly evicted in Larung Gar in Sichuan Province in July 2016. The Buddhist temple in Larung Gar is said to be the world's largest. The authorities announced that they would reduce the number of residents to 5,000, and most of the evicted Buddhist monks and nuns were forced to return to the Tibet Autonomous Region.
- In Xinjiang-Uygur Autonomous Region, the Chinese government is strengthening religious and cultural oppression of Islamic Uighurs under the name of the 'strike hard campaign' against separatism, religious extremism and terrorism. According to Radio Free Asia, three high school students under the age of 17 in Tamtoghraq Township were detained and then sentenced to six months to 15 years in prison because they watched religious videos by smart phone.

#### **Recommendation:**

- (1) The Chinese government should fulfill the recommendation to faithfully 'take appropriate measures to protect freedom of religion' in China.
- (2) As a member state of the United Nations Human Rights Council, the Chinese government should protect freedom of religion so that anyone in China can practice his or her faith without fear of retaliation by the authorities, based on the rules of Article 18 of the 'International Covenant on Civil and Political Rights.'
- (3) The Chinese government should immediately release the 'Prisoners of Conscience', who have been arrested and imprisoned because of their religious and political beliefs, and allow them to move freely both inside and outside of China.

### **4. Restrictions on freedom of expression and Internet Use**

- In the last UPR session, China received a recommendation to 'improve the transparency of traditional and social media by securing the right to criticize any

governmental organizations and/or institutions freely' from 22 nations [186.136(Australia), 137(Spain), 148(Nigeria), 149(Ireland), 151(Costa Rica, Poland, Sweden), 152(Sweden), 153(Denmark), 154(Norway), 155(Germany), 156(Czech Republic), 157(Cote d'Ivoire), 158(Poland), 159(France), 160(Austria), 161(Estonia), 162(Viet Nam), 163(Bangladesh), 165(Myanmar), 169(Chile), 170(Australia), and 173(Uganda)]. Nonetheless, the Chinese government, after the last UPR session, has expanded restrictions on free speech to cyberspace, codified strict regulations, and reinforced censorship intentionally. In fact, many human rights activists, journalists and bloggers were arrested and are still in prison.

- In December 2015, Beijing City People's Court pronounced a sentence on Mr. Pu Zhiqiang – a well-known human rights lawyer – of three years' imprisonment with hard labor, which was suspended for three years, for 'picking quarrels and provoking trouble' in his online postings. However, what he posted was far from creating instability for Chinese society as a whole, and, therefore, it is a symbolic case of speech oppression, in which the Chinese government restrained Mr. Pu for one year and seven months without conducting a trial.
- **Recommendation:**
- (1) The Chinese government should abolish any legal restriction that is contrary to 'the International Covenant on Civil and Political Rights' or on freedom of speech, including discussions on the internet and social media.
- (2) The Chinese government should release the people who have been detained or imprisoned for reasons of freedom of speech or freedom of the press.

## **5. Suppression of Freedom of Political Participation in Hong Kong**

- Despite having accepted the recommendation of 'securing both the right to vote and eligibility for election more widely' in UPR session 17 [186.173(Uganda)], the Chinese government has not put it into action.
- In January 2018, the Government of the Hong Kong Special Administrative Region declared the candidacy of Ms. Agnes Chow Ting – a member of the democratic party, Demosisto - invalid for the by-election that would be held in March the same year, after four assembly members of Hong Kong legislative council lost their seats. The reason for the declaration was that the Hong Kong government judged that 'self-determination of the people' – the slogan of Demosisto - violates the Basic Law of the Hong Kong Special Administrative Region, which corresponds to the constitution of Hong Kong, which provides that 'Hong Kong is an inalienable part of the people's Republic of China.'
- This judgment, which prohibits Ms. Chow's candidacy because of her political beliefs, restricts Hong Kong citizens' freedom of political participation markedly, and is contrary to the 'International Covenant on Civil and Political Rights.'

- **Recommendation:**

- (1) China should faithfully fulfill the recommendations that the government accepted

at the last UPR session.

- (2) As a member of the United Nations Human Rights Council, China should protect both the right to vote and eligibility for election, regardless of the candidates' political beliefs, based on Article 18 of the 'International Covenant on Civil and Political Rights.'

## **6. International Legal Obligations and Commitments**

- China is a member of many international covenants on human rights, including the 'International Covenant on Economic, Social and Cultural Rights (ICESCR)' and the 'Convention on the Rights of the Child (CRC).'
- China also signed the 'International Covenant on Civil and Political Rights (ICCPR)' in 1988 and, in the last UPR session, 33 nations recommended that China ratify the covenant [186.1(Albania, Belgium, Chile, France, Hungary, Japan, Maldives, Spain, Sierra Leone), 2(Brazil, Bulgaria, Estonia, Ghana), 3(Cape Verde), 4(Czech Republic), 5(Benin), 6(Egypt), 7(Guatemala), 8(Latvia), 9(Botswana), 10(New Zealand), 11(Norway), 12(Portugal), 13(Republic of Korea), 14(Tunisia), 15(UK), 21(Namibia), 32(Zambia), 127(USA), and 153(Denmark)]. Nevertheless, the Chinese government has not yet presented any time schedule towards its ratification of the covenant.
- **Recommendation:**
- (1) As a member of the United Nations Human Rights Council, China should ratify the ICCPR immediately.

## **7. Conclusions**

- China has not implemented any of the commitments to human rights discussed at UPR session 17, and human rights conditions under the Xi Jinping administration have deteriorated markedly. China should observe the commitments discussed at UPR session 17 and consider the recommendations presented in this report fully.